

Student Refund Procedure

1 Purpose

This Procedure outlines the processes and practices required to implement and comply with the [Student Refund Policy](#), including mandatory processes and practices for granting fee Refunds and Remission of Debt.

2 Scope

- (a) This Procedure applies to all College students other than those indicated in 2(b).
- (b) This Procedure does *not* apply to students who are enrolled in:
 - i. UNSW Sydney programs delivered by the College under a third-party provider arrangement, with those students subject to UNSW Sydney Policies and Procedures; or
 - ii. UniFastTrack Transition Program Online, with those students subject to the relevant OpenLearning Policies and Procedures; or
 - iii. UNSW College's Transnational Programs delivered by overseas providers, with those students subject to the relevant overseas provider Policies and Procedures.

3 Authorisation of Refund, Remission of Debt and Remission of Fee

- (a) Student Refunds are approved by the Chief Financial Officer or their delegate(s) or nominee(s).
- (b) Remission of Debt and Remission Fee are approved by the Chief Financial Officer or their delegate(s) or nominee(s), based on the advices of
 - i. Head of Student Experience or their delegate (s) or nominee(s); and /or
 - ii. Head of Admissions and Student Systems or their delegate (s) or nominee(s); and /or
 - iii. Head of Student and Program Administration or their delegate (s) or nominee(s)

4 Tuition Fee Refund, Remission of Debt and Remission of Fee

4.1 Academic Programs (excludes Foundation Studies, ELICOS and Pre-Masters)

- (a) Section 4.1 applies to all Programs taught by the College, excluding Foundation Studies, ELICOS and Pre-Masters Programs which are covered under section 4.2 and 4.3.

- (b) A Full-fee Paying Student who Withdraws from a Subject prior to the Census Date will not be liable for tuition fees or Higher Education Loan Program (HELP) debt for that Subject. Any paid tuition fees for that relevant term will result in overpayment. In which case a student may apply for a Refund under Section 12. For an International Student who Withdraws from a program before the Census Date of the first Study Period, please see section 4.1 (e).
- (c) A Full-fee Paying Student who Withdraws from a Subject after the census date may apply for a Fee Remission or Debt Remission by demonstrating that Special Circumstances apply.
- (d) Any tuition fee Refund or Remission of FEE-HELP debt is net of any scholarship or tuition fee discount applied at the time of charging.
- (e) International Students who Withdraw from a Program prior to the Census Date of the first Study Period are eligible for a Refund of the deposit paid, less a Withdrawal fee. The Withdrawal fee is equivalent to 50% of the deposit charged at the time of Program acceptance. Completion of a previous College Program does not exempt a Student from payment of the Withdrawal fee.
- (f) An International Student requesting to change their Enrolment by Withdrawal, re-enrolment and/or Transfer of Program may incur an administration fee.

4.2 Foundation Studies and Pre-Masters Programs

- (a) Tuition fee Refund will be calculated on a term-by-term basis in accordance with the table below:

Foundation Studies and Pre-Masters Program			
	Timeframe	Refund for Student Defaults (including Withdrawals)*	Refund for Transfer*
Before Commencement of relevant term	More than 28 days	75% of the tuition fee for the relevant term minus administration fee	100% of the tuition fees for the relevant term, minus administration fee
	28 days or less	50% of the tuition fee for the relevant term minus administration fee	90% of the tuition fees for the relevant term, minus administration fee
After Commencement of relevant term	Up to 28 days	25% of the tuition fee for the relevant term minus administration fee	75% of the tuition fees for the relevant term, minus administration fee
	More than 28 days	No Refund	No Refund

* The amount refunded cannot exceed the amount paid. In some instances, this may mean that the amount paid is insufficient to cover the charges as per the refund calculation, and therefore no refund is available.

- (b) An International Student requesting to change their Enrolment by Withdrawal, re-enrolment and/or Transfer of Program(s) may incur an administration fee.

- (c) Any tuition fee Refund applied is net of any scholarship or discount applied at the time of charging.
- (d) Scholarships and discounts are applied in accordance to Section 14.1 of the [Student Fees Procedure](#).

