



# Refund Policy & Procedure – International Students

## 1. Policy

This policy/procedure provides all staff and clients information on the refund arrangements that are in place within Yarra College Australia.

The following procedures ensure all students are treated fairly and with integrity when applying for refunds. All refund applications are to be submitted to the Student Administration department and the following procedures followed in assessing the refund application.

All refund information is to be made available to clients prior to enrolment through:

- Student information handbook
- The RTO's website
- The Written Agreement which is completed and signed prior to acceptance into a course of study with Yarra College Australia

## 2. Procedure

### 2.1 Refund applications

Any student wishing to apply for a refund must complete a 'Refund Application form' (Appendix A) and submit this form to Student Administration. The application form can be accessed by:

- Contacting student administration
- Accessing the RTO's website

All refund applications are to be assessed by the RTO Manager and applications processed within fourteen (14) days of the application being placed. Where a student is entitled to a refund Student Administration will process the refund payment as required.

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

CALCULATION OF FEES AND REFUND TABLE			
Student Default Circumstances		Calculation of Fees	Calculation of Refund
<b>Student visa refused</b>	Student fails to start a course due to visa refusal (before agreed start date)	YCA will retain on the account of administrative cost: either 5% of each course fees (Tuition fees + Non-tuition fees); or \$500; whichever is less	Refund course fees (tuition and non-tuition fees) less 5%; or \$500; whichever is less

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Student Default Circumstances		Calculation of Fees	Calculation of Refund
<b>Student visa refused</b>	Student's application for student visa renewal got rejected or refused after agreed start date	YCA will retain weekly tuition fees for part of the course that has already been delivered to the student before the day student's application for student visa renewal got rejected or refused.	Refund tuition fees for part of the course that has not been delivered to the student after the day student's application for student visa renewal got rejected or refused. Non-tuition fees are non-refundable.
<b>Student visa cancelled</b>	Student's visa got cancelled due to student actions including breach of student visa conditions or holding any other types of visa including permanent residence	Full term tuition fees for the whole duration of the current term is payable.	No Refund.
<b>Cancelled requests before agreed start date</b>	Student's notification of in <b>cancelled</b> at least 10 weeks prior to agreed start date	YCA will retain on the account of administrative cost: 10% of the first term tuition fees.	Refund tuition fees less 10% of first term tuition fees. Non-tuition fees are non-refundable.
	Student's notification of <b>cancelled</b> in at least 4 weeks prior to agreed start date	YCA will retain on the account of administrative cost: 50% of the first term tuition fees.	Refund tuition fees less 50% of first term tuition fees. Non-tuition fees are non-refundable.
	Student's notification of <b>cancelled</b> in at least 2 weeks prior to agreed start date	YCA will retain on the account of administrative cost: 75% of the first term tuition fees.	Refund tuition fees less 75% of first term tuition fees. Non-tuition fees are non-refundable.
	Student's notification of <b>cancelled</b> in less than 2 weeks prior to agreed start date	Full term tuition fees for the whole duration of the first term is payable.	No Refund
<b>Cancelled requests after deferment of commencement</b>	Student's notification of cancelled of his/her course after the deferment of commencement date in a student's original eCoE in which visa was granted.	Full term tuition fees for the whole duration of the first term is payable.	No Refund

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<b>CALCULATION OF FEES AND REFUND TABLE</b>			
<b>Student Default Circumstances</b>		<b>Calculation of Fees</b>	<b>Calculation of Refund</b>
<b>Cancelled on requests in consecutive courses</b>	Student's notification of Cancelled on in succeeding course enrolled	YCA will retain deposit paid towards succeeding course enrolled.	No Refund.
<b>Non- commencement</b>	Student failed to commence his/her first course without prior written notification	YCA will record a Credit Note against the student as to honour the fees paid in that course. This Credit Note is valid for a year from the date issued and is not transferrable to any other course. It is neither redeemable for cash nor refundable in full or in part for any reason.	No Refund.
	Student failed to commence his/her succeeding course without prior written notification	Student failed to commence his/her succeeding course without prior written notification YCA will retain deposit paid towards succeeding courses enrolled.	No Refund
	Student failed to satisfy condition of a conditional CoE including English language proficiency requirements and Course specific entry requirements.	YCA will retain deposit paid towards courses enrolled.	No Refund
<b>Provider Default Circumstances</b>	YCA is unable to provide the course for which the original offer was made	YCA will refund if any unspent course fees (Tuition fees) received by YCA in respect of the student within 14 days.	
	Course withdrawn by YCA	YCA will refund if any unspent course fees (Tuition fees) received by YCA in respect of the student within 14 days.	
<b>Withdrawal requests after course has started</b>	Student's notification of withdrawal from the course in at least two weeks prior to the start of his/her next term.	Full term tuition fees for the whole duration of the current term is payable.	No Refund
	Student's notification of withdrawal from the course after two weeks prior the start of his/her next term.	Full term tuition fees for the whole duration of the next term is payable.	No Refund
	Student's notification of withdrawal from the course during his/her study	Full term tuition fees for the whole duration of the current term is payable.	No Refund
	Student withdraws after his/her course has started without notification	Full term tuition fees for currently studying course is payable.	No Refund

