
Refund Policy & Procedure

Introduction:

This policy and procedure assures that ATCWA manages and processes all refund requests in a fair and consistent manner to its all international students. It provides a provision for refunds of tuition fees and where relevant other fees and charges paid in advance. Whilst it does not cover the refunds for OSHC as it should be referred to the OSHC provider, it applies to all intending, commencing and continuing international students. As soon as an international student accepts a course offered by ATCWA and pays the associated fees, a binding contract is created between the student and the ATCWA.

Purpose:

To ensure that all stakeholders of ATCWA are made aware of the Refund Policy for international students before a student accepts enrolment, and to ensure compliance in line with the RTO Standards 2025 and the National Code Part B Standard 2 and 3. All applicable staffs are provided with a copy of this policy and procedures as part of their induction.

Scope:

This policy and procedure applies to all ATCWA operations as they relate to international students including unspent portions of tuition fees, which have been paid in advance and includes fees collected by approved education agents on behalf of ATCWA, and other fees and charges applicable to international students. All international students who apply for a refund under this policy are entitled to lodge a complaint or appeal against any decision relevant to their refund request. This policy and the availability of complaints and appeals processes, do not remove the right of any student to take action under the Australian consumer protection laws.

Where an application for an initial student visa is refused, the Department of Home Affairs (DHA) will issue a letter to confirm that the student visa application has been refused. A copy of this letter must be provided to ATCWA as evidence of visa refusal and in order for the student to obtain a refund in accordance with this Refund Policy. Where the refusal letter is not provided, the refund will be calculated as per a student withdrawal as per the refund tables 1 & 2 below. Where a student defaults in accordance with the meaning given in this policy, the cancellation and refund fees in the tables that follow will prevail. In all cases of student default, international students will have access to ATCWA's Complaints and Appeals Policy and Procedure.

Alignment:

National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Key Staff Responsible:

- Administration Officer
- Enrolment Officer
- Marketing Manager
- Managing Director

Definitions:

International student: means international students or intending international students on a student visa under the Migration Act 1958.

Provider Default: means where ATCWA is not able to provide the CRICOS registered course that it has offered to an international student. This may include where ATCWA is no longer registered to offer CRICOS or any CRICOS registered course that might be relevant to an international student's enrolment at ATCWA.

Student Default means:

- The course starts on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or
- The student withdraws from the course (either before or after the agreed starting day); or
- The registered provider of the course refuses to provide, or continue to provide, the course to the student because of one or more of the following:
 - The student failed to pay an amount he or she is liable to pay directly or indirectly in order to undertake the course;
 - The student breached a condition of his/her student visa;
 - Misbehaviour by the student.

Study Period: means one (1) term (10 weeks) of scheduled classes unless specified in a Training and Assessment Strategy.

Tuition Protection Service:

The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study. The TPS ensures that international students are able to either:

- Complete their studies in another course or with another education provider; or
- Receive a refund of their unspent tuition fees.

In the unlikely event that ATCWA is unable to deliver a course international students have paid for and ATCWA does not meet its obligations to either:

- Offer international students an alternative course that they accept; or

- Pay international students a refund of their unspent prepaid tuition fees (this is called a provider's 'default obligations');

The TPS will assist those international students in finding an alternative course or to get a refund if a suitable alternative is not found.

Applying for Refund:

International students seeking refund for any purpose must complete the ATCWA Refund Request Form and supply any supporting evidence as required. It should be noted that making an application for a cancellation of enrolment or a letter of release are not indicators that you are also seeking a refund and an *Application for Refund Request Form* must be completed at all times a refund is being sought.

A refund will not be provided in the following circumstances:

- Where the international student still has fees outstanding;
- Where equipment and/or resources on loan to the international student from ATCWA have not been returned;
- A complaint or appeal is in progress that is related or linked to the application for a refund.

Refunds will be transferred into the international student's nominated bank account in their own name unless they are under the age of 18 years, in which case, the refund will be provided to the parent or legal guardian responsible for the international student. In the event that the international student is deceased or incapable of nominating a bank account, the refund will be provided to the parent or legal guardian as nominated on the international student's emergency contact details form. Under no circumstances will an international student's refund be paid to an education and/or migration agent or other third party without the international student's written consent (Request of refund to an alternative payee) and that consent is written in English.

