

# Fee refund policy

## Purpose

This policy establishes the criteria for granting refunds to ensure that the refunds of fees are made in accordance with the ESOS (Education Services for Overseas Students) Act 2000 and Regulations 2001.

## Scope

This policy applies to prospective students who have accepted a place at the Institute and students currently enrolled at the Institute.

## Responsibility

The CEO is responsible for the implementation of this policy and to ensure that staff and students are aware of its application and procedures.

## Definitions

- **Tuition Fee**  
The Tuition Fee is a compulsory academic fee payable by the students for enrolled Courses offered by the Institute.
- **Course Material Fee**  
A fee charged for the cost of providing course materials, textbooks, student guides and resource materials that are retained by the student as his/her personal property.
- **Fees Refund**  
For the purpose of this policy, Fee Refund means any fee applicable with the enrolment into the courses offered by the Institute excluding any Course Materials Fees that are non-refundable.
- **Administration Fee**  
The Administration Fee is a non-refundable fee that may be charged to students for providing services to the students.
- **Withdrawal from the course**  
Withdrawal refers to student's deferral, suspension or cancellation of enrolment in courses offered by the Institute.

## Refunds policy

### 1. All refund requests are conditional on the following:

- The Institute must have had received funds in order for any refunds to be made available (i.e. cheques are cleared, telegraphic transfers have been received);
- Any debts to the Institute must be paid in full or the outstanding amounts will be deducted from the refund.

### 2. The Australian Government refuses visa

If the student visa application or visa renewal is refused by the Australian Government, a full refund of course fees will be made. In order to receive the refund students will have to provide authenticated evidence of the student visa refusal to the Institute.

### 3. Withdrawal from the course

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- Where written notice of withdrawal is received by the Institute 28 days before commencement of the course, the Institute will refund 80% of the fees for the current semester and 100% of all fees paid for future semesters less any administration fees.
- Where the Institute receives written notice of withdrawal less than 28 days before commencement of the course, students will receive 70% for the current semester. However, 100% of all fees paid for future semesters less any administration fees will be refunded.
- Where the Institute receives written notice of withdrawal after the commencement of the course, students will receive no refund for the current semester. However, 100% of all fees paid for future semesters less any administration fees will be refunded.
- If the refunds application is approved, refunds will be made available within 28 days (20 working days) of written notification being received by the Institute.

### 4. Special Circumstances

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

### 5. No Refund

- No refund will be granted if an international student, currently in Australia, has their student visa cancelled by the Department of Immigration and Citizenship (DIAC) for a breach of visa conditions.
- No refund will be granted if an international student, currently in Australia, has their student visa extension application refused by the Department of Immigration and Citizenship (DIAC) after the commencement of their studies, for not meeting visa requirements.
- No refund will be granted if international student, currently in Australia, is suspended or excluded from Gurkhas Institute due to misconduct.
- No refunds can be claimed for student Course Material fees, if charged by the Institute, after the commencement of the course,

### 6. Cancellation or Non-Delivery of the course

- In an unlikely event that the Institute is unable to deliver the course in full, the students will be offered a refund of all the course fees they have paid to date. The refund will be paid to within two weeks of the day on which the course ceased being provided.
- Alternatively, students may be offered enrolment in an alternative course by the Institute at no extra cost. Students have the right to choose whether they would prefer a full refund of course fees, or to accept a place in another course. If they choose placement in another course, we will ask students to sign a document to indicate that you accept the placement.
- If the Institute is unable to provide a refund or place students in an alternative course our Tuition Assurance Scheme (TAS) provided by ACPET will place them in a suitable alternative course at no extra cost.
- Finally, if ACPET cannot place students in a suitable alternative course, the ESOS Assurance Fund Manager will attempt to place them in a suitable alternative

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course or, if this is not possible, they will be eligible for a refund as calculated by the Fund Manager.

### Refund Procedure

- All requests for refund must be made in writing clearly stating the reason for the refund and must include supporting documentation including:
  - i. a letter from DIAC advising of a rejection of the student visa application or a refusal to extend a student visa; or
  - ii. proof of extenuating circumstances of a compassionate nature; or
  - iii. an unconditional offer letter from another institution along with a DIAC approved letter to transfer; or
  - iv. a completed course withdrawal forms provided by the Institute.
- For an Institute default on the agreement, refunds will be made within 14 days of the default date.
- For a student default on the agreement or withdrawal from the course, refunds will be made within 4 weeks (28 days) of written notification being received by the Institute.
- The CEO or the designated Manager must approve student refunds.
- Details of refunds provided must be maintained in individual student files.

### Payment of Refunds

- If a request for a refund is approved, the refund, other than a transfer to another Australian institution, will only be made payable to the applicant by bank draft in Australian dollars to the student's address registered with the Institute.
- If a request for a refund is approved, the refund for an approved transfer to another Australian institution will only be made payable to the applicant's receiving institution in Australian dollars. The fund will not be refunded to the student.

### Student visa

Gurkhas Institute will report all international students who do not have a current enrolment to the Department of Immigration and Citizenship (DIAC). Student visas may be terminated based on this information. If a visa extension is refused, students will be charged an administration fee.

### Student's right

- Any student who is refused a refund by Gurkhas Institute may appeal within ten (10) days in writing to the Student Administration Manger.
- The Institute's appeal process does not circumscribe the student's right to pursue other legal remedies.
- This agreement, and the availability of complaints and appeal processes, does not remove the right of the student to take action under Australia's consumer protection laws.

### Review history

## Fee refund policy

<b>Revision</b>	<b>Date</b>	<b>Description of modifications</b>
1	June 2008	Original
2	June 2009	Updated refund conditions
3	December 2009	Minor formatting
4	December 2010	Annual Review
5	December 2011	Annual Review