

Fees Refund Policy and Procedure

PURPOSE

This policy/procedure supports SRTO Clause 5.3 and 'Standard 3' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2017', which states:

'Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.'

The National Australian Institute of Technology applies the following procedures to ensure all students are treated fairly and with integrity when applying for refunds. All refunds applications are to be submitted to the Administrations department and the following procedures followed in assessing the application.

All 'refunds' are to be approved by the Administrations Manager and applications processed within 10 working days of the application being placed.

NAIT Prepaid Fees

NAIT does not require the prospective or current students to pay in excess of \$1500 as the prepaid fees either directly or through a third party..

Please note the below refund policy is in relation to 'Tuition Fees' and should not be confused with 'Application' fees which are non-refundable.

1. PROCEDURE

Refund

All student's refunds are conditional on the following:

a. Course Withdrawal

- i. Where written notice of withdrawal is received by the Institute at least **8 weeks before the agreed start date** of the course or term, the Institute will refund the fees and full refund will be provided.
- ii. When a written notice of withdrawal is received by the Institute at less than **8 weeks before the agreed start date** of the course or term, there will be an 80% refund of the tuition fees and 100% refund of the resource fees by the Institute.

iii. Where the student defaults, including withdrawing from a course, after the course/term start date, students are liable to pay full tuition fee and there will be no refund of paid tuition fees.

iv. Any debts to the Institute must be paid in full or the outstanding amounts will be deducted from the refund.

v. If the refund application is approved, refunds will be made available within 28 days (20 working days) of written notification and relevant forms duly signed by the student being received by the Institute.

vi. The Institute must have received funds in order for any refunds to be made available (i.e. cheques are cleared, telegraphic transfers have been received)

b. Student defaults: An overseas student or intending overseas student defaults, in relation to a course at a location, if:

a) the course starts at the location on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or

b) the student withdraws from the course at the location (after the agreed starting day); or

c) the College refuses to provide, or continue providing, the course to the student at the location because of one or more of the followings:

I. the student failed to pay an amount payable to the provider for the course;

II. the student breached a condition of his/her student visa;

III. misbehaviour by the student (Note: the student is entitled to natural justice under subsection 47A(3))

A student does not default for failing to start a course on the agreed starting day if he/she does not start that course because the provider defaults in relation to the course at the institute. No refund is payable for student default.

c. Visa Refusal

If a student visa application or visa renewal is refused by the Australian Government, a refund of course fees, less enrolment, will be made and visa refusal refunds are calculated in accordance with the legislative instrument under subsection 47 E(4).

The calculation under subsection 47 E(4) is as follows:

The amount of unspent pre-paid fees that the provider must refund the student for the purpose of subsection 47 E(2) of the Act is the total amount of the pre-paid fees the provider received for the course in respect of the student less the following amount the lesser of:

(a) 5% of the total amount of pre-paid fees

That the provider received in respect of the student for the course before the default day; or

(b) the sum of \$500.

Students must provide the Institute with substantiated evidence of their student visa refusal.

An international student currently in Australia has their student visa extension application refused by Department of Home Affairs (DHA) after the commencement of their studies no refund will be paid for ongoing study period at the time of decision; however students will be paid a refund of unused tuition fee for future terms.

No refunds will be granted where an international student currently in Australia has their student visa cancelled by the Department of Home Affairs (DHA) for a breach of visa conditions.

d. Institute Default

I. In the unlikely event that the Institute is unable to start or deliver the course (known as Institute default), the student can choose to accept either:

- i. A refund of course fees, which will be issued to the student within 14 days.
- ii. Or be placed in an alternative course with the Institute or another provider. If the student chooses this option, they must sign a new written agreement to indicate they have accepted the placement.

II. If the student chooses to receive a refund of course fees, the Institute will calculate the unspent portion of tuition fees paid to date (i.e. tuition the student has paid for, but which has not been delivered by the Institute). The refund will be paid within 14 days after cessation of the course.

III. If the Institute is unable to provide a refund or place the student in an alternative course, the TPS will provide the student with options for suitable alternative courses (if any such courses are available), or if this is not possible, the student will be eligible for a refund as calculated by the TPS Director.

e. Special Circumstances

Where a student withdraws from the course and returns home because of exceptional and extenuating circumstances of a compassionate nature, such as a death or severe illness in the immediate family, 100% of all the unspent fees paid, less any administration fees, will be refunded.

