

1. PURPOSE

The purpose of this policy is to outline the Brisbane North Institute of TAFE's Refund Policy in relation to:

- Individual students for fees and charges of programs;
- Any Third Party or guarantor responsible for a student's fees and charges of programs

Note: Cancellation and refund policies for fee for service programs/courses ought to be considered as a guideline only. The Institute Director will determine the outcome of these requests on an individual basis.

2. SCOPE

This policy applies to all goods and/or services provided by Brisbane North Institute of TAFE.

3. DELEGATED RESPONSIBILITIES

In accordance with the Vocational Education, Training and Employment Regulation 2000, Part 5A, Section 30T, the Institute Director may delegate the director's powers to an appropriately qualified member of the TAFE Institute's staff.

The delegated officers shall:

- Assess applications and determine eligibility for refund; and
- Notify unsuccessful applicants in writing.

4. REFERENCES

Vocational Education Training and Employment Regulation 2000

Financial Management Practice Manual – 04.01.17 – TAFE Qld Student Refund

MP38 International Students Recruitment & Delivery Procedure

IF660 Application for Refund BNIT

IF661 Application for Class Enrolment Amendment

IF662 Application for Full Program Amendment

IF351 Application for Fee Exemption

IG49 Government Funded Delivery Refund Guidelines

5. CONDITIONS

All refunds for Government Funded and ACE programs shall be in accordance with the [Vocational Education, Training and Employment Act 2000](#). Applications for refund (student fees) are processed via application for enrolment amendment.

Applications for refund (other than student fees) are to be made in writing to the Institute Director.

No refunds will be processed for materials considered to be used or allocated, which are not recoverable or reuseable.

If a refund application is unsuccessful, the Institute delegated officer must notify the client in writing.

All fees must be paid in Australian Dollars (AUD), (*this is communicated to the students prior to enrolment*), and therefore all refunds will be made in Australian Dollars.

Once approved refunds can be issued by cheque, credit card, back account details or credit on the Institute Student Administration System (ISAS) and can take up to 4 weeks to be processed.

5.1 Government Funded and ACE Programs

All refunds shall be in accordance with the [Vocational Education Training and Employment Regulation 2000, Part 5A, Sections 30N-30R](#) and Financial Management Practice Manual 04.01.17 – TAFE Qld Student Refund and are applicable to:

- a) Individual students for fees and charges of courses; and
- b) Any Third Party or guarantor responsible for a student's fees and charges of courses.

5.1.1 Refund if program or course cancelled by Institute Director

If the Institute Director cancels a government funded program/course or ACE course before it starts, the Institute Director will refund the fees paid for the program/course.

5.1.2 Refund if enrolment cancelled before program or course starts

If a student cancels enrolment in a government funded program/course or ACE course before it starts, the Institute Director will refund the fees the student paid for the program or course after deducting:

- (a) For an ACE course — the enrolment fee for the course (there is no refund for an ACE course unless the enrolment is cancelled no later than 2 days before the course starts); and
- (b) For a government funded program/course — an administration charge of \$10.00 for all courses cancelled at the same time.

This section does not apply if a tuition or student services fee payable on the cancelled enrolment must be applied to reduce fees payable on a later enrolment.

5.1.3 Refund after government funded course starts

If any of the following things happen while a student is undertaking a government funded course, the student may apply to the Institute Director for a refund of the fees for the course:

- (a) The student accepts a place offered through the Queensland Tertiary Admissions Centre;
- (b) The student suffers an illness or injury preventing the student from completing the course; and
- (c) Exceptional circumstances prevent the student from completing the course.

A refund may be approved to a student of TAFE Open Learning when learning materials are returned in an unmarked condition within five weeks of start of study. There are no refunds for units of competency where assignments have been submitted, tutorial assistance has been given or workshops have been attended.

The student must apply using an approved form before the assessment for the course ends.

The Institute Director may refund the fees after deducting an administration charge of \$10.00 for all courses to which the application relates.

A refund guideline **IG49** – Government Funded Delivery refund Guidelines, has been developed to assist in determining eligibility of the student to obtain a refund.

5.1.4 Refund if academic exemption received

If a student has received an academic exemption from a government-funded course since enrolling in it, the student may apply to the institute Director for a refund of fees for the course.

The student must apply on the approved form **IF351** Student Fees Special Arrangement (non standard time to pay application) within 5 weeks after the course starts.

5.1.5 Refund if re-evaluation successful

The institute Director must refund the fee for re-evaluation of a student's result in a government funded course to the student if the student's result is upgraded to a result of competent or an equivalent result.

5.1.6 Material Fees

No refunds will be processed for materials that are considered to be used.

5.1.7 Transfer of Enrolment

Fee adjustment for certain transfers and cancellations of enrolment in government funded programs/courses. This section applies if a student enrolled in a government funded program/course at a TAFE Institute:

- (a) Transfers the enrolment to substantially the same course at another TAFE Institute; or
- (b) Cancels the enrolment and enrolls in another course at the same institute no later than 2 weeks after the start of the cancelled course.

