

International Learner Tuition Fee Refund Policy and Procedure

1. Purpose and Scope

This policy and procedure outlines how AIE actions the international learner refund process.

This policy and procedure applies to AIE Administration, AIE Accounts and AIE Executive staff who have direct oversight of the international learner tuition fee refund process.

2. The Policy

This policy is relevant to international learners who have paid tuition fees for Diploma, Advanced Diploma and Graduate Diploma courses.

AIE implements a consistent, reliable and structured approach to the review of tuition fee refund applications and payments. This protects the rights and interests of international learners. Except as provided by law, a refund of tuition fees will only be in accordance with this policy.

AIE ensures that its tuition fee refund processes meet the requirements of the *Standards for Registered Training Organisations (RTOs) 2015* and the requirements of the *Education Services for Overseas Students (ESOS) Act 2000* (Cth).

The requirement for tuition fee refunds may result from learner withdrawal, learner cancellation prior to course commencement, course cancellation by AIE, or default by AIE or learner.

This policy does not remove the consumer rights of international learners to take further action under Australian Consumer Law or to pursue other legal remedies.

3. Implementation

The following positions, departments and/or groups are responsible for implementing this policy:

Party	Responsibility
Board of Directors:	Approval of policy.
Executive Management Committee (AMC):	Drafting and review of policy and related documents.
Intranet Content Coordinator:	Uploading new version to the AIE intranet and sending email notification of update.
Senior Web Developer:	Uploading new version to the AIE website.

4. Procedure(s)

AIE enters into a written agreement with international learners that outlines tuition fee refund policies and obligations and meets the requirements of the Education Services for Overseas Students (ESOS) (Calculation of Refund) Specification 2014.

4.1. Prepaid Tuition Fees

International learners are not required to pay more than 50 per cent of their tuition fees in advance.

If a learner requests to pay more than 50 per cent of their fees, they may submit a written request to their AIE campus Administration.

4.2. AIE Default

If AIE is unable to deliver a course in full, AIE will:

- a. Provide the learner with **EITHER**:
 - I. An alternative acceptable course.
 - II. A refund of any unspent tuition fees paid to date by the learner.
- b. Require the learner to send an email with details of the nominated account for refund to their Head of School and campus Administration within 10 days of AIE default.
- c. Calculate the proportion of refund owed based on number of paid course weeks remaining.
- d. Process the refund within 10 business days after the course ceased being provided.

4.2.1. Referral to Tuition Protection Service

If AIE is unable to place an international learner in a suitable alternative course or pay the tuition fee refund amount, the matter will be managed under the [Tuition Protection Service](#) at no cost.

4.3. Learner Default

AIE considers an international learner or an intending international learner to be in default in relation to their course if the learner has **EITHER**:

- a. Failed to commence on the agreed starting date and has not previously withdrawn.
- b. Withdrawn from the course on the day of or any time after the agreed starting date.
- c. Failed to pay the specified tuition fee by the required date.
- d. Breached a condition of their student visa.
- e. Engaged in gross misconduct which has been proven through AIE's internal investigation processes (refer to Learner Code of Conduct in *Learner Handbook*).

AIE will not provide any refund of tuition fees in the case of learner default. See the section on Critical Incidents for exemptions.

4.4. Student Visa Refusal

If a learner has paid fees but has not commenced their course and their student visa is refused, AIE:

- a. Requires the learner to send an email with details of the nominated account for refund to their Head of School and campus Administration within 10 days of the default.
- b. Provides a full refund of tuition fees paid to date by the learner, less the non-refundable application fee.
- c. Processes the refund within the provider obligation period of 4 weeks after the default day.
- d. Reports on the refund as part of AIE's provider obligations by giving a notice to its ESOS agency and the TPS Director within 7 days after the end of the provider obligation period.

If a learner has paid fees, has commenced their course and their student visa is refused, AIE:

- a. Requires the learner to submit a completed *Application for Refund Form* to their campus Administration within 10 days of the default.
- b. Provides learners with a refund of any unspent tuition fees paid to date by the learner, less the non-refundable application fee.
- c. Calculates the proportion of refund owed based on the number of paid course weeks remaining.
- d. Processes the refund within the provider obligation period of 4 weeks after the default day.
- e. Reports the refund as part of AIE's provider obligations by giving a notice to its ESOS agency and the TPS Director within 7 days after the end of the provider obligation period.

