



Refund Policy

Governing Council Approved Document

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Related Documents	Admission Policy and Procedure Course Development and Review Policy Course Discontinuation and Teach Out Policy Dictionary of Terms Risk Management Policy Student Grievance Management Policy
Related Forms	Student Refund Form
Related Legislation	Australian Consumer Law Education Services for Overseas Students (ESOS) Act 2000 Higher Education Standards Framework (Threshold Standards) 2021 (Cth); Higher Education Support Act 2003 National Code of Practice for Registration Authorities Privacy Amendment (Enhancing Privacy Protection) Act 2012 Providers of Education and Training for Overseas Student 2018 (National Code 2018)
Higher Education Standards Framework (Threshold Standards) 2021 (Cth)	B1.1 "Higher Education Provider" Category Standard 1.1, ss 2 Standard 6.2, ss 1

Benchmarking Institutes	Australian Institute of Higher Education Macquarie University Southern Cross University University of Newcastle Western Sydney University
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1. Preamble

1.1 Purpose

The purpose of the Refund Policy ('the Policy') is to provide formal guidance on the circumstances under which fee refunds at Churchill Institute of Higher Education ('the Institute' or 'CIHE') are provided to students, and the manner in which they may be paid.

1.2 Background

All students have access to latest information about tuition fees and charges on the CIHE website. CIHE updates the website regularly to reflect any changes. It is also the students' responsibility to check frequently the website for important information and updates published by CIHE.

Tuition fees for future semesters are published in the Student Prospectus and on the Institute's website. They are indicative and subject to annual review. Tuition fees are approved by the Governing Council and are subject to annual review.

1.3 Definitions

For definitions, refer to the *Dictionary of Terms*.

2. Scope

This Policy applies to all students studying at the CIHE in any mode of study. This Policy should be read in conjunction with the student's *Letter of Offer* for their selected course.

Note: International students intending to study at CIHE and utilising any subclass of Visa are required to be aware of the conditions of the Visa form. It contains relevant information regarding obligations on the student including maintenance of student enrolment load.

3. Policy Statement

This Policy is developed in accordance with the Higher Education Support Act 2003, National Code of Practice for Registration Authorities, Providers of Education and Training for Overseas Student 2018 (National Code 2018) and Department of Home Affairs (DoHA) visa regulations. This Policy does not remove the students' right to take further action under Australia's consumer protection laws.

4. Policy Principles

The Institute:

- 4.1 ensures that students are fully informed about tuition fees including this refund policy prior to their enrolment;
- 4.2 approves refunds of student tuition fees where students have withdrawn from courses or unit(s) within the specified time frames;
- 4.3 provides refunds of student tuition fees where the Institute cancels or fails to deliver a course or unit in which the student is enrolled;
- 4.4 does not refund student tuition fees where a refund application is submitted on or after the published census date except where the student can demonstrate extenuating/compassionate circumstance.

5. Refund of Fees

5.1 Refund Process – Applying for Refund

- 5.1.1 Students applying for a refund must complete a *Refund Form* and attach the relevant documents as listed in the form. In addition, students may need to provide additional information depending on the specific circumstances of the refund request.
- 5.1.2 Students must ensure that all sections of the Refund Form are completed before submission, and they must attach all required documentation. Contact details must be provided, a contact number and valid email address.
- 5.1.3 Relevant forms and supporting documentation should be submitted to the Academic Manager via Reception or sent via email.
- 5.1.4 Requests for refunds should normally be made within fourteen (14) days of the event which causes the student to apply for a refund.
- 5.1.5 The Refund Form must be signed by the student, or if the student does not have the legal capacity to do so, by the student's parent or guardian. The original copy of the Refund Form must then be returned to the Institute for the refund payment to be processed.
- 5.1.6 A full refund of tuition fees is payable to a student and no penalty is charged when a student notifies the Institute of their intention to withdraw their acceptance within ten (10) days of the date of signing their *Student Agreement*.