II. Refund Process

- a. The Student must apply for refund by filling up the refund application form along with evidence and supporting documents. Such documents may include, but are not limited to:
 - i. a completed Course Withdrawal Form provided by the Institute
 - ii. a letter from DHA advising of a rejection of the student visa application or a refusal to extend a student visa
 - iii. proof of extenuating circumstances of a compassionate nature
- b. Refunds will be made within 28 days (20 working days) of the receipt of completed refund application form along with full supporting document submitted to NAIT.
- c. Student can nominate the person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act

III. Payment of Refunds

- a. Refunds will be paid in Australian dollars via bank transfer to the bank account number nominated by the student on the refund application form.
- b. Refunds to International banks are made in the Australian currency where students will receive a refund amount equivalent to Australian Dollar exchange rate on the date of transfer.

2.4 Appealing Refund decisions

Refer to the Student Complaints & Appeals Policy and Procedure on the website or you can get a copy from the Student Administration department if you wish to appeal against the Refund application outcome.

Australian Consumer Protection Law:

This policy and the availability of complaints and appeals processes do not remove the right of a student to take further action under Australian Consumer Protection Law.

The assessment of refund applications shall be granted as indicated below:

Enrolment Fee	Non-refundable
Tuition Fees	
<p>Visa refused prior to course commencement</p>	<p>Visa refusal refunds are calculated in accordance with the legislative instrument under subsection 47E (4).</p> <p>The calculation under subsection 47E(4) is as follows:</p> <p>The amount of unspent pre-paid fees that the provider must refund the student for the purpose of subsection 47E(2) of the Act is the total amount of the pre-paid fees the provider received for the course in respect of the student less the following amount:</p> <p>the lesser of:</p> <p>(a) 5% of the total amount of pre-paid fees that the provider received in respect of the student for the course before the default day; or</p> <p>(b) the sum of \$500.</p>
<p>Withdrawal at least 8 weeks to agreed start date</p>	<p>100% refund of Tuition fees and Resource fees</p>
<p>Withdrawal less than 8 weeks prior to agreed start date</p>	<p>80% refund of tuition fees and 100 % refund of Resource fees</p>
<p>Withdrawal after the agreed start date</p>	<p>No refund</p>
<p>Visa cancelled due to actions of the student</p>	<p>No refund</p>
<p>Course withdrawn by Institute</p>	<p>Full refund including enrolment fee.</p>
<p>Visa Extension is refused</p>	<p>Refund of Unused portion of tuition fees for future terms.</p>

The course is not provided fully to the student because the Institute has a sanction imposed by a government regulator	Refund of unused tuition fees.
Withdraws from the course without notification or breaches their Visa conditions	No Refund.
The institute is unable to provide the course for which the original offer was made	Full refund.
RPL Fees	No refund if 'Statement of Attainment' is provided.
Transferring to another provider	Refund of unused tuition fees.

Application For Refund

Date of Application:	
Course Name & Course Code:	
Student's Full Name:	
Student's Address:	
Course Start Date:	

I wish to apply for a refund for my tuition fees paid for the course described above. My reasons for applying for a refund are:

Enrolment Fee		Non-refundable
Tuition Fees		
<input type="checkbox"/>	Visa refused prior to course commencement (Evidence of visa refusal to be attached with the application)	Visa refusal refunds are calculated in accordance with the legislative instrument under subsection 47E (4). The calculation under subsection 47E(4) is as follows: The amount of unspent pre-paid fees that the provider must refund the student for the purpose of subsection 47E(2) of the Act is the total amount of the pre-paid fees the provider received for the course in respect of the student less the following amount: the lesser of: (a) 5% of the total amount of prepaid fees that the provider received in respect of the student for the course before the default day; or (b) The sum of \$500.

<input type="checkbox"/>	Withdrawal at least 8 weeks to agreed start date	100% refund of Tuition fees and Resource fees
<input type="checkbox"/>	Withdrawal less than 8 weeks prior to agreed start date	80% refund of tuition fees and 100% refund of Resource fees
<input type="checkbox"/>	Withdrawal after the agreed start date	No refund
<input type="checkbox"/>	Visa cancelled due to actions of the student (Evidence of visa refusal to be attached with the application)	No refund
<input type="checkbox"/>	Course withdrawn by Institute	Full refund including enrolment fee.
<input type="checkbox"/>	Visa Extension is refused (Evidence of visa refusal to be attached with the application)	Refund of Unused portion of tuition fees for future terms.
<input type="checkbox"/>	The course is not provided fully to the student because the Institute has a sanction imposed by a government regulator	Refund of unused tuition fees.
<input type="checkbox"/>	Withdraws from the course without notification or breaches their Visa conditions	No Refund
<input type="checkbox"/>	The institute is unable to provide the course for which the original offer was made	Full refund
<input type="checkbox"/> <input type="checkbox"/>	RPL Fees	No refund if 'Statement of Attainment' is provided.
<input type="checkbox"/>	Transferring to another provider	Refund of unused tuition fees.

For Office use only

Student's Signature		Date	
Refund Application Processed by		Date	
Administration Signature	Manager's	Date	