

Overview

The National Code of Practice for Providers of Education and Training to Overseas Students (National Code 2018) requires UNE to demonstrate compliance with the National Code 2018 at the point of CRICOS registration and throughout its CRICOS registration period.

This compliance requirement also applies to students enrolled in courses delivered in association with another provider where UNE is the registered provider. UNE is responsible for breaches of the National Code, whatever the nature of its contractual or other arrangements with another provider.

Scope

Standard 3 of the National Code and the subsequent ESOS (Tuition Protection Service and Other Measures) Act 2012 requires a written agreement between UNE and the student to set out details of the course to be provided, the tuition and other fees payable and information relating to refunds of tuition fees in the case of default by a student or UNE. To comply with this standard, UNE must enter into a written agreement with each international student which is to be signed or otherwise accepted by that student (or the student's parent or legal guardian if the student is under 18 years of age), concurrently with or prior to accepting tuition fees or non-tuition fees from the student.

This Operating Procedure relates to all prospective and currently enrolled international students studying at UNE including students studying on-campus in Armidale or Sydney (Parramatta); by online education; or studying a UNE course at a formal partner.

Procedures

1. Application for a Refund of Pre-Paid Fees

- 1.1. If an international student seeks a refund for fees pre-paid to the University of New England (UNE), they must complete the "International Student Application for Refund" form and submit the completed form along with all required supporting documentation, to: The Manager International Admissions at: international.admission@une.edu.au
- 1.2. In order for a refund to be payable, the pre-paid fees must be available to UNE (i.e. money confirmed as received by Western Union, bank cheques must have cleared, telegraphic transfers received).
- 1.3. Refunds will be made within four (4) weeks after the student's formal written request is received.
- 1.4. Refunds will be paid to the person who originally paid the pre-paid fees. Where a student's fees are paid by a sponsoring body or scholarship agency invoiced by UNE, any refund will be paid to that body or agency.
- 1.5. Refunds will be paid in the same currency as the fees were originally paid except in documented and approved exceptional circumstances.

- 1.6. UNE reserves the right to retain the amount of any recruitment agent fee incurred by UNE in recruiting an international student.

2. Refund of Pre-Paid Fees for Studies not undertaken by Commencing Students – Student Default

- 2.1 A full refund less AUD\$500 of any pre-paid fees will be provided if a commencing student has their student visa application refused.
- 2.2 A partial refund of 90% of pre-paid fees will be provided if an international student advises of their withdrawal more than four (4) weeks before the course start date.
- 2.3 For full-time on campus students UNE will retain AUD\$5,000 to cover administrative and processing costs if an international student advises in writing of their withdrawal less than four (4) weeks before the course start date and up to two (2) weeks after the course start date.
- 2.4 For non-award students who advise in writing of their withdrawal, UNE will retain AUD\$500 to cover administrative and processing costs.
- 2.5 For English Language Centre students that advise in writing less than 4 weeks before the course start date of their withdrawal, UNE will retain AUD\$2,500.
- 2.6 For English Language Centre students that advise in writing more than 4 weeks prior to their course start date of their withdrawal, UNE will retain AUD\$500 as a processing fee.

3. Refund of Pre-Paid Fees for Studies not undertaken by Continuing Students – Student Default

- 3.1. A full refund of pre-paid fees will be provided if:
 - 3.1.1. A continuing student is not permitted to re-enrol due to failure to meet academic progression rules.
 - 3.1.2. A continuing student has their student visa application refused on or prior to Census date
 - 3.1.3. A continuing student withdraws, takes a formal leave of absence or has their enrolment cancelled prior to the census date in a study period.

4. Refund of Pre-Paid Fees for Units

- 4.1. A commencing international student enrolled at UNE who withdraws from a unit/s of study (not the course) before the relevant study period census date, will not be entitled to a refund of tuition fees paid for those units of study. UNE will retain these fees in credit towards the next study period.
- 4.2. A continuing international student enrolled at UNE who withdraws from a unit/s of study (not the course) before the relevant study period census date, will be entitled to a refund of tuition fees paid for those units of study. Students can choose to request UNE to retain these fees in credit towards the next study period.