5.2 Refund of Tuition Fees: Partial or None

- 5.2.1 If the Institute makes an offer based on incorrect or incomplete information supplied by the applicant/student, the offer is withdrawn, and any refund is at the Institute's discretion.
- 5.2.2 Where a student, after accepting an offer of placement, gives written notice before commencement of the semester and before the relevant census date of their inability to undertake the course, the tuition fees paid for the semester are refundable less an administrative fee of 10% of the tuition fee for one semester.
- 5.2.3 If a student gives written notice after the commencement of the Semester, but before the relevant census date, of an inability to commence the course, 50% of the tuition fees for that semester is refundable.
- 5.2.4 If a student presents fraudulent documentations to the Institute, no refund is given.
- 5.2.5 A student who has his or her visa cancelled after the census date is not eligible for a refund, other than as required under applicable laws.

5.3 Full or Partial Refund of Tuition Fees

- 5.3.1 CIHE may, at its discretion, provide a full or partial refund where*:
 - a. fees were paid in advance of notification of by the Department of Home Affairs (DoHA) of refusal to grant an international student visa;
 - b. illness or disability prevents the student from commencing the course;
 - c. the death of a close family member of the student (parent, sibling, spouse, or child) occurs, or
 - d. other special or extenuating circumstances preventing a student from commencing a course.
- * *an application, with supporting documentary evidence, must be submitted for a refund under any of the provisions listed above.*
- 5.3.2 In the unlikely event that CIHE is unable to provide the student's course in full, and the student has not withdrawn before the 'default day', CIHE must

either, in its discretion, pay the student a full refund of the course money, or alternatively arrange for the student to be offered a place in an alternative course.

5.4 Deferral of Studies

When a student, after accepting an offer of admission, provides a written notice before the commencement of the course of their intention to defer their commencement to the next available intake, all tuition fees may be transferred to the next available intake. The "next available intake" may be the following semester, or the following year depending on the course. A place may be deferred for up to twelve (12) months. If, after being approved to defer the commencement of their course, a student gives written notice that they do not intend to take up their place, the student should apply for a refund in accordance with this policy.

5.5 Special circumstances

5.5.1 If a student withdraws from a unit of study on or after the census date for that unit of study or has been unable to successfully complete a unit of study and believes this was due to special circumstances, then the student may apply for a refund.

5.5.2 CIHE refunds all or part of the tuition fees for the affected courses of study if it is satisfied that special circumstances apply that:

- a. are beyond the student's control; and
- b. did not make their full impact on the student until on or after the census date for the unit(s) of study in question; and
- c. make it impractical for the student to complete the requirements for the unit(s) of study in question.

6. Payment of Refunds

6.1 As per ESOS Act 2000 and the ESOS Regulations 2019, a student is given a full refund if 'the Institute is unable to offer the course'.

6.2 Refunds based on student visa application rejections require a copy of the visa rejection notification from the Australian Embassy / High Commission / Department of Home Affairs, and the student's official receipt.

6.3 CIHE sends the refund to the applicant, or their nominated person(s), who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act. The overseas student wishing to nominate another person to receive refund is required to complete an 'Authority Form' available through CIHE's website.

6.4 Students seeking a refund must apply in writing to the Student Support Officer using the Refund Form available from the reception and CIHE's website.

6.5 CIHE must have cleared the fees in its respective bank account.

6.6 All debts to CIHE must have been paid or any outstanding amounts will be deducted from the refund.

6.7 The refund must be made to the same person or body from whom the payment was received on behalf of the student.

6.8 Refunds are reimbursed in the same currency as the fees were originally paid in and are normally made in the student's home country. Exceptions include payment to another Australian educational institution, or a refund to a third party who paid the fees on behalf of the student.

6.9 Refunds, when approved, are paid to the student within four (4) weeks after receipt of all relevant documentation, including a written claim from the student.

6.10 The Australian Government requires that all international students studying in Australia on a student

visa must be covered by Overseas Student Health Cover (OSHC) for the duration of their visa. If students are accompanied by family and children, they must have the compulsory family policy for OSHC.

6.11 For international students, the fees paid for issuing CoE comprise of tuition fees for 50% of the courses selected which is non-refundable after the Census Date except in the case of visa rejection. There is also no refund of tuition fees if the visa is rejected based on fraud as determined by the Department of Home Affairs (DoHA).

6.12 This Policy or the Overseas Student Written Agreement/ Letter of Offer, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take possible action under the Australian Consumer Law if appropriate.