Any tuition or student services fee payable on the original or cancelled enrolment must be applied to reduce the total amount of tuition and student services fees payable on the later enrolment.

Any balance of the tuition and student services fees paid on the original or cancelled enrolment must be refunded.

5.1.8 Refused applications for fee exemptions and refunds

If the Institute Director or delegate refuses a person's application for a fee exemption and refund, the Institute Director or delegate must give the person written notice of the reasons for refusal.

The person may, within 7 days after the written notice is given, apply to the Institute Director for a reconsideration of the refusal.

5.2 Non-Government Funded Programs

The following programs are covered under this section: Fee for service programs, commercial programs, Traineeships and International Student programs.

(a) Fee for Service Programs

5.2.1 Refund if program cancelled or postponed by the Institute:

In the event of a fee-for-service program being postponed or cancelled by the Institute, a participant's enrolment may be transferred to the next existing program of the same activity. If this is not possible due to time constraints, participants may choose to obtain a full refund on all fees associated with the cancelled program.

5.2.2 Refund if enrolment cancelled 5 or more days before program commencement

Cancellations for domestic Fee for Service Courses (Single Subscriber) will be accepted five (5) or more days prior to the start date (with a minimum of 5 days). A full refund of fees charged for the program, less an administration fee of \$10, will be made.

5.2.3 Refund if enrolment cancelled less than 5 days before program commencement

Cancellations received less than five (5) days before, on the day of, or after course commencement will not be eligible for a refund of any fees and charges paid by/for the student, and any remaining payments due in respect of the enrolment must be paid to the Institute (unless a contract between the parties states otherwise).

A participant may request a transfer of their enrolment fees to another offering of the same course or to another course or subject without incurring a charge.

Substitute attendees may be nominated should the enrolled participant be unable to attend.

Participants may make a written appeal to the Institute Director, for a refund based on exceptional circumstances, including severe illness or injury occurring **after** enrolment. This must be supported by a medical certificate stating when the injury occurred or illness commenced.

(b) Corporate Training Programs

Cancellations will be accepted up to ten (10) working days prior to the negotiated commencement date for training.

After that time, cancellations will not be accepted, however new training dates may be negotiated, preferably with delivery rescheduled for commencement within 1 month of the cancelled program. Rescheduled training dates beyond this period of quotation validity may require a new quotation to be provided.

Any non-refundable costs incurred by BNIT as a result of rescheduling training dates will be charged to the client.

Cancellation penalties for a program being delivered specifically for a particular corporate group will be as per the contract arrangements or via negotiation.

(c) Fee for Service Traineeships

Cancellations of a Fee for Service Traineeship by the client will attract an Administration Fee of \$500 as well as a pro rata cost per competency commenced at the time of cancellation.

Example:FFS Traineeship cancelled after commencement of 7 competencies

FFS Price to Client	\$2,300
Number of Competencies	15
Price per competency	<u>\$153.00</u>
Number of Competencies Commenced	7
Revised Fee	<u>\$1,071</u>
Administration Fee	<u>\$500</u>
Fees Payable by Client	<u>\$1,571</u>

As the probationary period for a Fee-For-Service Traineeship has no impact on Brisbane North Institute of TAFE payment arrangements, training may commence at any time and incur costs as detailed above.

(d) International Student Enrolments

If an applicant accepts a place offered by BNIT by virtue of paying fees or makes an agreement to pay the fees, it means that a binding contract is created between the applicant and BNIT. The laws of the Commonwealth of Australia and the State of Queensland govern this contract.

Notification of cancellation, withdrawal, leave of absence, or deferral from course(s) of study or program must be made in writing to BNIT.

Refund if student defaults

Cancellation, withdrawal, leave of absence, or deferral	Notification Period Required	Cancellation Fee	Requirement of Refund
From the entire course of study/program prior to commencement	More than 4 weeks prior to course commencement	10% of the Formal Program semester's course of study/program fees. ELICOS: 20% of tuition fees paid for the ELICOS Offer	
	4 weeks or less notice	20% of the given semester's formal course fees or ELICOS tuition fees <u>less</u> an amount equivalent to 12 weeks of ELICOS tuition.	
From the entire course of study after commencement	Any Time	No Refund	Should a student become seriously ill or is required to return home due to exceptional circumstances of a compassionate nature (such as death or severe illness in the immediate family) and can no longer continue their study, BNIT will refund the balance of unused fees. This fee refund is wholly at the discretion of BNIT. Appropriate evidence, such as a medical or death certificate, will be required.
Cancellation of Student Visa by the Department of Immigration and Multicultural Affairs & Indigenous Affairs	Any Time	No Refund	
Visa refused by the Department of Immigration, Multicultural & Indigenous Affairs	Prior to Arrival	No penalty – full refund	BNIT must be supplied with the relevant letter of visa rejection from DIMIA
Student excluded from BNIT	Any Time	No Refund	

If the student successfully meets the English language entry requirements and all other conditions for entry to a BNIT formal course during their ELICOS course, the student may apply to credit the balance of paid ELICOS tuition fees to their formal TAFE course.