Where a refund is processed for overseas payments for international students in accordance with this policy, international students will be charged any bank fees associated with the transfer of funds. This is because ATCWA absorbed the costs of the bank fees in receiving the fees upon initial payment.

In all cases where a refund is approved and processed, the international student will receive a written statement that details how the refund was calculated and where it was paid into. In all cases where an international student applies for a refund and the refund is declined, a written statement will be provided to the international student outlining the reasons for the decision by ATCWA to reject the application for a refund.

The student agrees to repay ATCWA (on demand) any payments credited to the student in error. ATCWA reserves the right to offset the amount of any over-payment made in error against any liability (including any future debt) owing to ATCWA by the student.

All refunds will be proceeded within twenty-eight (28) days.

Refunds Due to ATCWA's Default:

In the unlikely event of ATCWA default, then all unspent pre-paid tuition fees to date will be refunded to the student within twenty eight (28) days from the day which occurred the default. Other associated fees may be refunded. Alternatively, the student may be offered enrolment in an alternative course (this course may or may not be with an alternative provider) at no extra cost with any unspent tuition fees transferred to the new course and where relevant, the new provider. The student reserves the right to accept either the refund amount or a place in another course.

Where the student accepts a refund of unexpended pre-paid tuition fees from the TPS, they will be required to comply with all relevant immigration requirements and should note that this may have an impact on their student visa. Where the student wishes to obtain further information about the Tuition Protection Service (TPS), it can be found at the following website:

<https://tps.gov.au/StaticContent/Get/StudentInformation>

If ATCWA cannot place the student in a suitable alternative course and is unable to offer a refund of unspent tuition fees, the Tuition Protection Service (TPS) will attempt to place the student in a suitable alternative course or, if this is not possible, students will be eligible for a refund as calculated by the TPS.

If ATCWA is not in a position to refund the unexpended pre-paid tuition fees, ATCWA will notify the TPS Director within three (3) business days of the default or intention to default. At this time, ATCWA will have fourteen (14) days to satisfy its tuition protection obligations to current students. Subsequent to the fourteen (14) days lapsing, ATCWA will have a further seven (7) days to advise the TPS Director of the final outcome. Please search <https://www.education.gov.au/tps> for further details related to the Tuition Protection Service (TPS).

The following conditions apply to all courses offered by ATCWA. Unless specified, each study period refers to 10 weeks.

Tuition Fees & Applicable Charges: Table 1

| Reason for Refund | Timeline for Request of Refund | Deductable Fees and Charges | Refund Amount |
|--|---|---|--|
| Application for visa is unsuccessful | Before commencing study/course (followed by the CoE date) | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable). | Full amount after deducting the deductible fees and charges. |
| | After commencing study/course (followed by the CoE date) | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable) + Pro-rate of tuition fee for the applicable period. | Full refund after deducting the deductible fees and charges. |
| Student Default OR Student with a student visa withdraws OR Student is cancelled for breach of ATCWA rules or breach of student visa rules | More than ten (10) weeks before study period/course commences. | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable) + 10% of the Term fee. | Full refund after deducting 10% of the Term fee + Any tuition fees paid in advance for upcoming Terms (If applicable). |
| | More than 4 weeks and up to ten (10) weeks before study period/course commences | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable) + 30% of the Term fee. | 70% of the term fee + Any tuition fees paid in advance for upcoming Terms (If applicable). |
| | Four (4) weeks or less before study period/course commences | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable) + 40% of the Term fee. | 60% of the term fee + Any tuition fees paid in advance for upcoming Terms (If applicable). |
| | After commencing study/course (followed by the CoE date) | \$250 Enrolment fee + 100 % of the Term fee and or the fees applicable to the subsequent study period followed by the date of the cancellation request received + \$1990 Cancellation fee is applicable as stipulated in the ATCWA cancellation policy and procedure. | If applicable, the balance of the tuition fees paid in advance for upcoming Terms after deducting the deductible fees and charges. |