7. Tuition Protection Service (TPS) Process for Students

7.1 In the unlikely event that the Institute stops providing or does not start providing students' course as agreed and does not meet its default obligations, the following process applies (also refer to Appendix 1: The TPS overview):

Step 1

- The TPS contacts students and creates an account for them.

Step 2

- Students register with or log-on to the TPS and provide proof of identity.

Step 3

- The TPS online system will assist students to find options for completing their study in Australia.

Step 4

- Students accept preferred suitable offer.
- Students commence study as agreed.
- TPS transfers any unspent pre-paid tuition fees to students' new provider.

OR

- If there are no suitable alternative courses or offers, students may apply for a refund of the amount of any unspent pre-paid tuition fees they have paid to the Institute. These are any tuition fees that students have already paid that are directly related to the course which they haven't yet received. Any remaining unspent tuition fees are refunded to students.

Note: Ceasing study may affect students' visa. Students must contact *Department of Home Affairs* for assistance on <https://www.homeaffairs.gov.au/>.

8. Appeals

8.1 Appeals must be made in writing and lodged with the Institute within five (5) working days of receiving the written notification of the Institute's decision.

8.2 The Institute responds in writing to the appeal within ten (10) working days and confirm or vary the decision.

8.3 All decisions regarding refund appeals are initially determined by the Dean. Where an appeal also cites a grievance with the Dean or a potential conflict of interest maybe perceived, the Dean will appoint a Grievance facilitator (in accordance with 4.2.3 of the Student Grievance Management Policy) or refer the matter directly to the Student Grievance and Appeal Committee (in accordance with 4.2.6 of the Student Grievance Management Policy).

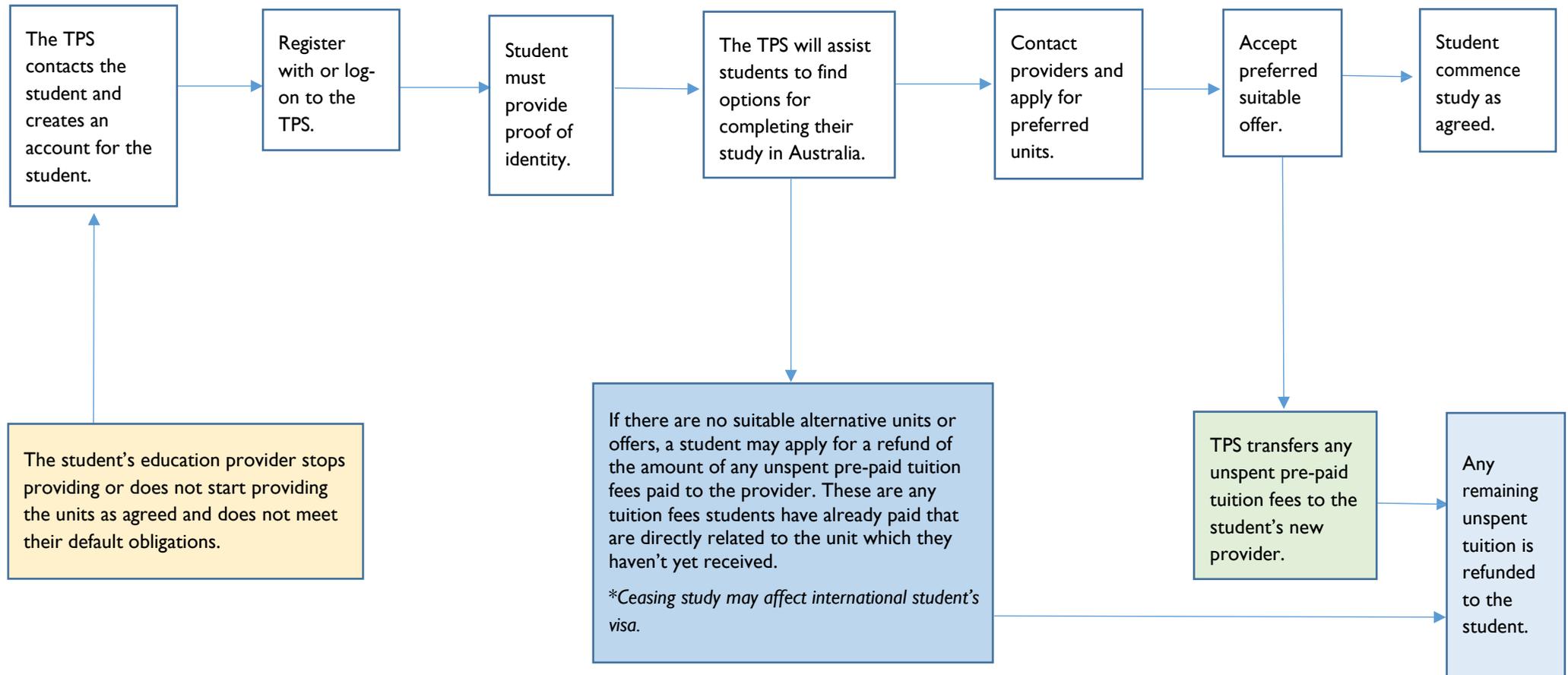
8.4 If an applicant remains dissatisfied with the outcome of their appeal, they may utilise the Institute's grievance handling procedures outlined in the *Student Grievance Management Policy*.