4.3 ELICOS (English Language Intensive Courses for Overseas Students)

- (a) Tuition fee Refund for ELICOS Students will be calculated in accordance with the table below.

ELICOS Program				
	Timeframe	Refund for Student Defaults (including Withdrawals)*	Refund for Transfers*	Refund when Shorten Program*
Before Commencement of relevant term	More than 28 days	75% of the tuition fee for the Program, minus administration fee	100% of the tuition fee of the Program, minus administration fee	75% of the tuition fee for the cancelled weeks/terms, minus administration fee
	28 days or less	No Refund**	90% of the tuition fee of the Program, minus administration Fee	No Refund
After Commencement of relevant term	From day 1 of Program Commencement	No Refund	No Refund	No Refund

* The amount refunded cannot exceed the amount paid. In some instances, this may mean that the amount paid is insufficient to cover the charges as per the refund calculation, and therefore no refund is available.

**For Programs longer than ten (10) weeks, there will be no Refund for ten (10) weeks of their Program and a 75% Credit for week 11 onwards.

- (b) Any tuition fee Refund is net of any scholarship or discount applied at the time of charging.
- (c) Scholarships and discounts are applied in accordance with Section 14.1 of the [Student Fees Procedure](#).

5 Student Services and Amenities Fees (SSAF)

- (a) SSAF is determined by the Student's study load (Unit/s of Credit) at the term Census Date.
- (b) No Refund or remission of SA-HELP will be granted where a Domestic Student or International Student discontinues or intermits from a Program and/or Withdraws from unit(s) after the Census Date.

6 Overseas Student Health Cover (OSHC)

- (a) OSHC is subject to the Refund Policy of the OSHC Partner Provider.
- (b) OSHC can only be Refund to Students if:
 - i. the Student is unable to complete the Program in circumstances covered by the OSHC Partnered Provider policy; and
 - ii. the College has not yet forwarded the Students' OSHC payment to the OSHC Partnered Provider.
- (c) Once the College has forwarded the OSHC payment to OSHC Partnered Provider, Students applying for a Refund must do so directly with the OSHC Partnered Provider.
- (d) For Sponsored Students whose OSHC was paid by a third party, the College will liaise with the OSHC Partnered Provider and the sponsor to arrange Refund in accordance with the Sponsored Student Policy and Sponsored Student Procedure.

7 Principles Relating to Incidental Fees

- (a) In most instances, Incidental Fees are non-refundable once incidental goods and services are consumed, unless specifically stated in Section 8 or in the student's Written Agreement.
- (b) Enrolment fees are non-refundable.

8 Incidental Fees

8.1 Confirmation of Appropriate Accommodation and Welfare (CAAW)

- (a) Students are eligible for CAAW fee Refund if:
 - i. CAAW cancellation advice is received from the Student at least 28 days in advance of the effective date of cancellation; and
 - ii. the Student has turned 18 years of age on or before the date of service cancellation; or
 - iii. the Student provides sufficient evidence to prove an alternative CAAW arrangement has been established.
- (b) CAAW administration fee is non-refundable.

8.2 Airport Pick-up

- (a) In the event of a cancellation of service or change in pick-up time, a Refund will be granted provided that a notification of the cancellation or revised time is received by the College at least 72 hours prior to the scheduled flight arrival time
- (b) A rescheduling fee may apply for any pick-up rescheduling.

9 Program Deferral Due to Visa Pending Outcome

- (a) If an International Student seeks to defer Commencement of a Program(s) due to a student visa still pending, the Student will be eligible for a full tuition fee Refund providing the request is submitted to the College, with supporting written documentation, prior to the Census Date.

10 Provider Initiated Withdrawal

- (a) If an International Student applies for a Withdrawal after a complaint or appeal for Intention to Report (ITR) is successful, the Student will be eligible for a tuition fee Refund in accordance with Section 4 of this Procedure, with effect from the date that the complaint or appeal is finalised.
- (b) Students who receive an ITR will not be eligible for any tuition fee Refund if:
 - i. the timeframe for an appeal challenging the ITR has lapsed and the Student has not lodged an appeal; or
 - ii. an appeal challenging the ITR has not been successful.

