

REFUND POLICY – INTERNATIONAL STUDENTS

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1.0 Purpose

This policy sets out the provision of information regarding refund scenarios for international student fees for all EIT higher education courses. It outlines where a refund of tuition fees or charges related to study in an accredited course may apply for commencing and continuing international students.

2.0 Scope

This policy applies to international students enrolled in an EIT higher education course:

- who are studying the course from overseas via online learning (“international online students”); or
- who hold a student or temporary residence visa and are studying on campus at EIT in Australia (“international on-campus students”); and
- that have paid tuition fees in advance; or
- that are paying tuition fees in instalments.

This policy does not apply to domestic students.

This policy does not remove the right to take further action under Australian Consumer Law if the Australian Consumer Law applies, nor does it prevent the student from pursuing other legal remedies.

3.0 Objectives

The objectives of this policy are to:

- provide transparent processes for refunds of tuition fees for international students, where applicable
- set out the circumstances where a full refund or a partial refund may apply for international students
- comply with relevant legislation

4.0 Implementation

The Higher Education Manager is responsible for implementation of this policy and ensuring that it is distributed throughout the EIT higher education community.

Students are responsible for ensuring that they are familiar with this policy and EIT's tuition fees, charges and circumstances where a refund may apply before accepting an offer for admission into an EIT higher education course.

4.1 Non-Refundable Fees and Charges

Administrative fees and incidental charges, fines and penalties are non-refundable, and are additional to tuition fees.

The *Fee Schedule* shows non-refundable fees and charges, noting that fees and charges may vary from time to time. The EIT website has a complete list included with the *Fee Schedule*.

4.2 Withdrawal

International students who decide to withdraw from one or more units of study, or the course, must:

- Complete a *Withdrawal Declaration Form*
- Submit a *Refund Application Form*, if relevant
- Submit the form/s to the Learning Support Officer.

A withdrawal notice will not be effective until it is received and acknowledged by the Learning Support Officer.

'International on-campus' students should be aware that withdrawing from a course may have significant implications and may contravene a student's visa conditions, which could lead to the cancellation of a student's visa. The Department of Home Affairs (DoHA) may also make other impositions.

Refer to '*Table 1 - Refund Eligibility for International Students*', below for an explanation of standard refund policies applicable to international students.

An international student who withdraws from a course or unit(s) due to special circumstances may apply to have any tuition fees paid refunded. See the "*Special Circumstances for all Students*" section below.

4.3 Changing to another Australian Higher Education Provider ('International On-Campus' Students Only)

'International on-campus' students who wish to change to another provider prior to completing six calendar months of studies in their principal course with EIT will require a release from EIT to enrol at

another registered higher education provider. Refer to the *Transfer Between Registered Providers Policy.HE* for more information on changing to another provider.

‘International on-campus’ students are bound by the conditions of their respective visas when changing their education provider. Students who change provider are regarded as withdrawing students as outlined in the “*Withdrawal*” section above.

Students will be notified when their enrolment has been cancelled. All transfer request outcomes will be recorded in PRISMS.

4.4 Deferment

4.4.1 Deferring a Letter of Offer (before the course start date) (All International Students)

Deferment is an option for new international students who have received a letter of offer but wish to defer commencement of their studies to a later date. The deferment procedure is described in more detail in the *Admissions Policy.HE*.

Applications for deferment will be assessed, and if granted, tuition fees may be refunded or held in credit until the revised start date.

If a student subsequently notifies EIT in writing that he/she does not intend to take up the place, the tuition fees held in credit will be treated as for a withdrawal (see the “*Withdrawal*” section above).

‘International on-campus’ students should be aware that deferring a course offer may have significant visa implications and may contravene a student’s visa conditions, which could lead to the cancellation of a student’s visa. The Department of Home Affairs (DoHA) may also make other impositions.

4.4.2 Approved leave of Absence (after the course start date) (All International Students)

Continuing students who wish to take time off (approved leave) from their studies should do so in accordance with the procedure described in more detail in the *Admissions Policy.HE*.