5.0 Refund of Pre-Paid Fees Relating to Change of Residency Status

- 5.1 Australian Permanent Residency status is recognised from the date the Permanent Residency visa is granted, not the date on which the Permanent Visa application was made.
- 5.2 International Students granted Permanent Residency after enrolment in their course but before the census date of the relevant study period must advise UNE International immediately. Students granted Permanent Residency cannot continue their enrolment as an international student. If fees have been pre-paid, a refund will be

paid less any recruitment agent fee and less any fees owed to the University as a domestic fee paying or Commonwealth Supported Place student.

- 5.3 International Students granted Permanent Residency after the census date in the relevant study period, must advise UNE International immediately. They will be classified as an international student for the remainder of that study period and will be liable for payment of international student fees.

6.0 Refund of Pre-Paid Fees – University Default

- 6.1 In the event that the University does not commence a program on the agreed start date, international students will be provided a full refund of pre-paid fees received by the University. Students may be offered an alternative course which they can choose to accept instead of a full refund. The University will ask students to indicate their acceptance of any new course in writing.
- 6.2 In the event that the University is unable to deliver a course in full, international students will be provided with a refund of unspent pre-paid fees received by the University. Students may be offered an alternative course which they can choose to accept instead of a full refund. The University will ask students to indicate their acceptance of any new course in writing. Any refunds provided will be within the legislated period for University default refunds.

7.0 Refund of Pre-Paid Fees in Exceptional Circumstances

- 7.1 Exceptional circumstances may be accepted as grounds for a full or partial refund of any pre-paid fees where a student would not otherwise be eligible for a refund. Determination of whether exceptional circumstances apply is at the discretion of the Director, UNE International. Exceptional circumstances may include but are not limited to:
- 7.1.1 A major illness or disability affecting the student.
 - 7.1.2 Death of the student or a close family member (parent, sibling, spouse, partner or child).
 - 7.1.3 A political, civil or natural event in the student's home country that prevents them from commencing or continuing their study in Australia.

8.0 On-line Students (students not holding a student visa or studying in Australia)

- 8.1 If you are an online student and do not commence your studies on the start date listed in your Offer, and you have not previously withdrawn from your studies with approval from the University, you will be entitled to a refund of any unused tuition fees as follows:
- 8.1.1 For full degree online students, UNE will retain AUD\$5000 to cover administrative and processing costs.
 - 8.1.2 For non-award online students, UNE will retain AUD\$500 to cover administrative and processing costs.

9.0 No Refund

- 9.1 You are not entitled to a Refund of any tuition fees in the following circumstances:
- 9.1.1 Department of Home Affairs (DoHA) cancels your visa for any reason, including a breach of a condition of your visa
 - 9.1.2 Any documents or information submitted by you or on your behalf as part of your application for admission or your application for a student visa are, or later are found to be, fraudulent
 - 9.1.3 As a commencing student advise of your withdrawal more than two (2) weeks after the course start date
 - 9.1.4 A continuing student withdraws, takes a leave of absence or has their enrolment cancelled after the census date in a study period
 - 9.1.5 A commencing or continuing student withdraws from unit/s after the census date relevant to the study period

- 9.1.6 Grant of Permanent Residency status after the census date in a study period
- 9.1.7 Suspension, exclusion or expulsion from the University following a finding of misconduct
- 9.1.8 Enrolment is cancelled by the University due to your failure to pay tuition fees by the due date
- 9.1.9 Withdrawal from a unit of study for which tuition fees have been paid, but without permission to reduce the study load, and then subsequently withdraw from a course of study
- 9.1.10 No Student Administration Fee will be refunded after the course start date

10.0 Change of Commencement Intake

- 10.1 Where a commencing international student provides written advice to UNE International that they wish to change the commencement intake for their course, a new offer will be issued advising of their new commencement details. Any pre-paid fees paid to accept the course will be retained as the deposit for the new intake.
- 10.2 UNE reserves the right to review and increase international course fees on an annual basis.

11.0 Overseas Student Health Cover

- 11.1 OSHC is refundable from UNE if a commencing student withdraws from their course before the start date of the course and before registering for the OSHC Health Cover Card.
- 11.2 Commencing students who withdraw after the start date of the course and after registering for the OSHC Health Cover Card must apply direct to their OSHC provider for any refund due.
- 11.3 Continuing students must apply direct to their OSHC provider for any refund due.

12.0 Administrative Procedures

12.1 All International Refund Requests

All Completed International Student Refund Application forms are received by UNE International (UNEI) and date stamped on the day of receipt.

