

## Refund Policy

### 1. PURPOSE

The purpose of this policy is to ensure that:

- 1.1. All UTS College Staff are aware of the rights and obligations of UTS College students regarding refunds of payments made to UTS College, and the circumstances in which they are eligible for a full or partial refund.
- 1.2. Students know their rights in relation to refunds in conjunction with their written agreement.
- 1.3. Refunds are processed in a way that minimises the risk of money laundering.
- 1.4. Student requests are treated fairly and equitably.

### 2. SCOPE

The policy applies to:

- All **Students** admitted to all UTS College courses and UTS Foundation Studies offered in Australia.
- All **Third Parties and Affiliates** who provide student accommodation, transport and welfare services are bound by this Policy.

**Note:** Refund Policies for students studying at partner institutions outside Australia are detailed in offer letters.

### 3. PRINCIPLES

- 3.1. **Fairness and Equity:** Ensure all refund requests are processed fairly and equitably, considering the individual circumstances of each student.
- 3.2. **Transparency:** Maintain clear and transparent communication with students regarding their rights and obligations related to refunds in conjunction with their written agreement.
- 3.3. **Compliance:** Adhere to all relevant legislation and regulatory requirements, including the Higher Education Support Act 2003 (HESA), Education Services for Overseas Students Act 2000 (ESOS Act) and Tuition Protection Service (TPS) legislation.
- 3.4. **Risk Management:** Implement measures to minimise the risk of money laundering and ensure refunds are processed securely.

### 4. STATEMENTS

#### International Students

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- 4.1. The international student processing fee will be refunded only if:
  - a) UTS College cancels the program for which the student is admitted
  - b) There are compassionate or compelling circumstances.
- 4.2. 100% tuition fees will be refunded in the following circumstances:
  - a) UTS College cancels the program for which the student is admitted; or
  - b) The student is refused a visa for study by the Department of Home Affairs (DHA), provided that original documents evidencing the refusal include an original letter from the (DHA); (please note that where a visa renewal is rejected due to breaches in visa conditions this rule does not apply); or
  - c) The student fails to meet UTS College's academic entry requirements.
  - d) The student fails to obtain a release to study at another institution, failing to satisfy GS requirements.
  - e) UTS College instructs the agent / student to withdraw visa submission due to GS concerns and risk of receiving a visa refusal.
- 4.3. 80% of tuition fees will be refunded if UTS College receives written notice of cancellation of enrolment from the student at least 28 days prior to the course commencement date for which the student is admitted.
- 4.4. 50% of tuition fees will be refunded if UTS College receives written notice of the cancellation of enrolment from the student less than 28 days before the course commencement date for which the student is admitted.
- 4.5. No tuition fees will be refunded in the following circumstances:
  - a) the student has submitted fraudulent documentation.
  - b) The visa submission is withdrawn after receiving a Section 57 Natural Justice letter where false or misleading information has been submitted.
  - c) The student requests to defer their course after acceptance and payment of tuition fees.

The course commencement date is the first day of orientation of the course in which the student was originally admitted.

- d) The student cancels their enrolment on or after the course commencement date except in compassionate or compelling circumstances.

Requests for refunds must include documentary evidence. The refund amount will be determined solely by UTS College in accordance with applicable policies and procedures in place at that time.

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- 4.6. Compassionate or compelling circumstances does not include late arrival in Australia or lack of knowledge or understanding of requirements.
- 4.7. Refunds will be calculated pro-rata for students already at UTS College in the following conditions:
- The student has been excluded from UTS College and reported to the DHA for breach of their visa conditions (intention to report process) due to unsatisfactory attendance or performance
- (**Note:** the student will not be excluded or reported until any internal or external appeals against the decision to report have been resolved.)
- When compassionate or compelling circumstances have been accepted by UTS College.
- 4.8. Students who are reported for non-payment of fees are eligible for refund of any fees remaining in credit after deduction of any unpaid fees e.g. AE TPS second instalment fees.
- 4.9. In instances where a student completes their AE course earlier than anticipated (by meeting the Academic English entry requirements of the following academic course) they can use any remaining credit for further studies at UTS College. If the student chooses not to do so, they will be given a 100% refund of fees paid for any full block(s) of study they have not undertaken. A Pro Rata Refund may be given for partially completed blocks. The student will be made aware of the potential impact on their student visa status when altering their study duration.