Applications for leave will be assessed, and if leave is requested prior to the census date for the current study period, and approved, tuition fees may be refunded or held in credit until the revised start date.

Approved leave by ‘international on-campus’ students after the initial payment date can only be granted in special circumstances and in all cases, prior approval must have been granted by EIT. See Section 4.6 and following sections for refund eligibility.

‘International on-campus’ students should be aware that interrupting studies may have significant visa implications and may contravene a student’s visa conditions, which could lead to the cancellation of a student’s visa. The Department of Home Affairs (DoHA) may also make other impositions.

4.5 Application for Refund

International students who wish to apply for a refund must complete the *Refund Application Form* and submit it to the Learning Support Officer. The application must include other relevant forms associated with deferment, leave, or withdrawal from the course. The forms must be signed and completed in full, and be accompanied by all relevant supporting documentation.

Students should apply for a refund within 14 days of an event that qualifies the student for a refund. If a student does not submit a *Refund Application Form*, credit will be held towards future enrolment.

If a student is granted permanent resident status during his/her studies at EIT, he/she is not eligible for a refund of fees for the current term of study. However, domestic fees will apply if the student continues his/her studies at EIT.

Students will be notified of the refund application decision within 14 days of receipt of the application.

4.6 Summary of Refund Eligibility for International Students

Table 1 provides a summary of circumstances when a refund may be available for international students.

Table 1: Refund Eligibility for International Students

Circumstances	Refund	Process
New international student who has paid tuition fees and withdraws or defers before the first census date.	Yes. Full refund of tuition fees.	Complete a leave request <i>Application Form</i> OR a <i>Withdrawal Declaration Form</i> AND a <i>Refund Application Form</i> .
Continuing international student withdraws on or before the census date.	Yes. Full refund of unused tuition fees	Complete a <i>Withdrawal Declaration Form</i> AND a <i>Refund Application Form</i> .
EIT withdraws the offer of enrolment: <ul style="list-style-type: none"> if the student fails to meet the entry requirements, such as the stated level of English. based on incorrect or incomplete information provided by the applicant. 	Yes. Full refund of tuition fees.	Complete <i>Refund Application Form</i> AND Learning Support Officer will communicate withdrawal of offer to student.
Initial visa application is rejected.	Yes. Full refund of tuition fees.	Complete a <i>Refund Application Form</i> .
Visa application is delayed due to no fault of the student, and the start of the program is delayed. (This does not include the student's own actions or inactions).	Yes. Full refund of tuition fees.	Complete a <i>Refund Application Form</i> .

Circumstances	Refund	Process
Visa application is refused.	Yes. Full refund of tuition fees.	Complete a <i>Refund Application Form</i> .
EIT default (unable to deliver the course). EIT may offer students a place in an alternative course at EIT or another registered provider. In such circumstances there will be no additional cost to the student, and a refund will not be paid.	Yes. Full refund of tuition and admin fees.	EIT will refund the tuition fees in full to the student within 28 days. No refund will be given if the student accepts an alternative course.
Withdrawal after the Census Date with no special circumstances.	No refund.	
Withdrawal after the Census Date, but special circumstances apply	Possible	See “Special Circumstances for All Students” section below.

4.7 Special Circumstances for All International Students (See also Table 2)

Special circumstances may apply for the provision of a refund, when withdrawal is after the census date, if EIT makes an assessment that the special circumstances comply with the guidelines. The student must have:

- been enrolled in the unit after the census date
- not successfully completed the requirements of the unit
- submitted a written application for special circumstances using the *Refund Application Form* together with a *Withdrawal Declaration Form* and supporting evidence.

4.7.1 Guidelines

The special circumstances:

- were beyond the student’s control, which is reasonably considered as not due to the student’s action or inaction, either direct or indirect, and for which the student is not responsible and;
 - were unusual for the student; and
 - made it impractical for the student to complete the requirements of the course/s; and
 - did not occur until on or after the Census Date for the course/s; or
 - where the circumstances occurred or existed before the Census Date, worsened or changed, such that their full effect was not apparent to the student until after that date.
- would make it impractical for a student to complete the requirements of the course/s and may include (but are not limited to):
 - medical circumstances that have changed to such an extent that the student is unable to continue studying, or new medical circumstances arose.