11 Refund in the Case of Provider Default, Student Default or Visa Refusal

- (a) Under section 46A of the ESOS Act, a registered “Provider Default” occurs if:
 - i. the provider fails to start providing the Program to the student at the location on the agreed starting day; or
 - ii. after the Program starts but before it is completed, it ceases to be provided to the student at the location; and
 - iii. the student has not Withdrawn from the Program before the default day.
- (b) Under section 47A of the ESOS Act, a “Student Default” occurs if:
 - i. the student does not start their Program on the agreed starting day (and the student has not previously Withdrawn);
 - ii. the student Withdraws from their Program (either before or after the agreed starting day);
 - iii. the student fails to pay an amount he or she is liable to pay UNSW College, directly or indirectly, in order to undertake a Program;
 - iv. the student breached a condition of his or her student visa; or
 - v. Misconduct by the student.
- (c) In the event of Provider Default or visa refusal, UNSW College will provide a Refund as set out in the ESOS Act, Education Services for Overseas Student (Calculation of Refund) Specification 2014, and the table below. In the event of provider default, UNSW College may also offer Enrolment in an alternative Program provided by UNSW College at no additional cost to the student.

Provider Default and Visa Refusal	
In the case of Provider Default	Refund amount = weekly tuition fee x weeks in default period*; plus, any application fees
In the case of Visa refusal (proof required) – before the course commences	Equals the amount of your tuition and non-tuition fees, minus the lesser of the following amounts: (a) 5% of the amount of course fees received by the provider in respect of the student before the default day; or (b) \$500.
In the case of Student Default due to Visa refusal (proof required) – after the course commences	Refund amount = weekly tuition fee x weeks in default period*

* default period is defined as the total number of calendar days from the default day (or visa refusal date) to the end of the period for which the student has paid tuition fees in advance. The Explanatory Guidance on the Education Services for Overseas Students (Calculation of Refund) Specification 2014 is available [here](#).

- (d) In the event of a Student Default, UNSW College will provide a fee Refund as set out in Section 4.
- (e) Where a Student Default occurs in relation to one Program in a Packaged Offer, Refund for all Programs (including for subsequent Programs with The College) will be calculated in accordance with Section 4 of this Procedure as applicable.
- (f) In the unlikely event the College is unable to deliver a Program that the student has paid for, and does not offer an alternative Program to accept or process the fee Refund as set out in Section 11 (c), the student can contact TPS for assistance via this link: <https://tps.gov.au>.
- (g) The TPS ensures that Overseas Students are able to either:
 - i. complete their studies in another Program or with another education provider; or
 - ii. receive a refund of their unspent tuition fees.

12 Refund for Overpayment

- (a) Overpayments arising from changes to Enrolment or cancellation of services in accordance with Section 4 – 11 of this Procedure will be automatically allocated to other charges, unless a Refund is specifically requested by the Student, subject to section 8(b) of this Procedure.
- (b) A student cannot request for a Refund on any voluntary payment (if any) made until:
 - i. The student has enrolled and passed the Census Date of the first Study Period; or
 - ii. The student discontinues the Program.
- (c) No Refund will be granted where the tuition fees were originally paid by a prepaid gift card and/or prepaid debit/credit card.
- (d) Students can not receive a Refund that is greater than the amount they have paid to the College.

- (e) Students are responsible for reviewing their Fee Statement on the Student portal and submitting any relevant Refund application for overpayment prior to Program completion.
- (f) The College may contact students who have overpaid tuition fees to inform them that they are eligible for a Refund.
- (g) For all unclaimed overpayments:
 - i. Balances less than or equal to \$100 AUD that remain unclaimed for more than twelve (12) months will be forfeited to the College; or
 - ii. Balances greater than \$100 AUD that remain unclaimed for more than twelve (12) months will be held for a maximum of six (6) years in a designated trust account held by the College before transfer to the NSW Revenue Office (NSW-RO), in accordance to NSW-RO's guideline¹. Students wishing to reclaim funds from the NSW-RO should visit the NSW-RO's website².

