1. Purpose
To ensure consistency and fairness in the event there is a need for a refund. This policy provides guidelines for the conditions relating to refunds and ensures compliance with the Standards for Registered Training Organisations 2015.

2. Policy Statement
Students are entitled to a refund of their tuition fees under certain circumstances. Below are the conditions relating to refunds.

3. Domestic Students
3.1 New Students
- New students who withdraw or vary their enrolment in a course on or before the relevant Census Date or Refund Date\(^1\), will receive a refund of any tuition fees paid in advance for that course. Students must apply for withdrawal or variation of their enrolment in writing using the prescribed form, which is available from the student portal or by contacting our office by phone: 1300 69 35 65. Refunds will be made within 21 days of the application being approved.

- Students who withdraw from their studies after the relevant Census Date or Refund Date\(^1\) will not be eligible for a refund of any tuition fees already paid and/or will incur a VET FEE-HELP* debt for their enrolment in that period, unless special circumstances apply.\(^2\)

- Students who have paid tuition fees or have applied for VET FEE-HELP* and withdraw from their study at BCA National on or before the relevant Census Date will not incur a VET FEE-HELP* debt.

*To be eligible for VET FEE-HELP assistance, you must be either an Australian Citizen or Permanent Humanitarian VISA holder. For further information please visit www.studyassist.gov.au

3.2 Re-enrolling Students
- Re-enrolling students who withdraw or vary their enrolment in a course on or before the relevant Census Date or Refund Date\(^1\), will receive a refund of any tuition fees paid in advance for that course. Students must apply for withdrawal or variation of their enrolment in writing using the prescribed form, which is available from the student portal or by contacting our office by phone: 1300 69 35 65. Refunds will be made within 21 days of the application being approved.

- Re-enrolling students who have applied for VET FEE-HELP* and withdraw from their study at BCA National on or before the relevant Census Date will not incur a VET FEE-HELP* debt for the unit of study.

- Re-enrolling students who withdraw from their studies after the relevant Census
Date or Refund Date\(^1\) will not be eligible for refund of any tuition fees already paid and/or will incur a VET FEE-HELP* debt for their enrolment in that period, unless special circumstances apply.\(^2\)

\(^{*}\)To be eligible for VET FEE-HELP assistance, you must be either an Australian Citizen or Permanent Humanitarian VISA holder. For further information please visit studyassist.gov.au

\(^1\) Refund date is the date 21 days after commencement of program.

\(^2\) Special circumstances are those beyond a student’s control, not due to the student’s action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Additional circumstances where no refund will be provided:
- A refund will not be provided where the student has supplied fraudulent, forged or deliberately misleading documentation.
- Their enrolment has been terminated due to either academic or behavioral misconduct.

### 4.5 Review of decision

1. Where BCA National makes a decision NOT to re-credit a student’s VET FEE-HELP balance, or refund tuition fees the decision may be appealed.
2. If a student is not satisfied with the decision made by BCA National, the student may appeal the decision within 20 working days using the appeals process. The application for review must:
   a) Be made within 20 working days of receipt of the original decision.
   b) Include the date of the original decision.
   c) State fully the reasons for applying for the review.
   d) Include any additional relevant evidence.
3. Applications should be made in writing to the National Training Manager as the designated Review Officer of any decisions relating to a request for refund of tuition fees or crediting of a VET FEE Help debt.
4. The National Training Manager will:
   a) Acknowledge receipt of the application for review of a decision in writing within 5 working days.
   b) Review the information from the original decision and then assess any new evidence provided by the student.
   c) Provide written notice to the student of the decision, setting out the reasons for the decision within 10 days from acknowledgement.

### 4.6 Reconsideration by the Administrative Appeals Tribunal

At the time of the original decision, and at the time of the subsequent Review Decision, the student will be notified of their review rights and responsibilities. The relevant officer will inform the student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome and the contact details of the closest AAT office and the approximate costs of lodging an appeal. The application must be lodged at the AAT within 28 days of receiving written notice of the Review Decision. This time limitation can be extended in limited circumstances by order of the AAT.
4.7 AAT Details

<table>
<thead>
<tr>
<th>Sydney</th>
<th>Brisbane &amp; Darwin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lv7 City Centre Tower</td>
<td>Lv4 Harry Gibbs Building</td>
</tr>
<tr>
<td>55 Market St</td>
<td>Commonwealth Law Courts</td>
</tr>
<tr>
<td>Sydney NSW 2000</td>
<td>119 North Quay</td>
</tr>
<tr>
<td>GPO Box 9955</td>
<td>Brisbane QLD 4000</td>
</tr>
<tr>
<td>Sydney NSW 2001</td>
<td></td>
</tr>
<tr>
<td>02 9391 2400 (metropolitan area)</td>
<td>07 3361 3000 (metropolitan area)</td>
</tr>
<tr>
<td>1300 366 700 (country areas)</td>
<td>1300 366 700 (country areas)</td>
</tr>
<tr>
<td>Fax: 02 9283 4881</td>
<td>Fax: 07 3361 3001</td>
</tr>
</tbody>
</table>

Full details of the application process and fees payable are available on the AAT Registry’s website: [www.aat.gov.au](http://www.aat.gov.au). An application fee may have to be paid. Applications cannot proceed until the fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details.