- family/personal circumstances such as death, significant medical issues, unforeseen financial difficulties, or other circumstances that are unreasonable to expect a person to continue their studies.
- employment related circumstances where the employment status or arrangements have changed so that the student is unable to continue their studies and this change is beyond their control.
- program related circumstances where the Institute has changed the course offered, and the student is disadvantaged by either not being able to complete the course, or not being given credit towards other courses or programs.
- extenuating circumstances of reasonable significance that interfere with the student's ability to meet a program's requirements. For example, carers' responsibilities, legal commitments, military service, accidents or natural disasters.

Special circumstances do not include:

- lack of knowledge or understanding of this policy or government legislation; or
- failure to follow correct procedures; or
- academic ability that was less than expected.

Special circumstances are accepted as basis for a refund at the discretion of EIT.

4.7.2 Supporting Documentation

Students should ensure that their supporting documentation complies with EIT's requirements and is:

- in English, or has been translated and certified as an official translation from an official authority
- an original document or a certified copy
- an original medical certificate that details the condition, where medical circumstances apply
- a statutory declaration, where relevant
- a detailed account of the circumstances or events that are relevant to the application, including specific dates, and demonstrates how it meets the 'Special Circumstances' section of this policy
- a true and honest representation of the circumstances
- other documentation requested by EIT

**Table 2: Refunds That May Apply Under Special Circumstances
for All International Students**

Circumstances	Refund	Process
Withdrawal from a unit or course due to special circumstances beyond the control of the student. See 'Special Circumstances for All Students' section in this Policy.	Possibility	A student may submit a request for special circumstances, if eligible, using the appropriate forms (see above), or may lodge an appeal.
Withdrawal from a unit or course after the Census Date.	No	A student may submit a request for special circumstances, if eligible, using the appropriate forms (see above), or may lodge an appeal.
EIT cancels a student's enrolment due to reasons of unsatisfactory progress, misconduct, lack of attendance or a student has provided fraudulent or misleading information.	No	A student may submit a request for special circumstances, if eligible, using the appropriate forms (see above), or may lodge an appeal.
EIT cancels a student's enrolment due to non-payment of tuition fees or other fees and charges.	No	A student may submit a request for special circumstances, if eligible, using the appropriate forms (see above), or may lodge an appeal.
After submitting a formal complaint in accordance with the <i>Student Complaints, Grievances and Appeals Policy</i> .HE.	Possibility	Complete and submit a <i>Student Complaint Form</i> , together with relevant evidence; AND a <i>Refund Application Form</i> . Tuition fees may be refunded in full or in part, depending on the outcome of the grievance process.

4.8 Overseas Student Health Cover (International On-Campus Students Only)

International On-Campus students are responsible for contacting their Overseas Student Health Cover (OSHC) provider directly to apply for an OSHC refund if the student requires it.

4.9 Payment of Refunds

Refunds will be paid within 28 days of receipt by EIT of a complete and approved *Refund Application Form*. Incomplete forms or applications without sufficient supporting documentation may cause delays in processing refunds.

Refunds will be paid:

- in Australian dollars.
 - If the tuition fee was paid by credit card within the last 12 months, then under Australian banking regulations the refund must be credited to the credit card from which the fee was initially paid.
- directly to the person who entered into the contract with EIT as the registered provider, unless written permission has been given to make the payment to another person.
 - Note that Australian legislation does not allow for a refund to be paid to an agent (Education (Overseas Student) Registration 1998 7 (2) (b)).

Any international transfer fees for payments to international bank accounts will be borne by the student. EIT will record the transaction in the Student Records Management System.

4.10 Student Default (International On-Campus Students Only)

EIT will notify the Secretary of the Department of Education, Skills and Employment and the Director of the Tuition Protection Scheme (TPS) via PRISMS of a student default within five (5) working days of the default occurring.