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| Reason for Refund | Timeline for Request of Refund | Deductible Fees and Charges | Refund Amount |
|---|--|--|---|
| If ATCWA withdraws a student from the college due to submission of fraudulent documents | Before or after commencing study/course (followed by the CoE date) | \$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable)+ 100 % of the Term fee. | No Refund on the current Term fee. Full amount of any tuition fees paid in advance for upcoming Terms (If applicable). |
| ATCWA Default | Before commencing the course | No deductions apply. | 100% including other fees and charges paid. |
| | After commencing the course | \$250 Enrolment fee + Tuition fee applicable for the Terms/study periods completed. | Unspent pre-paid tuition fees. |

NOTE: Where an international student requests to cancel their enrolment and has tuition fees outstanding (in other words, they have not maintained their course fee payments in accordance with their agreed payment plan and the visa conditions), they are obliged to pay all relevant fees and charges including the tuition fees applicable for the completed period(s) of study and the interest/penalty fee on the outstanding tuition fees.

Non-Tuition Fees – Table 2

| Reason for Refund | Notification Period | Cancellation Fee | Refund Amount or % |
|-------------------------------|--|--|--|
| Accommodation Service | Contact Accommodation Provider Direct | Contact accommodation service provider directly | Contact accommodation service provider directly. |
| Airport Pickup Service | Before 24 hours pre-expected flight arrival | Nil | 100% |
| | Less than 24 hours pre-expected flight arrival | 100% | Nil |
| OHSC | Contact OSHC Provider Direct | | |
| Resource Fee | Before commencing study | Material fee pre-paid for any future enrolled course will be 100% refunded | 100% |

| Reason for Refund | Notification Period | Cancellation Fee | Refund Amount or % |
|-------------------|------------------------|--------------------------------|--------------------|
| | After commencing study | Material fee is non-refundable | Nil |

NOTE: If students have paid money directly to an accommodation/homestay provider/booking service, this refund policy does not apply and students should contact the accommodation service provider directly.

Refund Procedure

1. If a student is eligible for a refund, they should apply in writing completing and submitting the Application for Refund Form together with supporting documents relevant to the refund request.
2. The completed request form can be delivered in person to: ATCWA Admissions/Enrolment officer OR by email to admissions@atc.wa.edu.au OR by post to: Admissions & enrolment, Australian Technical College Western Australia, 8 Francis Street, Perth WA 6000
3. The Admissions/Enrolment Officer will review the application and the supporting evidence. It is the student's responsibility to provide ATCWA with all relevant documentation to support their claim.
4. The Admissions/Enrolment Officer will review the request, consult applicable staff for approval to be proceeded.
5. The Admissions/Enrolment Officer will notify the student, within Fourteen (14) days, advising the student of the outcome. If the refund request is approved, refund amount will be paid to the international student's nominated bank account or to the alternative payee upon receiving the alternative payee request form from the student.
6. The total duration of the refund process is approximately twenty-eight (28) working days from the date of the refund request received or if applicable, from the date of the completed and signed alternative payee request form received from the student.

Supporting Documents:

- Deferment, Suspension and Cancellation Policy & Procedure;
- Complaints and Appeals Policy and Procedure;
- Refund Request Form
- Request of Refund to an Alternative Payee Form
- Letter of Offer and Acceptance & Conformation of Enrolment
- Course Delivery Schedule(s) /Timetables

| Version Control History | | | |
|-------------------------|------------------|----------------|---|
| Version | Date | Processed by | Change Description |
| 1.0 | 6 June 2019 | ATCWA | Creation of policy |
| 2.0 | 29 August 2019 | ATCWA | Review of Policy |
| 3.0 | 20 February 2020 | ATCWA | Review of Policy |
| 4.0 | 12 February 2021 | ATCWA | Review of Policy |
| 5.0 | 11 August 2021 | DOS/Compliance | Review and update the content to be aligned with other updated policies and procedure. |
| 6.0 | 11 August 2022 | DOS/Compliance | Annual review: Minor changes to the wording and the procedure. |
| 7.0 | 17 November 2024 | DOS/Compliance | Annual review: Changes to the refund descriptions. |
| 8.0 | 3 June 2026 | DOS/Compliance | Annual review: Changes to the procedure, descriptions of refunds and the staff responsible. |