13 Applying for a Refund and Refund Calculation

- (a) When requesting a Refund in accordance with the [Student Refund Policy](#), a Student must:
 - i. complete and submit a [Refund Request Form](#), together with required supporting documentation;
 - ii. include the details, together with supporting evidence, of any compelling and compassionate circumstances relevant to their request; and
 - iii. if relevant, notify the College in writing within 28 days of being notified that the application for a Student Visa has been rejected.
- (b) An administration fee may be charged on all Refunds processed for International Students.

14 Applying for Remission of Debt and Remission of Fee

Students who apply for Remission of Debt or Remission of Fee under Section 4 (c) are required to submit their application to the College, together with required supporting documentation, within 12 months after the student withdraws from a Subject; or if the student did not withdraw, 12 months at the end of the relevant term.

15 UNSW College Refund Obligations and Rights

- (a) The College shall not process a Refund that is in contravention of laws and regulations for relevant jurisdictions.
- (b) Eligible Refunds will be processed within 28 days of receiving a written request and all required documents.

¹ <https://www.revenue.nsw.gov.au/unclaimed-money/>

² <https://www.revenue.nsw.gov.au/unclaimed-money/search-and-make-a-claim>

- (c) The 28-day period commences from the day the complete application is received by the College, with the correct details and all required documentation.
- (d) To assist the College to comply with the Anti-Money Laundry and Counter-Terrorism Financing Act 2006, Refunds shall be returned to the original payment source. If a request is made to Refund to an account other than the original source, the College will require additional supporting documentation. Section 15 (b) will still apply for the purpose of Refund timelines.
- (e) Refunds will be calculated and made in Australian Dollars.
- (f) In the event that the recipient bank is unable to transact in Australian dollars, Refunds will be calculated in Australian dollars and transacted in:
 - i. the recipient bank's local currency based on the foreign exchange rate imposed by the financial institution; or
 - ii. US dollars based on the foreign exchange rate imposed by the financial institution if 14f (i) is not possible.
- (g) The College will not be liable for any transaction fees and foreign exchange differences when processing any Refunds.
- (h) The College is unable to process Refunds to sanctioned countries³, as stipulated by the Australian Government and our financial institutions.
- (i) The College may deduct any tuition, administration or Enrolment fees owed to it from any other fees paid by the student.
- (j) The College may, in its discretion, choose to vary the terms of this Procedure where students can provide evidence of compassionate and compelling circumstances.
- (k) Any suspected non-compliance or fraud will be investigated, and appropriate actions will be taken should an actual fraud be identified. Actions taken may include reporting to the appropriate authority, including, but not limited to, the NSW Police or the Australian Federal Police.

16 Student's Refund Obligations and Rights

- (a) All requests for Refunds must be made in accordance with Section 13 of this Procedure.
- (b) If the Student is eligible for a Refund, the amount of the Refund will be calculated based on the date of submitting the Refund request.
- (c) Once a Withdrawal has been processed, the Student will not be permitted to attend their Subjects or Programs nor access any of the College facilities.
- (d) Once the College has forwarded the funds to the OSHC Partnered Provider, Students must apply for a Refund directly to the OSHC Partnered Provider.

³ A list of sanction countries can be found on Australian Government's Department of Foreign Affairs and Trade's Website: <https://www.dfat.gov.au/international-relations/security/sanctions/sanctions-regimes-currently-implemented-under-australian-sanction-law>

- (e) If a Student is not satisfied with the College’s implementation of this Procedure, he or she may lodge a complaint in accordance with the College’s [Student Grievances and Complaints Policy](#).
- (f) Access to the College Student Grievances and Complaints process does not preclude a Student from taking action under Australia’s consumer protection laws.
- (g) If a Student seeks to appeal a decision made by the College in regard to a Refund or Remission of Debt on the grounds of lack of procedural fairness or failure to carry out the decision-making process in accordance with the [Student Refund Policy](#) and this Procedure, an appeal can be lodged in accordance with the College [Student Review and Appeal Policy](#).

17 Sponsored Students

Sponsored Students whose Student Fees were paid by a third party are not entitled to a direct Refund. The College will liaise with the sponsor to arrange payment of a Refund in accordance with the [Sponsored Student Policy](#) and [Sponsored Student Procedure](#).

