



THE UNIVERSITY OF
NOTRE DAME
A U S T R A L I A

Procedure:

Refunds for International Students

Effective: 29 July 2021

Audience: Staff and Students

Policy Category: Academic
Policy Sub-category: International Students

Key words: international student, refund request

Procedure Owner: Provost

Responsible Officer: Academic Registrar

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Contents

1	PURPOSE.....	3
2	SCOPE.....	3
3	RELATED POLICIES AND REGULATIONS	3
4	REFUND AMOUNTS	3
5	APPLICATION FOR REFUND.....	4
6	REFUND AUTHORISATION	4
7	PAYMENT OF REFUND	4
8	PARTIAL REFUNDS	4
9	INABILITY OF UNIVERSITY TO DELIVER PROGRAM	5
10	APPEALS	5
11	RELATED DOCUMENTS	5
12	DEFINITIONS	5
13	PROCESS SUMMARY	7

1 PURPOSE

- 1.1** This Procedure sets out the process for student refunds in accordance with the provisions of the *Education Services for Overseas Students (Calculation of Refund) Specification 2014*.

2 SCOPE

- 2.1** This Procedure applies to all International Students, Study Abroad and Exchange Students.

3 RELATED POLICIES AND REGULATIONS

- 3.1** This Procedure should be read in conjunction with the following documents:
- 3.1.1 *Education Services for Overseas Student (ESOS) Act 2000 (ESOS Act)*.
 - 3.1.2 *Education Services for Overseas Students (Calculation of Refund) Specification 2014*
 - 3.1.3 *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code)*.
 - 3.1.4 *University's General Regulations*
 - 3.1.5 *Policy: International Students*
 - 3.1.6 *Policy: Student Appeals*

4 REFUND AMOUNTS

- 4.1** Refunds are calculated in accordance with the following table, as prescribed by the *Education Services for Overseas Students (Calculation of Refund) Specification 2014*.

Reason for Refund	Amount Refunded
University default (Partial refund) i. All defaults made by the University as defined in this document	i. Refund amount = weekly Tuition fee x weeks in default period
Student default due to visa refusal (Partial refund) i. If the Student visa application is refused prior to the commencement of the Program ii. If the visa application is refused after the commencement of the Program	i. Refund amount = tuition fees – (minus) the lesser of the following amounts a) 5% of the amount of tuition fees received by the University in respect of the Student prior to the default day; or b) \$500 ii. Refund amount = weekly Tuition fee x weeks in default period
All non-visa related Student defaults i. Student defaults, as defined in this document, that occur before the applicable Census Date ii. Student defaults, as defined in this document, that occurs after the applicable Census Date	i. Refund amount = 100% refund of Tuition fees – all non-tuition fees paid by the Student ii. No refund of Tuition fees or non-tuition fees for the current Semester. 100% refund of Tuition fees for any subsequent Semester.
If the Student provides evidence that they were granted permanent residency on or prior to the earliest applicable Census Date for their current Semester enrolment*	i. Refund amount = overseas tuition rate – domestic tuition rate

* Note: A Student remains liable for Tuition fees as an International Student for the remainder of the current Semester if a Census Date applicable to their current enrolment has already passed.

5 APPLICATION FOR REFUND

- 5.1 All applications for a refund should be submitted to the Student Fees Office on the *Application for Refund of Tuition Fees (International) Form* and include supporting documentation where applicable.
- 5.2 A Study Abroad or Exchange Student seeking a refund should notify the Study Abroad Office.

6 REFUND AUTHORISATION

- 6.1 Applications for refunds for Students must be authorised by the appropriate staff member in line with the financial delegations authority

7 PAYMENT OF REFUND

- 7.1 Where the Student is entitled to a refund, the refund will be remitted from the date of submission of the *Application for Refund of Tuition Fees (International) Form* to the University in accordance with the respective “provider obligation period” specified in the ESOS Act.
- 7.2 Prior to any refund being remitted, the Student Fees Office will send an email to the student’s Notre Dame email address setting out the amount of refund to be remitted and the basis for this amount.
- 7.3 Refunds will be remitted in Australian Dollars and will be made to a bank account nominated by the Student or, in the case of Study Abroad and Exchange Students, to the institution from whom the fees were originally received (unless the University receives different instructions from that institution).