4.11 Appeals

Students may seek a review of any decision related to a refund application, by submitting an appeal to the Learning Support Officer within 28 days of receiving the notice. The appeal must be accompanied by supporting documentation.

The Higher Education Manager will consider appeals relating to refunds. Students will be notified of the decision within 28 days of EIT receiving the application. If students are not satisfied with the reviewed decision, then they can make an appeal to the Governance Board or seek an external review, as set out in the *Student Complaints, Grievances and Appeals Policy.HE*.

5.0 Definitions

Please refer to the EIT Glossary that can be found [here](#) for all definitions used in this document not listed below.

Admission: the process for admitting an applicant into a course at EIT, following a successful application and acceptance of the offer of a place by the applicant in the course. Admission is part of the enrolment process.

Applicant: a person who applies for a place in a course at EIT. An applicant becomes a student upon enrolment.

Leave/Approved Leave/Leave of Absence: an agreement to allow an enrolled student to take a leave of absence from their studies for a set period of time, after the student has begun the course.

Census Date: The last date when students may withdraw without incurring financial liability for tuition fees.

Course: A single course leading to an Australian higher education award.

Course Entry Requirements: the entry requirements that an applicant must satisfy to be admitted into a particular course, that are additional to the general entry requirements.

Current Unit(s): A unit or group of units which start in the next chronological teaching and study period. See also Unit.

Deferment: an agreement to allow an applicant to defer taking up the place they have been offered in an EIT course until a later time.

Domestic Student: An Australian Citizen, Australian Permanent Resident or a New Zealand Citizen with a Special Category Visa who meets residency criteria. This includes students who are paying tuition fees directly without using the FEE-HELP loan scheme ('domestic non FEE-HELP') and students who are using the FEE-HELP loan for all or part of a unit(s) tuition fee ('domestic FEE-HELP').

Enrolment process: An applicant wishing to study with EIT begins the enrolment process by applying for admission.

FEE-HELP: a loan scheme offered by the Australian Government only to domestic students to help eligible fee paying students to pay all or part of their tuition fees.

Fee Schedule: Published on the EIT website, the Fee Schedule shows tuition fees, incidental charges, fines, and penalties plus Payment Dates, Start Dates, and Census Dates.

International Student: A student who is not a domestic student. This includes students on student visas or temporary residence visas ('international on-campus') and those studying off-shore via online learning ('international online').

Offer: the offer of a place on an EIT higher education course to a successful applicant.

Payment Date: The official date when payment for the current unit(s) is required.

Start Date: The official date that the teaching period of a unit commences.

Tuition Fee: The compulsory fees for tuition that are determined by EIT.

Unit: A discrete unit of study, where a combination of units makes up a course of study. See also Current Unit(s).

Withdrawal: A formal procedure where a student decides to discontinue a course without the intention of returning or discontinues a unit with the intention of enrolling in it at a later date.

6.0 Related Documents:

- Admissions Policy.HE
- Credit and Recognition of Prior Learning Policy.HE
- Higher Education Fees Policy.HE
- Privacy Policy.DS
- Records Management Policy.DS

- Student Complaints, Grievances and Appeals Policy.HE
- Student Complaints, Grievances and Appeals Procedure.HE
- Transfer Between Registered Providers Policy.HE
- Transfer Between Registered Providers Procedure.HE
- Tuition Protection Policy.DS

7.0 Related Legislation

The following legislation is relevant to this policy, however not all are mandatory education providers:

- [*Education Services for Overseas Students Act 2000 \(Cwth.\)*](#)
- [*Fair Trading Act 2010 \(WA\)*](#)
- [*Higher Education Standards Framework \(Threshold Standards\) 2021 \(Cwth.\)*](#)
- [*Privacy Act 1988 \(Cwth.\)*](#)
- [*Tertiary Education Quality and Standards Agency Act 2011 \(Cwth.\)*](#)

8.0 Accountabilities

The Governance Board is responsible for review and approval of this policy.

The policy is to be implemented via induction and training of staff and distribution to students and EIT's community via the website and other publications.