18 General Refund Terms and Conditions

- (a) All Student-requested changes are subject to the College Policies applicable to their Program.
- (b) Every Enrolment change requested by an International Student will incur an administration fee.
- (c) Where a change to a Student’s Enrolment results in an adjustment to the tuition fees payable:
 - i. The Student may be entitled to a Refund as set out in Section 4 of this Procedure (as applicable);
 - ii. where the tuition fees for the new Subject or Program are higher than the tuition fees for the original Subject or Program, Students must pay the difference.

19 Definitions

Definitions and Acronyms	
Academic Program	An Academic Board approved set of requirements, Subjects and/or supervised research into which a Student is admitted. In some cases, this will lead to an award of UNSW College.
CAAW	Confirmation of Appropriate Accommodation and Welfare arrangement required by Standard 5 of the National Code for Students who are under the age of 18.

Census Date	This is the date within each Study Period when a Student's Enrolment must be finalised and the last day a Student can Withdraw from a Subject without financial penalty.
Commencement	Date on which a Student is due to start their Program, as set out in their Confirmation of Enrolment (CoE) or as previously agreed by the provider and Student.
Subject	A component of an academic Program, normally of one term or semester in duration, with a specific credit value.
Domestic Student(s)	A Student enrolled at an Australian location who is an Australian or New Zealand citizen or who holds an Australian permanent resident visa or Australian permanent humanitarian visa.
Domestic Full-fee Paying Student	Domestic Students who are not granted with Commonwealth Supported Place (CSP).
Debt Remission	Same meaning as Remission of Debt.
ELICOS	English Language Intensive Courses for Overseas Students
Enrolment	Where a Student has enrolled in an approved Program or Subject of study for at least one Study Period in an Academic Year.
ESOS Act	Education Services for Overseas Students Act 2000.
FEE-HELP	An Australian Government loan scheme to help eligible fee-paying Students to pay their tuition fees.
Full-Fee Paying Student	Same meaning as Domestic Full-fee Paying Student
Fee Remission	Same meaning as Remission of Fee.
Fee Statement	A statement sent to enrolled Students showing the fees amounts and Payment Due Dates for relevant fee periods.
HESA	Higher Education Support Act (2003). This is the Commonwealth legislation that specifies the requirements to access a HELP loan and a Commonwealth supported place.
Incidental Fees	Fees charged to Students relate to the provision of administrative, academic or facilities goods or services that are either: <ul style="list-style-type: none"> - not essential to the study Program; - provided in an alternative form free of charge; - relate to food, transport or accommodation costs of a Program field trip; - penalties primarily imposed as a disincentive; or - equipment or items that become the Student's physical property and are not consumed in the Program.

International Student	Student who is not a Domestic Student.
OpenLearning	OpenLearning is an online learning platform company listed on the ASX, partnering with UNSW College in delivery of specific online Subjects on its platform.
OSHC Partner Provider	External OSHC service provider which the College has entered into an agreement with to sell their products on behalf of the external provider.
Packaged Offer	Where more than one Program, delivered by UNSW College or UNSW, is covered by the same Student visa.
Program	Has the same meaning as Academic Program.
Provider Default	Has the meaning given in section 46A of the ESOS Act, being that a Provider Default occurs if: <ul style="list-style-type: none"> (a) the provider fails to start providing the Program to the Student at the location on the agreed starting day; or (b) after the Program starts but before it is completed, it ceases to be provided to the Student at the location; and (c) the Student has not Withdrawn from the Program before the default day.
Refund(s)	Return of payment in the form of funds repaid or a statement credit which can be used to settle other fee charges.
Remission of Debt	Remission of FEE-HELP after the relevant Census Date, if a student can demonstrate Special Circumstances.
Remission of Fee	Remission of tuition fee after the relevant Census Date for all programs except Foundation Studies ELICOS and Pre-Masters; if a student can demonstrate Special Circumstances.
SA-HELP	An Australian Government loan scheme that assists eligible Students to pay for all or part of their Student services and amenities fee.
Special Circumstances	Special Circumstances as defined under HESA section 36-2, which are <ul style="list-style-type: none"> • Beyond your control and • Did not make their full impact on you until on or after the census date and • Made it impracticable for you to complete the requirements for the Subject in the period during which you undertook or were to undertake the Subject.