## Domestic Students

### 4.10. Academic Course Fees:

- 1.1.1. If UTS College receives written notice of the student's withdrawal from the course on or before the census date, 100% of tuition fees will be refunded.
- After the UTS college census date, no tuition fees will be refunded, except in compassionate or compelling circumstances.
  - Documentary evidence must be supplied in these situations and any refund amount will be determined at the discretion of UTS College and any refund amount will be calculated as per the conditions of this policy.

### 4.11. Academic English Course Fees

- Domestic students undertaking English courses are subject to the refund conditions as listed for international students.

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### **Accommodation and Welfare Administration Fee and Airport Welcome Service Fee collected by UTS College**

- 4.12. The UTS College Accommodation and Welfare Administration fee is non-refundable once the welfare and accommodation arrangements have begun, and the Confirmation of Appropriate Accommodation and Welfare (CAAW) has been issued.
- 4.13. The Accommodation and Welfare Administration fee will be refunded only when:
- UTS College cancels the program for which the student is admitted
  - There are compassionate or compelling circumstances.
- 4.14. The Airport Welcome Service fee will only be refunded when:
- UTS College cancels the course
  - The student provides written evidence that an application for a student visa has been rejected by the Australian Government (this does not include where a student visa renewal is rejected, or a student visa has been cancelled because of a breach of visa conditions.
  - UTS College is unable to provide the Airport Welcome service.
  - Due to a deferral, the student does not arrive in Australia.
  - The student has cancelled their Airport Welcome at least 48 hours prior to providing the service.

### **OSHC (Overseas Student Health Cover)**

- 4.15. 100% of OSHC fees will be refundable if the student did not arrive in Australia or is planning not to arrive.

### **Special Circumstances**

- 4.16. Students on foreign government scholarships must have written approval from their Embassy or Cultural Mission, for a refund to be considered. All fees held in credit will be refunded to their scholarship managers.

### **UTS College Obligations**

- 4.17. An Application for Refund of Fees form must be submitted for all refund requests along with any other supporting documents as applicable.
- 4.18. All refund requests must be authorised according to the Delegated Financial Authority Policy.
- 4.19. All approved refunds will be paid within four weeks of receiving the written claim, including all required documentation and information, from the student, unless the refund is due to

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UTS College cancelling the program for which the student was admitted. In this instance, UTS College will pay the refund within two weeks of the course commencement date.

- 4.20. Tuition Protection Service (TPS) legislation requires that UTS College only accepts 50% of the AE fee where the duration of the AE course is greater than 24 weeks or 50% of the total course fee (for some accelerated diploma courses) unless the students requests in writing, to be allowed to make an additional payment. Any payment by international students more than 50% of the course fee requested is refunded to the student unless the student chooses to pay more upfront and has articulated in writing their decision to do so.
- 4.21. Any outstanding debt will be deducted from any remaining credit before any refund is processed.
- 4.22. UTS College will process refund transactions as follows:
- a) For FEE-HELP domestic students, refunds will be remitted to the Department of Education.
  - b) For international students who completed their AE course earlier than anticipated and are enrolled in further studies at UTS College, the balance amount on their account will be credited towards the student's future tuition costs.
  - c) For international students transferring to another institution, any refunds will be made payable to the student (unless the student authorises in writing payment of the refund to another person). For international students who have returned to their country of origin, or have made a refund request from overseas, refunds will be made in the form of a telegraphic transfer to the student's account in their country of origin.
  - d) For students on foreign government scholarships, refunds will be made according to written advice received by the Embassy or Cultural Mission of their country.
- 4.23. Staff calculating refunds will refer to this policy, the refund procedure and may refer to the Refund Reference Guide (internal document).
- 4.24. Students must be informed of refund application outcomes in writing and where a refund has been granted the student must be given a written statement explaining how the refund amount was calculated. For scholarship students, the Scholarship Manager is informed e.g. SACM.
- 4.25. Where a refund has not been granted, reasons for this must be stated in writing.
- 4.26. Money laundering involves processing criminal profits to disguise their illegal origin. People who finance terrorism use similar processes to channel funds to violent causes and to disguise who is providing the money. To minimise the risk of money laundering, as a general rule UTS College prefers to pay refunds to students or to the same person who originally paid fees to UTS College. The exceptions to this general rule are set out in student offer letters.
- 4.27. Payments made via flywire will be refunded back through Flywire (to the originating bank account) with a 1% processing fee, and the exchange rate may be different at the time of refund.

## 5. RESPONSIBILITIES

### 5.1. UTS College Students

- a) Submit refund applications with all required documentation.
- b) Provide accurate and truthful information in their refund applications.