4.5. Learner Decline, Withdrawal or Transfer

4.5.1. Decline Letter of Offer – International

An international learner or an intending international learner may decline their course *Letter of Offer – International* at any time before the agreed starting date of the course.

The learner must advise AIE in writing that they do not wish to accept the course offer and decline their AIE Letter of Offer.

AIE will provide a full refund of tuition fees paid to date by the learner, less the non-refundable application fee.

4.5.2. Course Withdrawal After Issue of COE, Prior to Course Commencement

An international learner or an intending international learner may withdraw from their course after being issued with a Confirmation of Enrolment (COE) but prior to the agreed starting date of their course.

The learner must submit a completed *Learner Withdrawal Form* to their campus Administration.

AIE will provide a refund of tuition fees paid to date by the learner in accordance with Appendix A. See the section on Critical Incidents for exemptions.

4.5.3. Course Withdrawal After Course Commencement

An international learner who wishes to withdraw from their course after commencement should contact their trainer or Head of School.

If the learner decides to proceed with the withdrawal, they must submit a completed *Learner Withdrawal Form* to their campus Administration.

AIE will not issue a tuition fee refund for learner withdrawal after course commencement. See the section on Critical Incidents for exemptions.

4.5.4. Approved Learner Transfer

An international learner may apply to transfer to another approved provider after completing 6 months of their course with AIE.

Please see *Transfer Between Registered Providers Policy and Procedure*.

In the case of an approved transfer to another institution, the unused portion of tuition fees (if any) is paid directly to the other institution. AIE will not refund the unused portion of fees to the learner.

4.6. Critical Incidents

AIE may consider critical incidents that may have affected an international or intended international learner and resulted in their default or course withdrawal.

A critical incident is a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury. Critical incidents could include but are not limited to:

- a. Severe verbal or psychological aggression
- b. Death, serious injury or any threat of these
- c. Natural disaster
- d. Issues such as domestic violence, physical, sexual or other abuse
- e. Other non-life-threatening events.

A critical incident does not include serious academic misconduct.

4.6.1. Application for and Review of a Refund Based on a Critical Incident

If an international learner believes they may be eligible for a refund as a result of a critical incident, they must send an email to their Head of School and campus Administration. The learner must detail the critical incident and its impact on them in the application.

The Head of School reviews a learner's application. The Head of School considers the documentary evidence provided by the learner in addition to reviewing campus-based evidence where relevant, such as learner attendance records, classroom participation and behaviour as reported by trainer(s), engagement with assessments and records of client meetings.

The Head of School recommends the refund to the CEO if a critical incident is justified. The CEO provides written approval (email is sufficient) of the fee refund.

4.6.2. Critical Incident Refund Calculations

Where a critical incident is justified the CEO may approve a refund of tuition fees. This may be a:

- Full refund if the course has not yet commenced less the nonrefundable application fee, or
- Partial refund if the course has commenced. AIE will calculate the proportion of refund owed based on number of paid course weeks remaining, i.e.:

$$\text{Refund amount} = \text{Weekly tuition fee} \times \text{Weeks in default}$$

The Head of School advises the learner in writing within 28 days of receiving the Application for Refund Form of the outcome of the application.

Learners have the right to appeal any decision. Please see *International Student Complaints and Appeals Policy and Procedure*.

4.7. Payment of Refunds

AIE will pay any monies to be refunded to the learner, directly to the bank account nominated by the learner. Cash refunds are not permitted.

AIE will pay the refund to another person if the learner provides a written letter of authority to their campus Administration instructing AIE to pay the refund to the nominated person.

All refunds will be paid in Australian dollars. Any currency exchange rate differences or fees will be borne by the learner.

5. Definitions

The following definitions apply to this policy:

Term	Definition
Agreed Start Date of Course	The date on which a course was scheduled to start, advised to the learner in writing.
Application Fee	The fees paid by intending international learners to AIE when they lodge a course application.
Application for Refund Form	The authorised form by which learners must apply for a refund of tuition fees. The completed and signed form must be submitted to the learner's campus Administration.
Census Date	The last day that a learner can withdraw their enrolment without incurring the tuition fee debt for that Unit of Study.
Confirmation of Enrolment (COE)	The document issued by AIE to verify an international learner's enrolment in a specified course.