	Special circumstances do not include a lack of knowledge or understanding of requirements under the schemes or your incapacity to repay a HELP debt.
Sponsored Student	Sponsored students are students who receives funding through a financial arrangement by which an external organisation agrees to pay all or part of a student's fees directly to UNSW College and is distinct from a scholarship, where a student may be awarded funds which they may use to pay fees themselves.
Student	A person enrolled in an approved Program of study at UNSW College whose Enrolment has not lapsed or been cancelled.
Student Default	Has the meaning given under section 47A of the ESOS Act, being that a Student Default occurs if: <ul style="list-style-type: none"> (a) the Student does not start their Program on the agreed start day (and the Student has not previously Withdrawn); (b) the Student Withdraws from their Program (either before or after the agreed start day); (c) the Student fails to pay an amount he or she is liable to pay UNSW College, directly or indirectly, in order to undertake a Program; (d) the Student breaches a condition of their Student visa; or (e) there is Student Misconduct.
Student Fees	Meanings all fees including tuition and non-tuition fees including incidental fees.
Study Period	An academic period which has a designated start and end date, Census Date, last date by which Students can add or substitute units of study, date for Withdrawal with or without academic penalty (if applicable), and date for release of Subject results.
Student Services and Amenities Fee (SSAF)	A fee legislated by the Australian Government where higher education providers can charge a Student Services and Amenities Fee to fund or subsidise non-academic services, such as sporting and recreational activities, employment and career advice, child care, financial advice and food services. Any person who is enrolled or seeking to enrol with a higher education provider can be charged a Student Services and Amenities Fee.
Transfer of Program	Changing a Student's Enrolment from one Program to another Program of the same type (e.g. an ELICOS Program to another ELICOS Program , a Foundation Program to another Foundation Program. Terminating an ELICOS

	Program to start a Foundation Program is considered as a Withdrawal).
Transnational Programs	Programs delivered to overseas Students outside of Australia
Unit/s of Credit	The value assigned to Programs and Subjects indicating duration and workload. For a Subject, UOC indicates the Student workload expectations and the contribution of the Subject to meeting Program requirements
UNSW Sydney	The University of New South Wales, Sydney
Withdraw(s)/Withdrawal/Withdrawn	Termination of a Student's Enrolment(s) with UNSW College.

Related Policy Documents and Supporting Documents	
Legislation	<ul style="list-style-type: none"> • Education Services for Overseas Students Act 2000 • Higher Education Support Act 2003 (Cth)
Policy	<ul style="list-style-type: none"> • Student Refund Policy • Student Grievances and Complaints Policy • Enrolment Policy • Student Fees Policy • Student Review and Appeal Policy • Recognised Prior Learning and Credit Transfer Policy • Sponsored Student Policy
Procedures	<ul style="list-style-type: none"> • Student Fees Procedure • Sponsored Student Procedure
Other	<ul style="list-style-type: none"> • Register of Delegations

Procedure Governance

Student Refund Procedure	
Category/Business Group	Finance
Published Externally (Yes/No)	Yes
Approver	Chief Finance Officer
Responsible Officer	Head of Financial Operations
Contact Officer	Head of Financial Operations
Effective Date	8/01/2024

Next Review Date	8/01/2027
Version	3.0

Revision History

Version	Approved by	Approval date	Effective date	Sections modified
3.0	Judith Yang – Chief Finance Officer	8 January 2024	8 January 2024	Included reference to Sponsored Student Policy and Sponsored Student Procedure
2.0	Judith Yang – Chief Finance Officer	21 November 2023	21 November 2023	<p>Include terms and conditions for Pre-Masters program under section 4</p> <p>6(a) & (b) Remove “Register of Delegations” in approval process</p> <p>12(g)ii footnote 1 – update website link for NSW Revenue Office</p> <p>Definition and Acronyms – provide reference to Pre-Masters program</p> <p>Definition and Acronyms – add definition of “Student Fees”; revise the definition of “Sponsored Students”</p>
1.0	Judith Yang – Chief Finance Officer	11 August 2023	17 August 2023	N/A

Please visit our website to ensure that you have the latest version of this Procedure. Policies and procedures are available at: unswcollege.edu.au/about/policies