



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

Procedure:

Refunds for International Students

Effective: 25 January 2024

Audience: Staff and Students

Policy Category: Academic

Policy Sub-category: International Students

Key words:	International student, refund request
Procedure Owner:	Academic Registrar
Responsible Officer:	Director, Student Administration
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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 at the University of Notre Dame Australia (the University).

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 *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*.

Default	Amount Refunded
Reason 1 - University default 1.1 All defaults made by the University as defined in this document	<ul style="list-style-type: none">i. Full Refund: If the default occurred on or before agreed start dateii. Partial Refund: If after agreed start date where refund amount equals: Weekly tuition fees multiplied by number of weeks remaining in the paid portion of the program after the day on which the relevant default occurred.
Reason 2 - Student default due to visa refusal 2.1 If the Student visa application is refused prior to the commencement of the Program 2.2 If the visa application is refused after the commencement of the Program	<ul style="list-style-type: none">i. Refund amount is the full tuition fees minus 5% of the full tuition fees or \$500, whichever is less.ii. Refund amount equals weekly tuition fees multiplied by the number of weeks remaining in the paid portion of the program after the day on which the relevant default occurred.
Reason 3 - All non-visa related student defaults 3.1 Student default that occurs after visa granted and least 4 weeks prior to commencement of the Program. 3.2 Student default that occurs after visa granted and less than 4 weeks prior to commencement of the Program.	<ul style="list-style-type: none">i. Refund amount equals 90% refund of tuition fees minus all non-tuition fees paid by the studentii. Refund amount equals 75% refund of tuition fees minus all non-tuition fees paid by the student

Default	Amount Refunded
3.3 Student default that occurs after the student has commenced the Program but prior to the applicable Census Date.	iii. Refund amount equals 50% refund of tuition fees minus all non-tuition fees paid by the student
3.4 Student default that occurs after the applicable Census Date.	iv. No refund of tuition fees or non-tuition fees for the current Semester. 100% refund of tuition fees for any subsequent Semester
Reason 4 - The student withdraws from the program during their first six months of their principal program to take up a place at another education provider without a letter of release from the University prior to census date.	i. No refund for any tuition fees paid for the first semester at the University of Notre Dame Australia.
Reason 5 - 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*	ii. Refund amount equals the overseas student tuition rate minus the domestic student 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.

6 REFUND AUTHORISATION

- 6.1 Refunds for students must be authorised by the appropriate staff member in line with Schedule B: Financial Delegations of the *Standing Delegations of 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.
- 7.1.1 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.
- 7.1.2 The University adheres to the Payment Card Industry (PCI) Data Security Standards (DSS) and will, in all cases attempt to return any credit back to the originating card or cardholder. Refunds will be paid:
- To the person or entity from which the original payment was received;
 - In Australian Dollars, unless external requirements prevent this;
 - Wherever possible, to the account from which; and using the mechanism by which, the original payment was received.
- 7.1.3 Where it is not possible for the University to make a payment to the account, person or entity from which the original payment was received, the University will consult

with the student, the person or entity who made the original payment and the appropriate financial institutions to determine how the refund will be paid.

7.1.4 If the University is unable to contact a former student to arrange a refund, the funds will be held for a maximum of six years, at which time the credit balance will be transferred to the Office of State Revenue.

7.1.5 Where a student is suspected of providing fraudulent documentation, the University will consider the account to be on hold until the investigation has concluded and a decision regarding the possible outcomes is finalised.

7.2 The University will not compensate the payer of the fees for any exchange rate changes or funds transfer costs.

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:

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

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

9 TIMING OF PAYMENT OF REFUND

9.1 If the student withdraws from the Program before it commences, the University will refund the student's tuition fees within **28 days** of receiving the student's written notice of withdrawal.

9.2 If the University cancels or discontinues the program before it commences, it will refund the student's tuition fees within **14 days** of the Program cancellation or discontinuation.

9.3 If a student's refund application is found to be incomplete and requires additional information or verification, the processing timeline will pause and will only resume from the date when the completed information has been submitted to the University. Students are responsible for ensuring they provide a complete and correct Refund application.

10 CIRCUMSTANCES WHERE A REFUND WILL NOT BE APPROVED

- 10.1 Generally, a refund will not be approved in the following circumstances:
 - 10.1.1 If a student has found to have provided fraudulent documentation during the admission and / or enrolment process.
 - 10.1.2 If a student must depart Australia due to a breach of their visa conditions.
 - 10.1.3 If a student is terminated from the University.
 - 10.1.4 If a student reduces their study load without permission from the University as outlined in the *Policy: International Students*.
 - 10.1.5 If refusal of a refund is an outcome of a student misconduct matter, including any appeal process.

11 INABILITY OF UNIVERSITY TO DELIVER PROGRAM

- 11.1 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.
 - 11.1.1 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.
- 11.2 **Review of Refund Amount**
 - 11.2.1 A student may request the University to review the amount set out in the notification of refund email.
 - 11.2.2 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.
 - 11.2.3 A request for a review must be received within 20 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.
 - 11.2.4 The Student Fees Office will notify the student of the outcome of the review in writing within 10 working days of receiving the review request.

12 APPEALS

- 12.1 The University's decision arising from a review of a refund amount may be appealed to the Academic Registrar in accordance with the *Policy: Student Appeals*.
- 12.2 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.
- 12.3 In the case of disputes, the University's grievance resolution processes do not circumscribe the student's right to pursue other legal remedies.

13 RELATED DOCUMENTS

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

14 DEFINITIONS

14.1 For the purpose of this Procedure, the definitions outlined in the *Policy: International Students* apply.

14.2 In addition, the following definitions apply to this Procedure:

Census Date means a course 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.

Commencement of the Program means the first day of the Semester for which the student commences classes as 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:

- (a) 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
- (b) the student withdraws from the Program at the location (either before or after the agreed starting day); or
- (c) 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:
 - i. the student failed to pay an amount they were liable to pay the University, directly or indirectly, in order to undertake the Program;
 - ii. the student breached a condition of his or her student visa or University *Regulations*;
 - iii. misbehaviour by the student.

Tuition fees means fees the University received directly or indirectly from an International Student or intending International Student, or another person who pays the fees on behalf of an International or intending International Student that are directly related 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 University ceases to provide the Program 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 day of the University default.

Visa Grant Date means the date that the student was granted a student visa by the Department of Home Affairs.

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.
4	20 April 2023	Academic Registrar	Minor amendments to reflect organisational changes and clarify ESOS requirements

5	25 January 2024	Academic Registrar	Major amendments including changes to refund amounts and addition of requirements for the timing of refunds and circumstances where a refund will not be approved.
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15 PROCESS SUMMARY

Process Step	Responsibility
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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. Notify the Study Abroad Office of the intention to seek a refund. 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. Notify Student of refund amount via their Notre Dame student email address. Payment of refund processed within 14 days.	Continuing/Commencing Student Study Abroad or Exchange Student Student Fees Office Student Fees Office Finance
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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. The Student is notified of the decision in writing and the internal and external appeal processes available to them.	Student Student Fees Office
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