International Learner or Intended International Learner	An individual who is a resident or citizen of any country other than Australia, holds temporary resident (visa status) of Australia, or permanent resident (visa status) of New Zealand, and who intends to study in Australia.
Overseas Student Health Cover (OSHC)	The health insurance cover that an international learner is required to obtain prior to commencing their course.
Tuition Fees	The amount specified by AIE as the course fee for a particular course. Tuition fees do not include monies paid for third party services, consumables, application fees.
Tuition Protection Service (TPS)	The Australian Government initiative to protect domestic and international learners in the event that their education provider is unable to fully deliver their course of study. The TPS ensures that learners are able to either complete their studies in another course or with another education provider or receive a refund of their unspent tuition fees.
Unit(s) of Study (UOS)	Unit/s of Study means the fee period/s within a Diploma, Advanced Diploma or Graduate Diploma qualification. A unit of study is equal to a unit of competency (or module in an accredited course). However, a unit of study may comprise a group of units of competency.

6. Related Documents

The following documents are related to this policy:

- Approved transfer letter
- Cancellation of Learner Enrolment Policy and Procedure
- Domestic Learner Tuition Fee Refund Policy and Procedure
- Learner Privacy Policy
- Learner Withdrawal Policy and Procedure
- Learner Withdrawal Form
- Letter of Offer – International
- Transfer Between Registered Providers Policy and Procedure
- Tuition Fee Payment and Debt Collection Policy and Procedure.

The following legislation and standards are related to this policy:

- Education Services for Overseas Students (ESOS) Act 2000 (Cth)
- Education Services for Overseas Students (ESOS) Regulations 2019
- Education Services for Overseas Students (ESOS) (Calculation of Refund) Specification 2014
- National Code of Practice for Providers of Education and Training to Overseas Students
- Standards for Registered Training Organisations (RTOs) 2015
- Student Default Obligations Fact sheet.

7. Review

This policy will be reviewed annually.

8. Revision History

This policy has undergone the following revisions:

Version No.	Version Description	Contributor(s)	Approval Authority	Date Revised/ Approved
1.0	New document.	Linda Burrows (National Compliance Officer)	BOD	29 March 2021
1.1	Reviewed and updated.	Maria Lynch (Deputy Head of School, Sydney) Nick Markesinis (Intranet Content Coordinator) Academic Management Committee	-	
2.0	Reviewed and updated. Interim approval from Executive Management Committee.	Am Kerruish (Executive Support Officer) Executive Management Committee	BOD	29 September 2023
2.1	Changes to reporting/notice time for providing a refund to a defaulted student from 35 days to within 7 days after the end of the provider obligation period. Student Default Obligations fact sheet added to legislation section. Further minor edits.	Sumera Nousheen (National Compliance Officer) Chris Young (Chief Financial Officer)	EMC	11 March 2025

Appendix A: Tuition Fee Refund Table

Tuition fee refund table – international learners* (figures as of Oct 2020)

Situation	Timeframe	Refund applicable	Documentation required
Decline of Letter of Offer	Any time before the agreed start date	All tuition fees paid to date – less application fee of \$120	<ul style="list-style-type: none"> Learner declines Letter of Offer in writing by sending email to campus Head of school and administration team
Student visa refusal	Any time before the agreed start date	All tuition fees paid to date – less application fee of \$120	<ul style="list-style-type: none"> Evidence of visa refusal from the Australian Government
Student visa refusal	After course commencement	Unspent tuition fees paid to date – less application fee of \$120	<ul style="list-style-type: none"> Evidence of visa refusal from the Australian Government
Withdrawal	More than 4 weeks before the agreed course start date	Full refund of all fees paid – less non-refundable application fee of \$120.00	<ul style="list-style-type: none"> Withdrawal form
Withdrawal	Less than 4 weeks before the agreed course start date	50% refund of any fees paid – less non-refundable application fee of \$120.00	<ul style="list-style-type: none"> Withdrawal form
Withdrawal	After course commencement	No refund	<ul style="list-style-type: none"> Withdrawal form
Learner default	At any time	No refund	<ul style="list-style-type: none"> Withdrawal form
AIE default	At any time	Transfer to an acceptable alternative course OR Full refund of unspent tuition fees	<ul style="list-style-type: none"> Written advice from AIE