If the student defers their ELICOS course, BNIT will hold the tuition fees until the student resumes their course. The student cannot resume their course until a new Offer of Place has been issued.

If the international student is granted permanent residency status after the program of study has commenced, no refund of fees will be payable for the current semester, but all subsequent fees will be payable at local rates.

If Brisbane North Institute of TAFE, TAFE Queensland or Department of Immigration and Citizenship (DIAC) excludes the international student from continuing their studies, there will be no refund of fees for the current semester, but any advance fees will be refunded in full.

All requests for refunds or credit transfers must be made in writing to Brisbane North Institute of TAFE.

Approved refunds may be transferred to another Institution or sent back to the student's home country into the account of origin.

- If a student 'fast tracks' and completes their Program in a shorter time than is specified in the Offer of Place, they are not entitled to any refund of tuition fees.
- Tuition fees may be reduced or a refund issued if the student is granted sufficient Transfer Credits or Exemptions such that the Program is completed in a shorter than normal time.
- Approved refunds will be processed within 4 weeks of the Manager International Business decision on this matter.
- If a student completes their Program in a period less than that stated on the Offer of Place the installment amounts will alter. If a period greater than that stated on the Offer of Place is required to complete the Program the student will be subject to additional fees.
- Students may, under exceptional circumstances, defer their studies providing notification is received within 2 weeks of the commencement of the semester. An Administration Charge of \$150 applies, and fees may be held for up to one year only. If a student withdraws from their Program, tuition fees will not be refunded.

Fees will not be refunded for any reason other than the above.

This agreement does not remove the right to take further action under Australia's consumer protection laws.

Full Refund

BNIT will pay a full refund to the student within 2 weeks should:

- The course being offered not commence on the agreed starting day,
- The course stops being provided after it starts and before it is completed, or
- The course is not provided fully to the student because of a sanction imposed on BNIT

(as detailed in **Sections 27 – 31 of the ESOS Act 2000**)

The student will be provided with a statement explaining how the refund amount has been calculated.

In the event that a course stops being provided after it starts and before it is completed, BNIT will endeavour to arrange for another course, or part of a course, to be provided to the student as an alternative.

Should the alternative course of study/program be acceptable to the student, no refund of fees for the original enrolment will be made by BNIT, nor will any additional fees be charged to the student for the alternative program.

6. CANCELLATION OF ENROLMENT

BNIT has the right to cancel the enrolment of any student, if the student has:

- Gained admission to the Institute by misrepresentation, falsification of documents, or other fraudulent means;
- Failed to fulfil the requirements for admission or enrolment;
- Failed to fulfil the ongoing requirements of an international student, such as minimum attendance requirements;
- Engaged in any act of serious academic or behavioural misconduct which has resulted in exclusion of the student from the Institute;
- Failed to satisfy the minimum academic performance level required; or
- Failed to pay any outstanding fees.

7. PROCESS FOR FEE REFUND

Students requesting a refund of fees and/or charges must submit a Request for Refund form to the BNIT International Programs Office. Before applying for a refund of tuition fees and/or charges, applicants must read BNIT's Refund Policy.

Commercial clients can apply for reconsideration of fees and charges on a commercial contract by making written application to the relevant Faculty Director.

Applications for a refund of fees will take up to 4 weeks for BNIT to process.

Should an application for refund be refused, written notice detailing the reasons will be issued to the client. A written appeal may be lodged to the Institute Director within 20 working days after written notice is given.

8. POLICY EXCEPTIONS

Discounts and Waiver: the Institute Director, Director Education & Training and Director Client Relations are able to offer a discount and or waiver of part fees where the Institute has failed to deliver fully or satisfactorily on a service. Each case must be documented and reported.

9. PAYMENT OF INTERNATIONAL STUDENT RECRUITMENT AGENTS' COMMISSIONS

Agent commissions will be paid only under the authorisation of the Institute Director or delegated officer.

The Institute shall keep a register of agents' commissions, other payments and inducements whether by way of cash payment, non-cash, payments foregone or services provided.

Commission will only be paid to the agent where the students contracted by the agent have paid all fees and associated charges for that part of a course that the Agent contracted with the student. Agents will not receive any part of the non-refundable enrolment fee should a student decide not to proceed.

No payment, inducements or rewards of any kind shall be provided to agents, their servants or associates without being specifically and individually authorised by the Institute Director (or delegate) and declared in the register in accord with this policy.

Where the Institute Director provides incentives for higher performing agents the incentive policy shall be articulated in full and included in the agent commission's register.

DOCUMENT AUTHORISATION

Owned by	Manager Finance & Infrastructure
Endorsed by	Manager International Business
Authorised by	Institute Director