



REFUND POLICY

Section 1 General Notes

1. This policy applies to international students in Australian Vocational Training Academy Pty Ltd.
2. Australian Vocational Training Academy Pty Ltd, in accordance with the Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2018, must have a Refund Policy and Procedure in place. This policy relates to refunds of course fees both when there is a Student Default or a Provider Default. Except as provided by law, a refund of course fees will only be granted in accordance with this Refund Policy.
3. Handling, registration, application, and administration fees already paid by the student are strictly non-refundable.
4. Placement fee (if applicable) will be refunded only in the following circumstances:
 - a) If the student's Visa is refused before the commencement of the course enrolled, or
 - b) The college has not yet sent the student the written confirmation of their placement arrangement schedule at the time when the college receives the student's withdrawal request.
 - c) Students who successfully arrange their own placement submit the relevant documents to the college upon completion of placement and once documents are approved by the relevant person from the college.
5. Application for a refund must be made in writing, accompanied by relevant supporting documentation, and clearly stating the cause of the refund. Please contact Student Support at studentsupport@avta.edu.au for assistance.
6. Students must provide the following documents when applying for a refund:
 - a) Refund Application Form (<https://avta.edu.au>);
 - b) A copy of the bank receipt (such as Telegraphic Transfer (TT)) for the initial payment made;
 - c) A copy of your passport page, which contains your official full name and signature; and
 - d) Refuse Letter from Department of Home Affairs (*Applicable to visa refusal only*)

Definitions:

College - means Australian Vocational Training Academy Pty Ltd.

Commencement of Course - refers to the commencement date as per CoE or Letter of Offer where CoE is not applicable.

Course Fee - comprises tuition fee and material fee (if applicable).

Offshore Student - is an international student who does not hold a current Australian Visa



or is not in Australia while applying to be enrolled into Australian Vocational Training Academy Pty Ltd.

Onshore Student - is an international student who holds a current Australian Visa and is in Australia while applying to be enrolled into Australian Vocational Training Academy Pty Ltd.

Payment Period - a discrete period within a course. A payment period is deemed to be 3 months. The last payment period in a course may be less than 3 months. As an example, a 12-month course has 4 payment periods; each payment period represents three months; an 8-month course has 3 payment periods, the first two payment periods represent 3 months each, and the third payment period represents 2 months.

Current Payment period - is the payment period where the date of your withdrawal request received by the college falls in. See the below example for a 12-month course from 01/07/2020 to 30/06/2021:

Course duration	Payment period	Date of withdrawal request received	Determination of Current Payment period
01/07/2020 - 30/09/2020	1	15/08/2020	Current Payment period
01/10/2020 - 31/12/2020	2	13/11/2020	Current Payment period
01/01/2021 - 31/03/2021	3	05/01/2021	Current Payment period
01/04/2021 - 30/06/2021	4	09/05/2021	Current Payment period

Subsequent Payment period - the payment period(s) after the Current Payment period.

Section 2 Visa Refusal

2.1 Visa refusal before the commencement of the course:

- The refund will be 100% of the course fee and the OSHC fee (if any) paid in advance.

2.2 Visa refusal due to fraudulent or bogus documentation or misleading information provided by the student:

- No Refund

Note: The college retains the right to refuse an application, withdraw an offer of admission or cancel admission without refund where the applicant has provided incomplete, misleading, or fraudulent documentation. No refund will be given when a visa application is refused on the grounds of fraud, provision of incorrect, false, or misleading information or conditions described by the Department of Immigration and Border Protection have not been met.

2.3 Visa refusal after commencement of the course:

- Course fees will be refunded from the day of the student default as per Section 7 of the ESOS Act (Calculation of Refund) Specification 2014. The student will be refunded the weekly course fees multiplied by the number of weeks the student is in default.
- The calculation of refund, in this case, is guided by **Explanatory Guidance on the Education Services for Overseas Students (Calculation of Refund) Specification 2014:**



Refund calculation under section 10 of the refund specification:

a) Weekly course fee = (total course fee/number of calendar days in the course) ×7

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

c) Weekly course fee × weeks in default period = Refund amount

Note: Offshore students may be entitled to a full refund of the prepaid course fees if the visa is refused within 31 days after the course commencement date and the offshore student has not arrived in Australia and commenced the course.

Section 3 Student Default

In accordance with section 47A of the ESOS Act, student default occurs when:

- a) The student does not start the course on the course commencement day and has not notified the college prior to the commencement of the course; or
- b) The student withdraws from the course, either before or after the course commencement day; or
- c) The student fails to pay an amount he or she was liable to pay to the college, directly or indirectly; or
- d) The student breaches a condition of the student visa; or
- e) Misconduct or Misbehaviour by the student.
- f) Abandonment of studies where a student abandons his or her course without formally cancelling his or her enrolment with the college; or where a student has received a packaged offer for a combination of courses and does not commence in the second or subsequent course.

3.1 Where student enrolment is terminated by the college due to student default (with the exception in clause 3.3 b) after the commencement of the course:

- No refund for the course fee paid for the current payment period where the student visa cancellation/refusal date falls in. Course fees paid for the subsequent payment period(s) will be refunded, less a withdrawal processing fee of \$200.

