



CANCELLATION AND REFUND POLICY

PREAMBLE

This policy sets out the circumstances that a student is entitled to a refund and the procedure a student must follow to withdraw from a course to get a refund.

This policy is made under the Education Services for Overseas Students Act 2000 and sub-ordinate legislation ('Act') including the Education Services for Overseas Students Regulations 2019, Education Services for Overseas Students (Calculation of Refund) Specification 2014, Minister's determinations and the National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students 2018 (refer to <https://www.aei.gov.au/regulatory-information/pages/regulatoryinformation.aspx> for more information).

DEFINITIONS AND ACRONYMS

In this Refund Policy and as the context requires:

"Application Fee" is the fee for processing your application to study at the College. The Application Fee is payable regardless of whether you are offered a place in a Course.

"Cancellation Fee" means, in respect of English language Courses, an amount equal to 20% of the total Tuition Fee for the Course, and in respect of all other Courses, the Enrolment Acceptance Fee.

"Course" means the course listed in the Letter of Offer, or, where you have enrolled in multiple courses, each course listed in the Letter of Offer.

"Course Fees" means the Tuition Fees, Non-Tuition Fees and Application Fee.

"Course Start Date" is the start date for the Course as set out in the Letter of Offer, or if you have enrolled in a Package of Courses, the start date of the first Course in the Package of Courses, as set out in the Letter of Offer.

"Enrolment Acceptance Fee" or "EAF" is the fee to reserve your place in a Course at the College and is payable when you accept the Letter of Offer. If you start your Course, the EAF will be applied towards the Tuition Fees otherwise it will be applied towards the Cancellation Fee.

"Letter of Offer" is the letter offering a place in a Course and which will set out the fees that are payable by you in respect of the Course.



“Non-tuition Fees” means fees received by the College that are not directly related to tuition for your Course, but excludes the Application Fee.

“Package of Courses” means multiple Courses.

“Student Course Variation form” or “SCV form” means a written notice in a form prescribed by the College.

“Tuition Fee” means the fees received by the College for tuition for your Course.

“you” or “your” means the Student or the Student’s legal guardian (where the student is under 18 years of age).

“Your Fault” includes circumstances where:

- a. you do not start the Course on the Course Start Date;
- b. you withdraw from a Course either before or after the Course Start Date
- c. you failed to pay an amount that you are liable to pay the College in order to undertake the Course;
- d. you breached a condition of your student visa, including where applicable, failure to maintain satisfactory course progress and/or satisfactory attendance or failure to maintain approved welfare and accommodation arrangements; and
- e. any behaviour that results in the suspension or cancellation of your enrolment.

“Withdrawal Fee” means the fee of \$500.

POLICY/PROCEDURE

1. REFUND POLICY

- 1.1 The College’s offer of a place is contingent upon payment of the Application Fee and the Enrolment Acceptance Fee.
- 1.2 Tuition Fees must be paid by the due date specified in the Letter of Offer otherwise an administration fee of \$100 will be charged.

2. REFUNDS

The Application Fee is not refundable, except in cases of student visa refusal.

2.1 Student cancellations

Except in cases of provider default or student visa refusal, refunds will only be made in the following circumstances:



a) **Where you cancel BEFORE the Course Start Date**

If you give us written notice of cancellation 14 days or more before the Course Start Date, the College will, within 28 days, refund the Course Fees less the Cancellation Fee. No refund of fees will be given where notice is received less than 14 days before the Course Start Date or on or after the Course Start Date.

b) **Where you withdraw from the Course AFTER the Course Start Date**

No refund of fees will be given after the Course Start Date. For vocational courses, once you start a Course, you may withdraw at any time, however if you withdraw from a course after week 7 of the then current term, you must pay the Withdrawal Fee. Please note that payment of the Withdrawal Fee does not guarantee that you will be granted a letter of release (if required).

2.2 Provider default

If you are enrolled in a Course and the College cancels or stops providing the Course to you, then the College will, within 14 days, refund the Tuition Fees that you have paid for the weeks that tuition will not be provided, **unless** the reason for the cancellation is Your Fault or, where it is not Your Fault, if you have accepted an offer to study an alternative course arranged by the College.

