



Refund Policy & Procedure

Introduction

This policy and procedure ensures ATCWA manages and processes all refund requests fairly and consistently for all international students. It provides a provision for refunds of tuition fees and, where relevant, other fees and charges paid in advance. While it does not cover OSHC refunds, which 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 ATCWA.

Purpose

To ensure all ATCWA stakeholders are aware of the Refund Policy for international students before a student accepts enrolment, and to ensure compliance with the Standards for RTOs 2025 and the National Code Part B Standards 2 and 3. All applicable staff are provided with a copy of this policy and procedure 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, 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.

If the Department of Home Affairs (DHA) refuses an initial student visa application, it will issue a letter confirming the refusal. 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. If you do not provide the refusal letter, the refund will be calculated as a student withdrawal under refund tables 1 and 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

- Education Services for Overseas Students Act 2000, in particular Part 5 Division 2 (provider default and student default) and section 27 (prepaid fees).
- Education Services for Overseas Students (Calculation of Refund) Instrument 2024 (F2024L01231).
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (as amended), Standards 2 and 3.
- Standards for Registered Training Organisations 2025.

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 ATCWA is unable to provide the CRICOS-registered course 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 the student failed to pay an amount he or she is liable to pay in order to undertake the course, the student breached a condition of his or her student visa, or because of misbehavior 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 Australian Government initiative that assists international students whose education providers cannot fully deliver their course of study. The TPS ensures international students can 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 a Refund

International students seeking a refund for any purpose must complete the ATCWA Refund Request Form and supply any supporting evidence as required. Please note that applying for a cancellation of enrolment or a letter of release does not indicate that you are also seeking a refund, and you must complete an Application for Refund Request Form whenever you seek a refund.

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. ATCWA does not enroll students under 18 years of age. In the event that the international student is deceased or incapable of nominating a bank account, the refund will be provided to the next of kin or legal personal representative 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 bank fees when receiving the 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 overpayment made in error against any liability (including any future debt) owing to ATCWA by the student.

ATCWA will process all refunds within fourteen (14) days.

Refunds Due to ATCWA's Default

In the unlikely event of ATCWA default, all unspent pre-paid tuition fees to date will be refunded to the student within fourteen (14) days from the day on which the default occurred. 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 a refund or a place on another course.

If the student accepts a refund of unexpended pre-paid tuition fees from the TPS, they must comply with all relevant immigration requirements and should note that this may affect their student visa. Further information about the Tuition Protection Service is available at <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 will attempt to place the student in a suitable alternative course or, if this is not possible, the student 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. After the fourteen (14) days lapse, ATCWA will have a further seven (7) days to advise the TPS Director of the final outcome. Further details are available at <https://www.education.gov.au/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	Deductible 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.
Application for visa is unsuccessful	After commencing study/course (followed by the CoE date)	\$250 Enrolment fee + \$250 cancellation fee + Bank transfer fee (if applicable) + Pro-rata 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 the 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).
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 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).
Student Default OR Student with a student visa withdraws, OR Student is cancelled for breach of ATCWA rules or breach of student visa rules	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).
Student Default OR Student with a student visa withdraws, OR Student is cancelled for breach of ATCWA rules or breach of student visa rules	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 following the date the cancellation request is 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.
If ATCWA withdraws a student from the college	Before or after commencing	\$250 Enrolment fee + \$250 cancellation fee + Bank	No refund on the current Term fee. Full

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due to submission of fraudulent documents	study/course (followed by the CoE date)	transfer fee (if applicable) + 100% of the Term fee.	amount of any tuition fees paid in advance for upcoming Terms (if applicable).
ATCWA Default	Before commencing the course	No deductions apply.	100% of all fees paid, including tuition, material and other fees and charges.
ATCWA Default	After commencing the course	Tuition fee applicable for the Terms/study periods completed.	Unspent pre-paid tuition fees and unspent material 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 Directly	Contact accommodation service provider directly	Contact accommodation service provider directly.
Airport Pickup Service	Before 24 hours before expected flight arrival	Nil	100%
Airport Pickup Service	Less than 24 hours before expected flight arrival	100%	Nil
OSHC	Contact OSHC Provider Direct		
Resource Fee	Before commencing study	Material fee pre-paid for any future enrolled course will be 100% refunded	100%
Resource Fee	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 the ATCWA Admissions/Enrolment Officer, 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. The student is responsible for providing ATCWA with all relevant documentation to support their claim.
4. The Admissions/Enrolment Officer will review the request and consult applicable staff for approval to proceed.
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, the 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 fourteen (14) days from the date the refund request is received or, if applicable, from the date the completed and signed alternative payee request form is received from the student.

Supporting Documents

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

Document Control

Version	Date	Processed by	Change Description
1.0	6 June 2018	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	Updated the content to be aligned with other updated policies and procedures.
6.0	11 August 2022	DOS/Compliance	Annual review: Made a minor change to the refund procedure
7.0	17 November 2024	DOS/Compliance	Annual review: changes to the refund descriptions.
8.0	3 June 2026	DOS/Compliance	Annual review: Amended the staff responsible.
9.0	8 October 2026	DOS/Compliance	Compliance review against the ESOS Act and the Calculation of Refund Instrument 2024. Corrected the provider default refund timeframe from 28 days to 14 days. Corrected the general refund processing timeframe to 14 days and aligned the procedure. Expanded the alignment section to cite the ESOS Act, the Calculation of Refund Instrument 2024, and the 2025 Standards.