12.2 Processing Commencing International Student Refund Requests

- 12.2.1 Where the refund request is for a commencing international student, UNEI Admission Staff record the application in TRIM. The Manager, International Admissions or nominee makes an assessment of any refund amount according to the Refund Principles outlined above.
- 12.2.2 UNEI Admission staff send the completed International Student Refund Application form and the refund recommendation to the Financial Services Directorate (FSD) at finance@une.edu.au
- 12.2.3 UNEI staff record in Provider Registration and International Student Management System (PRISMS) for each refund:
 - 12.2.3.1 Student's details;
 - 12.2.3.2 Whether the refund was in accordance with TPS legislation (s47D or s47E);
 - 12.2.3.3 Amount of fees refunded

12.3 Processing Continuing International Student Refund Requests

- 12.3.1 Where the refund request is for a continuing international student, UNE International staff record the application in TRIM.
- 12.3.2 The International Student Refund Application form is sent to the Manager of International Services in UNEI for actioning.
- 12.3.3 The Manager International Services forwards the completed form to Student Accounts studentaccounts@un.edu.au in FSD with a recommendation and the Student Accounts staff assess the refund

request according to the above Refund Principles relating to continuing international students.

- 12.3.4 UNEI International Services Staff record in Provider Registration and International Student Management System (PRISMS) for each refund:
 - 12.3.4.1 Student's details;
 - 12.3.4.2 Whether the refund was in accordance with TPS legislation (s47D or s47E);
 - 12.3.4.3 Amount of fees refunded.

12.4 Payment of Refunds

- 12.4.1 Refunds are made by Electronic Funds Transfer (EFT) within four (4) weeks of UNE receiving the initial refund request. The transfer is made by FSD directly to either the student or the person who originally paid the tuition fees.

13.0 Tuition Protection Service Reporting requirements

- 13.1 UNE must notify the Secretary and the TPS Director of a refund:
 - 13.1.1 where a student's visa is refused, even if there is a compliant written agreement in place
 - 13.1.2 where there is no compliance agreement in place

14.0 English Language Centre Refund of Pre-Paid Fees for Studies not undertaken by students

- 14.1 Commencing or continuing students studying or intending to study at the English Language Centre follow the above procedures at point 11.
- 14.2 Should a continuing student seek a refund on compassionate grounds, the Director UNE International will consult with the Director of Studies, English Language Centre before making a decision.
- 14.3 An English Language Centre student's study period is called a 'Term'.
- 14.4 If an English Language Centre student requests a Refund refer to sections 2.5-2.6 in this document.
- 14.5 For an English Language Centre student who is not studying on a Student Visa who advises in writing more than 4 weeks prior to their course (Term) start date of their withdrawal, UNE will retain AUD\$500 as a processing fee.

Definitions

Census Date - the last day in a study period that a student can withdraw from a UNE unit or course without incurring academic penalty.

Commencing Students - Students commencing a new program

Continuing Students - Students who are continuing to enrol in a program in which they have previously been enrolled

Pre-Paid Fees - The money UNE receives directly or indirectly from, or on behalf of, an international student that may cover a course UNE is providing to the student; compulsory Overseas Student Health Cover; Student Services and Amenities Fees etc.

Start Date - the first day of lectures as listed in the student's formal offer of admission letter/UNE Principal Dates OR the first day a student commences their Masters by Research or PhD candidature

Student Default - Where an international student either fails to commence a course on the official course start date; withdraws from a course either before or after the start date; or is unable to continue their enrolment due to non-payment of fees, a breach of their student visa conditions or misbehavior.

Study Period - a study period is defined as one academic trimester (February-June; June-October; October-February). UNE has three academic trimesters in an academic year

Tuition Protection Service (TPS) - TPS is an Australian Government initiative to protect the tuition fees paid by international students. The TPS sets out the amount UNE can ask international students to pay prior to their course commencement and how refunds are to be calculated.

University Default - Where UNE fails to commence a course on the date specified in an international student's offer of admission OR where UNE fails to deliver a course in full.

Administration

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Approved by:



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Related policies or other documents:

ESOS Act (Education Services for Overseas Students) legislative framework
National Code 2018 (National Code of Practice for Providers of Education and Training to Overseas Students 2018) Regulations
Tuition Protection Service (TPS) Legislation and relevant guidelines
UNE Student Offer Letter