3.2 Where a student withdraws from the course before the course commencement date, and the written withdrawal/refund request received by the college is:

- a) More than 4 weeks before the course commencement date, we will refund 100% of all paid course fees (and OSHC fee if paid) less a withdrawal processing fee of \$200 (with the exception of clause 3.2 (d));



- b) More than 2 weeks and up to 4 weeks before the course commencement date, we will refund 80% of the first payment period of your course fee paid and 100% of the subsequent payment period of your course fees paid (if any), less a withdrawal processing fee of \$200 (*with the exception in clause 3.2 (d)*);
- c) 2 weeks or less before the course commencement date, no refund will be given for the first payment period of your course fee paid; we will refund 100% of the subsequent payment period of course fees paid, less a withdrawal processing fee of \$200 (*with the exception in clause 3.2 (d)*);
- d) If the student is an onshore student whose course enrolment does not require CoE,
 - no refund will be given, and no withdrawal processing fee will be charged if the written withdrawal/refund request received by the College is 4 weeks or less before the course commencement date;
 - 40% of the paid course fee will be refunded if the written withdrawal/refund request received by the college is more than 4 weeks before the course commencement date.

3.3 Where a student withdraws from the course after the course commencement date:

- a) No refund will be given for the current payment period; we will refund 100% of all paid course fees for the subsequent payment period(s), less a withdrawal processing fee of \$200, with the exception below.
- b) If the student is an onshore student whose course enrolment does not require CoE, no refund will be given, and no withdrawal processing fee will be charged.

3.4 Where a student withdraws from the course after the course commencement date, the student is liable to pay the full course fee for the period up to and including the current payment period, plus a withdrawal processing fee of \$200.

3.5 Exception

If a withdrawal is due to compassionate grounds or compelling reasons beyond the student's control, the refund request must include supporting documentation.

Such reasons are listed below:

- In the case of serious illness - verified by a medical certificate
- Family or personal tragedy
- Acts of God
- Acts of Government authorities, for example where the student is prevented from commencing studies in the agreed course of study.

Whether the above cases are accepted by the college is at the strict discretion of the College's management.

The refund will be 100% of the course fee paid if the refund request is received before or on the commencement date of the course.

If the refund request is received after the course commencement date, the refund will be the total course fees paid less the proportioned amount for the period that the course duration has elapsed (refer to calculation guidance in clause 2.3)

If the student wishes to make a complaint or lodge an appeal against a refund decision, they are to follow the Student Complaints and Appeals Policy and Procedure, which can be found at: <https://avta.edu.au>.

Section 4 Provider Default

4.1 In the event that the college is unable to deliver the course in full:

The student will be offered a refund of the unspent pre-paid course fees, according to section 7 of the Education Services for Overseas Students Specification 2014:

- Course fee per week = $\text{Pre-paid amount for a particular period} / \text{Number of weeks to which the payment relates}$
- The refund amount = $\text{Course fee per week} \times \text{number of weeks between the date of default and the end of the period to which the payment relates}$

Section 5 Remittance of refunds

5.1 Currency

Please be aware that all refunds will be in Australian dollars (AUD) only and will be subject to the currency exchange rate at the time of the refund. The transaction fees charged by financial institutions will be deducted from the refund amount.

International refunds to overseas bank accounts will have the AUD amount converted into the currency of the country where the beneficiary bank account is held or USD if the local currency is not available.

Where the beneficiary has an AUD bank account overseas, this should be communicated via the Request for Refund form to indicate these payments should not be converted. To transmit a refund to an international bank account, a bank fee of up to AUD20 may be deducted from the refund amount. There may be additional fees charged by the recipient's financial institution. The recipient of the payment may incur additional bank charges.

These charges are imposed by the foreign banking institution and are deducted from the payment made by the College. The College has no control over such charges and therefore does not bear any responsibility for amounts deducted or exchange rate differences that have occurred when undertaking foreign currency exchange.

Where bank charges are incurred by the College due to the student providing incorrect or incomplete details regarding their bank account or any other information, these charges will be deducted from the refund paid to the student.

5.2 Refunds to payment source

Refunds are generally made to the original payment source, including:

- Where an amount is paid under Australian Vocational Training Academy Pty Ltd administered scholarship, third party contract (TPC) or loan arrangement, under the terms of which you are not eligible for a refund.
- Where payment was made by someone else on your behalf.
- Where payment was made via an authorised Australian Vocational Training Academy Pty Ltd agent.

5.3 Refunds to another account

In the following circumstances, refunds may be made to another account:

Payments made by an Australian credit card more than twelve months prior to the refund may be refunded to a bank account specified by the student.

Where a student can provide documentary evidence from the payor's bank/card provider proving the originating account is closed, refunds can be made to a bank account specified by the student.

Where payment is made via an authorised Australian Vocational Training Academy Pty Ltd agent, the student may specify a different account for payment of a refund in the refund request.

NOTE 1: This refund policy, and the availability of complaints and appeals procedures, do not remove the right to take action under Australia's consumer protection laws. Australian Vocational Training Academy Pty Ltd.'s dispute resolution processes do not circumscribe the student's rights to pursue other legal remedies.