9. Confidentiality and Privacy

The Institute maintains the confidentiality and security of all its student information. However, information collected from students in the application process is, as required, and in accordance with the ESOS Act, the National Code 2018, and the Migration Act 1958, may be provided to the Department of Education, the Department of Immigration and Border Protection (DIBP) and other State or Territory government agencies.

The Institute is bound by the principles in the Privacy Amendment (Enhancing Privacy Protection) Act 2012 with respect to the collection, use and disclosure of personal information.

Appendix 1: The TPS overview – how does it work for international students?



Note: The above flow diagram is for guidance purposes only. To the extent that the diagram is inconsistent with the *Education Services for Overseas Students Act (the ESOS Act) 2000* the ESOS Act prevails. Providers should not rely on this diagram alone and must read the requirements in the ESOS Act

Appendix 2: Refund Form

STUDENT REFUND APPLICATION FORM



Student ID			
Given Name(s)		Surname	
Telephone Number		Email Address	
Current Address			
Refund amount requested in this application:			
Reason for refund		<input type="checkbox"/> Course/enrolment cancellation. I will be returning home on ____/____/____ (DD/MM/YYYY)	
<input type="checkbox"/> Permanent Residency granted (Evidence Required)		<input type="checkbox"/> Student visa application denied (Evidence required)	
<input type="checkbox"/> Didn't meet Degree Entry Requirements		<input type="checkbox"/> Deferment not approved	
<input type="checkbox"/> Enrolment excluded/ suspended		<input type="checkbox"/> Failed to re-enrol	<input type="checkbox"/> Fees overpayment
<input type="checkbox"/> Reinstatement of enrolment denied		<input type="checkbox"/> Non-GTE student	<input type="checkbox"/> Medical reasons
<input type="checkbox"/> Withdrawn from /dropped a course(s)		<input type="checkbox"/> I am transferring to another education provider	

If you are currently living in/outside Australia and would like the approved refund amount to be sent to an Australian Bank Account, or deposited directly into overseas account, please specify below:

Name of Payee:		Bank Name in Australia:	
Account Holder:		Account Number:	
Telephone Number:		Branch Number (BSB):	
Bank Address in Australia:			

For overseas bank account, please specify below:

Name of Payee:		Bank Name in overseas:	
Account Holder:		Account Number:	
Telephone Number:		Branch Number (BSB):	
IBAN:		Swift or Clearing Code:	

Bank Address:	
Recipient's Address overseas:	

Note:

- **All approved refund amounts will be paid in Australian dollars.**
- Approved refunds will be processed within 14 days period, provided all required details are received.
- \$25 TT charge applies on all international refunds.
- If you have requested a Telegraphic Transfer to be sent overseas, please ensure you have provided your bank's full details. No responsibility will be taken on CIHE's behalf if the telegraphic transfer does not reach your account due to incorrect bank details.

Student Declaration	<i>I have read the Churchill Institute of Higher Education, Student Handbook and understand its contents. The details provided above are correct to the best of my knowledge. I hereby request a refund of student fees paid.</i>
Student Signature	
Date	