### 5.2. UTS College Student Services Team

- a) Provides information and support to students regarding their rights and obligations under the Refund Policy.
- b) Assists students in completing refund applications and provide advice on supportive documentation.
- c) Communicates the process of the refund to students as required

### 5.3. UTS College Finance Team

- a) Processes approved refund payments within the specified timeframes.
- b) Ensures that refunds are made in accordance with the policy and financial regulations.
- c) Monitors and reports on refund transactions to ensure compliance and identify any potential issues.

### 5.4. UTS College Admissions Team

- a) Manages the day-to-day administration of the Refund Policy.
- b) Reviews and processes refund applications in accordance with the policy.
- c) Provides guidance to students and staff regarding refund procedures.
- d) Maintains accurate records of all refund transactions.
- e) Communicates outcomes of refund applications to students in a timely manner
- f) Reviews and approve appeals as they relate to the refund policy and in compassionate and compelling circumstances.

### 5.5. Executive Director, Future Students

- a) Oversees the implementation and compliance of the Refund Policy.
- b) Reviews and approves refund requests in exceptional circumstances.

## 6. RELATED DOCUMENTS

### *UTS College Policies and Procedures*

- Refund Procedure
- Student Complaints and Appeals Policy and Procedure
- Student Application, Admission and Enrolment Policy and Procedure
- International Student Transfer Request Assessment Policy
- Delegated Financial Authority Policy
- Homestay Policy and Procedure
- Student Residential Accommodation and Welfare Policy and Procedure

### *Legislation*

- ESOS Act (2000)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Tuition Protection Service (TPS) legislation
- Higher Education Support Act (2003)
- Higher Education Support Framework Threshold Standards (2021)

### *UTS College Forms and Guides*

- Offer Letter Terms and Conditions
- Application for Refund of Fees Form
- Refund Reference Guide (internal document)

## DEFINITIONS

Academic English	In this policy Academic English programs registered to be offered by UTS College on CRICOS
Affiliates	UTS College Limited Board members, honorary appointees, contractors, labour hire personnel, volunteers, agency staff and any other person appointed or engaged by UTS College to perform work or functions for UTS College.
Agent	An organisation involved in a contractual relationship with UTS College in recruiting students to study at UTS College. Otherwise referred to as an Education Agent

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CENSUS Date	The published date each trimester by which FEE-HELP students must withdraw to avoid incurring a FEE-HELP debt.
Compassionate and Compelling circumstances	Compassionate or compelling circumstances are: <ol style="list-style-type: none"> <li>1. outside of your control (serious illness, natural disaster)</li> <li>2. impact on your well-being or ability to study (medical reasons), and</li> <li>3. all of which must be supported by documented evidence.</li> </ol>
Course commencement date	The day on which the course was scheduled to start, as advertised by the provider
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
Dates	The dates mentioned in this policy, should be interpreted as Calendar dates.
Domestic Student	Australian and New Zealand Citizens, Australian Permanent Resident (PR) Visa holders
FEE_HELP	A loan scheme that assists eligible full fee-paying students pay their tuition fees at university and other higher education providers.
FTE	Full time English
International Student	Students other than domestic students
Pro-Rata	An appropriate amount of money depending on the weeks of study undertaken.
Section 57 Natural Justice letter	Sent by the Department of Home Affairs most commonly when the case offer assessing the visa application is considering refusing the visa due to bogus documents or false / misleading information.
Scholarship Manager	External bodies such as foreign embassies and Cultural Missions e.g. SACM
Staff	People employed to work on an ongoing, fixed term, sessional or casual basis under the terms and conditions of an employment agreement (contract) issued by UTS College.
Third Party Homestay Provider	Third party provider approved by UTS College to provide Homestay accommodation and related support services. This includes Special Homestay Host arrangements.
UTS College	UTS College Limited and its controlled entities.

APPROVAL		
<b>Policy Title</b>	<b>Refund Policy</b>	
Policy ID	PO/FSU/20/24	
Policy Category	Operational	
Policy Audience	Staff, Students, Affiliates and Third Parties	
Policy Owner	Admissions Manager	
Approval Authority	Executive	
<b>Approved by</b>	<b>Executive</b>	<b>Date: 29 November 2024</b>
Next Review Date	30 November 2027	

## VERSION HISTORY

No.	Author	Description of change/purpose	Date
1.0		October 2019 version	
1.1	Admissions Manager	To include all courses delivered by UTS College to accommodate new offerings in the future, reference information about refunds from payment paid by international students through flywire, simplify the administrative fees for accommodation, welfare and airport pick up services, updated the policy as it relates to AE refunds with 10 week blocks included no refund as it relates to fraudulent information being submitted and removed CELTA.	Nov 2024