

Policy Link	Nil			
Responsible Officers	Financial Controller Registrar			
Superseded Documents	Refund Policy (Overseas Students) 2006			
Associated Documents	Course Discontinuation Procedure Non-Academic Grievance Policy External Dispute Resolution Policy Refund Procedure for International Students			
Review Date	September 2020			
Access Flag	Student Public			
Version	Endorsed By	Authorised By	Approval Date	Effective Date
2.0	The Principal	Governing Board	15/09/2015	15/09/2015

1. PURPOSE

This policy is determined in accordance with the requirements of the *Education Services for Overseas Students Act 2000 (ESOS)* and the *National Code of Practice for Registration Authorities and Providers of Education and Training to International Students (the National Code 2007)*.

2. SCOPE

This policy applies to all commencing and continuing international students enrolled in higher education courses of study at Moore College. The policy operates irrespective of who has paid the tuition fee. This policy does not apply to domestic students.

3. DEFINITIONS

This section sets out definitions for key terms and acronyms referred to in the Policy.

Term	Definition
BD	Bachelor of Divinity
Domestic student	A domestic student refers to all students who are not international students.
International student	An international student is means a person (whether within or outside Australia) who holds a student visa. ¹ An international student is also known as an overseas student.

¹ *Education Services for Overseas Students Act 2000 (ESOS)*, §5 Definitions.

4. POLICY STATEMENT

4.1 Payment in Arrears Agreements

- (i) The College enters into Payment in Arrears Agreements with all international students.
- (ii) Under the agreements tuition fees for undergraduate courses are payable in arrears for each academic year (covering all units in which a student enrolls in that academic year including both semester length units and year-long units) of the course. For Years 1 to 3 of undergraduate courses, half of the tuition fee for an academic year is payable at the end of Semester 1 and the other half of the tuition fee for the academic year is payable at the end of Semester 2. For year 4, the tuition fee is payable at the end of the academic year. This is because there is no comparable alternate BD provider.
- (iii) Postgraduate coursework tuition fees are payable for semester length units at the end of each semester or at the end of the second semester for two unit equivalent research projects.
- (iv) For research awards tuition fees for research supervision are payable at the end of each semester of supervision received.
- (v) The College does not accept pre-paid tuition fees from international students.

4.2 College Default

- (i) Under the conditions of the *ESOS Act* Moore College defaults, in relation to an international student or intending international student and a course at a location, if either of the following occurs:
 - (a) the provider fails to start to provide the course to the student at the location on the agreed starting day;
 - (b) the course ceases to be provided to the student at the location at any time after it starts but before it is completed; and
- (ii) The student has not withdrawn before the default day.
- (iii) To avoid doubt, Moore College defaults if the College is prevented from providing a course at a location because a sanction has been imposed on the College under Part 6 of the *ESOS Act*.

4.3 Student Default

- (i) Under the conditions of the *ESOS Act* an international student or intending international student defaults, in relation to a course at a location, if:
 - (a) the course starts at the location on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or
 - (b) the student withdraws from the course at the location (either before or after the agreed starting day); or
 - (c) the registered provider of the course refuses to provide, or continue providing, the course to the student at the location because of one or more of the following events:
 - the student failed to pay an amount he or she was liable to pay the provider, directly or indirectly, in order to undertake the course;
 - the student breached a condition of his or her student visa;

- misbehaviour by the student.

4.4 Tuition Fee Refunds

- (i) If an undergraduate or a postgraduate course does not start on the agreed starting date then no refund is payable as no tuition fees will have been paid.
- (ii) If an undergraduate course starts on the agreed date but any unit in which an international student is enrolled ceases to be offered or is not provided in full then any moneys already paid by an international student for such unit(s) will be refunded on application to the Financial Controller.
- (iii) If a unit within the MA(Theology) course starts on the agreed date but ceases to be offered before the end of the semester for that coursework unit then no refund is payable as no tuition fees will have been paid.
- (iv) If a unit within the MA(Theology) course starts on the agreed date but ceases to be offered after the end of the semester for that coursework unit and no certificate of completion for that unit is issued to the student then all fees paid for that coursework unit to date will be refunded on application to the Financial Controller.
- (v) If a unit within the MA(Theology) course starts on the agreed date but ceases to be offered after the end of the semester for that coursework unit and after the certificate of completion for any unit is issued to the student then no refund of tuition fees is payable as the unit is complete.
- (vi) If supervision of a research award candidate does not commence on the agreed starting date then no refund is payable as no tuition fees will have been paid.
- (vii) If supervision of a research award candidate commences on the agreed starting date but ceases to be offered at any time prior to the issuance of a certificate of completion of the requirements for the award of the degree then the candidate may apply to the Financial Controller for the refund of tuition fees relating to unfinished components of the degree.

4.5 Refund Amount

The amount of the refund will be determined in the light of the College's assessment of the proportion of the degree which has been completed and the *Education Services for Overseas Students (Calculation of Refund) Specification 2014*.

4.6 Currency of Refund

All international refunds to overseas bank accounts will be paid in Australian dollars unless the nominated bank account will not accept Australian dollars.

5. APPEALS

- (i) If a course is provided as agreed and the student dispute payment of tuition fees on any ground in terms of the Payment in Arrears Agreement or claim a refund for tuition fees already paid in arrears, the student may apply to the Financial Controller who will determine an amount of refund, if any.
- (ii) A student dissatisfied with any decision on a refund can appeal via the College's Non-academic Grievance Policy.
- (iii) This policy, 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.

6. LEGAL AND POLICY FRAMEWORK

This Policy operates within the following legislative context.

Education Services for Overseas Students Act 2000 (ESOS)

Education Services for Overseas Students (Calculation of Refund) Specification 2014

Education Services for Overseas Students Regulations 2001

Higher Education Administrative Information for Providers. February 2015.

7. IMPLEMENTATION

Responsibility for implementation tasks lies with the Financial Controller and the Registrar.

8. ACKNOWLEDGMENTS

Acknowledgement is made of the following documents in reviewing this policy.

Federation University. *Refund for International Students Policy*. Policy Code: FN884.

University of Sydney. *Refund of Tuition Fees International Students*.

University of Tasmania. *International Student Fee Refund Policy*. Version 1.0, December 2014.

9. REVIEW AND HISTORY

Version	Approved By	Approval Date	Effective Date	Sections modified
1.0	Board of Studies	2 Nov 2006	2 Nov 2006	New policy
2.0	Governing Board	15 Sept 2015	15 Sept 2015	Review of policy, reformat.