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<b>Withdrawal during deferment or suspension of studies</b>	Student notification of withdrawal from the course during deferment or suspension of studies	Full term tuition fees for the whole duration of the current term is payable.	No Refund
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<b>CALCULATION OF FEES AND REFUND TABLE</b>			
<b>Student Default Circumstances</b>		<b>Calculation of Fees</b>	<b>Calculation of Refund</b>
<b>Other circumstances</b>	Student expelled for breach of YCA student code of conduct including submitted fraudulent documents or misleading information	Full term tuition fees for the whole duration of the current term is payable.	No Refund
	Student failed to disclose previous visa refusal / Cancelled on or makes false declaration on the application	Full term tuition fees for the whole duration of the current term is payable.	No Refund

## Definition of terms used in refund table above:

<b>Course fees</b>	The total amount of fees including pre-paid tuition fees and non-tuition fees.
<b>Weekly tuition fees</b>	A daily tuition fee is calculated outcome of total tuition fees for the course divided by number of calendar days in the course. Then, to get weekly tuition fees simply multiply the outcome by 7.
<b>Non-tuition fees</b>	Enrolment Fee; OSHC Fee; Fees to cover textbooks or uniforms, which student use while they study the course.
<b>Tuition fees</b>	A term is study period comprised of 20 weeks of teaching. Tuition fees are charged in full for each term and must be paid according to the Enrolment Acceptance Agreement.
<b>Deposit</b>	Any monies paid to confirm the student's enrolment in succeeding courses; concurrently with or after signing the Enrolment Acceptance Agreement.
<b>Agreed start date</b>	Agreed start date means the day on which the course is scheduled to start, or a day agreed between YCA and the student as per student's eCoE.

### Other Definitions:

<b>Face to Face</b>	20 scheduled course contact hours per week excluding any holiday period.
<b>OSHC</b>	Overseas Student Health Cover
<b>PRISMS</b>	Provider Registration and International Student Management System
<b>CRICOS</b>	Commonwealth Register of Institutions and Courses for Overseas Students
<b>ASQA</b>	Australian Skills Quality Authority
<b>DET</b>	Department of Education and Training
<b>DHA</b>	Department of Home Affairs
<b>ELICOS</b>	English Language Intensive Courses for Overseas Students
<b>ESOS</b>	Education Services for Overseas Students

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## 2.2 Appealing Refund decisions

All students have the right to appeal a refund decision made by Yarra College Australia by accessing the complaints and appeals policy and procedure. Students wishing submit an appeal of the refund decision should refer to the Complaints and Appeals Policy and Procedure.

This policy and the availability of complaints and appeals processes, does not remove the client's right to take action under Australia's consumer protection laws, including but not limited to a statutory cooling-off period, if one applies.

The RTO's dispute resolution processes do not remove the client's right to pursue other legal remedies where they feel necessary.

## 2.3 Default Notifications (Notifying the TPS and students of Provider or Student defaults)- International students

Yarra College Australia is only required to report a refund provided to an international student where a student's visa is refused. Notification to the Tuition Protection Service must occur within seven (7) days after the default obligation period for payment of the refund. Yarra College Australia will organise any refunds within 14 days of the default occurring.

As Yarra College Australia has a compliant written agreement in place there are no other reporting requirements in relation to payment of refunds to International students.

All default notifications and reporting is to be completed through PRISMS & TPS login by the CEO.

Any provider or student default must be reported by the CEO as follows:

### Provider (RTO) Default:

- Yarra College Australia are required to notify the Secretary and the TPS Director within 3 business days if they default – that is, if they are not able to deliver the course to a student as agreed.
- Yarra College Australia will also notify all students of the default and refund arrangements that will be applicable to the student within 3 business days.
- From this default date the provider will then have 14 days to meet their default obligations and provide any relevant refunds.
- Yarra College Australia is then required to provide notification to the Secretary and the TPS Director of the outcome of the discharge of the refund obligations – that is to report whether the refund has been made.

### Student Default:

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To meet Tuition Protection Service (TPS) reporting obligations, providers only need to report on whether they have provided a refund to a student in two cases of student default:

- where a student's visa is refused, even if there is a compliant written agreement in place
- where there is no compliant written agreement in place.

Where a compliant written agreement is in place, there is no requirement to report any other student defaults and refund arrangements.

Notification to the Tuition Protection Service must occur within seven (7) days after the default obligation period for payment of the refund i.e. report whether the student took the offer of an alternative course or a refund, and, if a refund, how much was paid. Yarra College Australia will organise any refunds within 14 days of the default occurring.

All default notifications and reporting is to be completed through PRISMS / TPS login by the CEO.

#### **2.4 Maintaining Records of Refunds**

Where a student application for refund is submitted, all records of the refund application and associated actions are to be maintained in the student file. This includes receipts identifying refunds have been paid and any correspondence relating to the refund application.

Any information that the client provides Yarra College Australia or that Yarra College Australia collects about the client (including payments and refunds) can be given to authorised State and Commonwealth Agencies such as the Tuition Protection Service.

#### **2.5 Further information**

- Where a student application for refund is submitted, all records of the refund application and associated actions are to be maintained in the student file.
- If tuition fees have been paid by a third party, then refunds will be payable to that third party.
- The RTO is not able to provide any refunds for fees paid to third parties such as OSHC or education agent fees.

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