8 PARTIAL REFUNDS

- 8.1 If a partial refund of Tuition fees applies, the partial refund will apply to the current Semester only. A full refund of Tuition fees will be made for Tuition fees relating to any subsequent Semester.
- 8.2 A partial refund of Tuition fees (rounded up to the nearest whole dollar) will be calculated as the product of (i.e. multiplied by) the weekly Tuition fee and the number of weeks (rounded up to the nearest whole number) in the default period where the:

$$\text{Weekly tuition fees} = \frac{\text{Total Tuition fees for the Program for the Semester}}{\text{Number of calendar days in Semester}} \times 7$$

$$\text{Weeks in default period} = \frac{\text{Number of calendar days from default day to the end of the period to which the payment relates}}{7}$$

9 INABILITY OF UNIVERSITY TO DELIVER PROGRAM

- 9.1** In the unlikely event that the University is unable to deliver the Student's Program in full, the Student will be notified of this and offered a refund of unspent Tuition fees paid to the University. Alternatively, the Student may be offered enrolment in an alternative Program by the University at no additional cost to the Student. If the Student elects to enrol in an alternative Program, the University will ask the Student to sign a document to confirm the change of Program.
- 9.1.1 Review of Refund Amount
A Student may request the Student Fees Office to review the amount set out in the notification of refund email.
- 9.1.2 A request to review the amount set out in the notification of refund email (refer clause 7.2) may be made in writing to the Student Fees Office, and include reasons why the Student disputes the refund amount.
- 9.1.3 A request for a review must be received within twenty Working Days of the date of the notification of refund email. The Student may be required to submit independent documentary evidence to support their reasons for requesting a review.
- 9.1.4 The Student Fees Office will notify the Student of the outcome of the review in writing within ten Working Days of receiving the review request.

10 APPEALS

- 10.1** The Student Fees Office's decision arising from a review of a refund amount may be appealed to the Academic Registrar in accordance with the *Policy: Student Appeals*.
- 10.2** This Procedure, and the complaints and appeals processes of the University, do not remove the right of the Student to take further action under Australia's consumer protection laws or from referring the matter to the Commonwealth Ombudsman or other relevant external body.
- 10.3** In the case of disputes, the University's grievance resolution processes do not circumscribe the Student's right to pursue other legal remedies.

11 RELATED DOCUMENTS

- 11.1** *Application for Refund of Tuition Fees (International) Form*

12 DEFINITIONS

- 12.1** For the purpose of this Procedure, the definitions outlined in the *Policy: International Students* apply.
- 12.2** In addition, the following definitions apply to this Procedure:

Census Date means a unit specific deadline for the finalisation of student enrolment and fees for each Semester, which is published on the University website and on the Academic Calendar.

Non-tuition fees means incidental fees that may be associated with undertaking a Program such as, but not limited to, uniforms, specialist equipment, field trips and immunisations.

Student default means an International Student or intending International Student, defaults in

relation to a Program at a location, if:

1. the Program starts at the location on the agreed starting day, but the Student does not start the Program on that day (and has not previously withdrawn); or
2. the Student withdraws from the Program at the location (either before or after the agreed starting day); or
3. the University refuses to provide, or continue to provide, the Program to the Student at the location because of one or more of the following events:
 - a. the Student failed to pay an amount he or she was liable to pay the University, directly or indirectly, in order to undertake the Program;
 - b. the Student breached a condition of his or her student visa or *University Regulations*;
 - c. misbehaviour by the Student.



Tuition fees means fees the University received directly or indirectly from an International or intending International Student or another person who pays the fees on behalf of an International or intending International Student, that are directly related to the provision of a Program that the University is providing, or offering to provide, to the Student.

University default means the University defaults, in relation to an International Student or intending International Student and a Program at a location, if:

- a) either of the following occurs:
 - i. the University fails to provide the Program to the Student at the location on the agreed starting day; or
 - ii. the Program ceases to be provided to the Student at the location at any time after it starts but before it is completed; and
- b) the Student has not withdrawn before the default day.

Version	Date of approval	Approved by	Amendment
1	1 December 2014	Vice Chancellor	Effective date – new Policy.
2	December 2018	PVC International/Academic Registrar	Conversion to Procedure, nomenclature updated, clarification of refund authorisation.
3	July 2021	Academic Registrar	Transfer to new template.

13 PROCESS SUMMARY

Process Step	Responsibility
	
<p>Application for Refund Complete and submit an <i>Application for Refund of Tuition Fees (International) Form</i> with supporting documentation to the Student Fees Office.</p> <p>Notify the Study Abroad Office of the intention to seek a refund.</p> <p>Determine refund request Determine refund application as per the Refund Policy Table and clause 5.1 of this Procedure in consultation with relevant University staff.</p> <p>Notify Student of refund amount via their Notre Dame student email address.</p> <p>Payment of refund processed within 14 days.</p>	<p>Continuing/Commencing Student</p> <p>Study Abroad or Exchange Student</p> <p>Student Fees Office</p> <p>Student Fees Office</p> <p>Finance</p>
	
<p>Review of Refund amount A request is made of the Student Fees Office to review the proposed refund amount in writing within 20 Working Days of receipt of notification of the refund amount.</p> <p>The Student is notified of the decision in writing and the internal and external appeal processes available to them.</p>	<p>Student</p> <p>Student Fees Office</p>