2.3 Student visa refusal

If you do not start a Course on the Course Start Date or if you withdraw from a Course on or before the Course Start Date, due to **student visa refusal**, the College will, within 28 days, refund the Course Fees less 5% of the Course Fees (up to a maximum amount of \$500).

If you start a Course on the Course Start Date and then your **student visa is refused**, the College will, within 28 days, refund on a pro rata basis, the Tuition Fees for the weeks from when you withdrew from the Course until the end of the period that the Tuition Fees have been paid to (that is, on a pro rata basis) apply to.

Refunds in the case of provider default and student visa application refusal are regulated by law. Please refer to the Education Services for Overseas Students (Calculation of Refund) Specification 2014 for the precise methods of calculating the refund.



2.4 Refunds

- a) If you defer starting a Course and then cancel the Course, the original Course Start Date before your request for deferment(s), will be used as the Course Start Date to determine whether a refund is to be made.
- b) No refund will be made where the College cancels, suspends or terminates your enrolment as a result of Your Fault, except in cases of student visa refusal.
- c) If you are over 18 years old, the refund will be paid directly to you or in accordance with your written directions.
- d) If you are under 18 years old, the refund may be paid to you but only with the authority or consent of your parent or legal guardian.
- e) The College may:
 - i) request further information or evidence to confirm that you are the person entitled to receive the refund or give a direction to pay the refund;
 - ii) pay the refund by bank draft or company cheque (in case of refund within Australia) or by international bank draft; or
 - iii) pay the refund to a bank account by direct credit (in case of refund within Australia) or by telegraphic transfer (in case of refunds outside of Australia) but only if you provide evidence that the bank account exists.
- f) All refunds will be made in Australian currency only, unless the College's Bank is unable to do so in which case the refund will be made in the equivalent United States of America currency calculated using the Bank's exchange rate for the relevant date of transfer. The College is not responsible for currency exchange rate fluctuations, delays or loss of refund in transit (mail, courier, telegraphic transfer or otherwise) as a result of incorrect information provided by you.
- g) You agree that the College may change this policy at any time and the policy to be used to determine whether you receive a refund will be the policy applicable at the time you give notice of cancellation or withdraw enrolment in a Course. For the latest policy please www.apc.edu.au.

3. IMPORTANT

This agreement and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection



laws.

4. How to withdraw from a course and get a refund

- a) **Complete a Student Course Variation (SCV) form.** The SCV form is available from the Student Service Office. If you are under the age of 18 years your legal guardian will need to complete and sign the form.
- b) **Attach all relevant documents to the SCV form.** You should attach documents supporting the reason for your withdrawal and confirming your identity as well as a Refund Request Form.
- c) **Hand in the completed forms to Student Services or email to:** refunds@apc.edu.au. Please make sure that your student number and current contact details (email address, mobile phone number) are on the form. Please sign and date the SCV form before handing it in. Your form will NOT be processed if it is not signed and dated.

The College will process your completed SCV form and assess whether you are entitled to a refund based on our policy. The College may ask for further information or documentary evidence. Please note that incomplete SCV forms may delay the processing of the SCV form and payment of refunds.

POLICY REVIEW

This policy will be reviewed as part of the College’s three (3) yearly review or as legislation requires.

RELEVANT LEGISLATION

This document references the following legislation, regulations, codes and standards:

Relevant Legislation/codes/standards	
Commonwealth	Education Services for Overseas Students Act 2000 (Cth) Education Services for Overseas Students (Calculation of Refund) Specification 2014 (Cth) National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students 2018



KEYWORDS

Keywords	refund, withdrawal from a course, fee, default, student visa refusal
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POLICY OWNER

Policy Owner	Learner Experience Enterprise Unit
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POLICY/PROCEDURE HISTORY

Policy History			
Current version	Current version release date	Author	Description of changes
Cancellation and Refund Policy v6.5	July 2016	Alex Lee	
Cancellation and Refund Policy v6.6	October 2018	Sara Gaudry	
Cancellation and Refund Policy v6.6R(APC)	June 2019	Sara Gaudry	Update letterhead and format of Policy. No change to content.
Cancellation and Refund Policy v6.6R(APC)	March 2020	Sara Gaudry	Amendment to the legislation references.