The Secretary of the Department of Education (DET), or the Secretary’s Delegate, will be the respondent for cases that are brought before the AAT. Upon DET’s receipt of a notification from the AAT, DET will notify BCA National that an appeal has been lodged. Upon receipt of this notification from DET, the Review Officer will provide the Department with copies of all the documents that are relevant to the appeal within 10 business days.
4. International students

The BCA National policy on the refund of tuition fees for international students has been developed in accordance with the Education Services for Overseas Students Act 2000 (ESOS Act 2000 as amended), Education Services for Overseas Student Regulations 2001 (ESOS Regulations 2001 as amended) and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code). This policy applies to all commencing and continuing international students enrolled at BCA National, irrespective of who has paid the tuition fees.

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.

4.1 Prior to commencing study

BCA National will provide a full refund of any tuition fees if:

- The student is unable to obtain a Visa;
- Political or civil unrest or natural disasters prevent the student leaving their home country;
  - The student is unable to commence their course because of a serious and prolonged illness, disability or death of a parent, sibling, spouse or child;
  - The offer of a place is withdrawn;
  - The course which was applied for is no longer offered:

4.2 Refund of Tuition Fees

No refund will apply if:

- A student was not able to meet a condition required for admission that was part of any packaged admissions arrangements.
- BCA National makes an offer of enrolment where false, misleading or incomplete information is provided by the applicant / student and the offer is withdrawn.
- Where a student gives written notice after the commencement of the teaching period*.
- BCA National refuses to provide, or continue providing, a course to the student because the student has breached a condition of his or her student visa.
- A student withdraws or defers from a course for whatever reason after commencement.*
- A student has been excluded by BCA National, for failure to meet progression rules and where fees were paid in advance of notification of the exclusion.
- A student who has his/her visa cancelled after commencement.
- A student’s enrolment has been terminated due to either academic or behavioral misconduct

*Notes - in some extenuating circumstances, special and compelling circumstances may occur, therefore BCA National may consider a refund after the commencement of a program and assess the application for a refund on a case by case basis.
- BCA National must report any changes to the enrolment status of overseas students to the Secretary of DET via PRISMS. This may affect the student visa.
- Any refunds made will be based on the Australian dollar fee rather than any foreign currency amount. BCA National will not compensate students for any exchange rate differences or transfer costs which have be incurred by the student.
4.3 Provider Default

In the unlikely event that BCA National is unable to provide the course, BCA National will comply with the requirements of the National Code of Practice for Registration Authorities and providers of Education and Training to Overseas students and the ESOS Act 2000 (Sections 27-32) pertaining to provider default.

As a registered provider BCA National will pay a refund to students in the following circumstances:

a) Refund for provider default: In the case of a default by BCA National;
   i. BCA National will refund all the unused portion of prepaid tuition fees within two weeks of the date of provider default. BCA National will give the student a statement that explains how the refund amount has been calculated. BCA National will notify the Secretary (or delegate) and Director of the Tuition Protection Scheme (TPS) within three working days of the provider default and the outcomes of a provider default within seven calendar days.; OR
   ii. The student may be offered enrolment in an alternative course by BCA National at no extra cost. The student has the right to choose whether they prefer a refund of the unused portion of prepaid tuition fees, or to accept a place in another course. If the student chooses placement in an alternative course, the student will be issued with a new Letter of Offer for Enrolment and Written Agreement. The student must accept the offer by signing the Letter of Offer and returning it to BCA National.
   iii. If BCA National is unable to provide a refund or place the student in an alternative course, the Tuition Protection Services (TPS) administered by the Director of TPS will place the student in a suitable alternative course at no extra cost to the student. Finally, if TPS cannot place the student in a suitable alternative course, the student will be eligible for a refund as calculated by the Fund Manager.

4.4 Packaged Students

Packaged Students (refers to any two components treated as one 'package' for Visa purposes e.g an English language provider and BCA National).

a) Where a student, having paid a course fee deposit in advance, gives notice in writing to BCA National of an inability to undertake the principal course of study prior to its commencement a refund will be paid, after deducting 10% of the tuition fee payable for the term.

4.5 Review of decision

5. Where BCA National makes a decision NOT to refund tuition fees the decision may be appealed.

6. If a student is not satisfied with the decision made by BCA National, the student may appeal the decision within 20 working days using the appeals process. The application for review must:
   a) Be made within 20 working days of receipt of the original decision.
   b) Include the date of the original decision.
   c) State fully the reasons for applying for the review.
   d) Include any additional relevant evidence.

7. Applications should be made in writing to the National Training Manager as the designated Review Officer of any decisions relating to a request for refund of tuition fees.

8. The National Training Manager will:
   a) Acknowledge receipt of the application for review of a decision in writing
within 5 working days.

b) Review the information from the original decision and then assess any new evidence provided by the student.

c) Provide written notice to the student of the decision, setting out the reasons for the decision within 10 working days from acknowledgement.

d) Inform the student of their right to apply to the Overseas Students Ombudsman.

Note: The internal review of a decision will be free of charge

5. Publication

This refund policy will be made available to both domestic and international students and persons seeking to enrol with BCA National by publication on our website (www.bcanational.edu.au).

6. Contact details

Should you wish to apply for a refund you should contact your Training Coordinator in the first instance.

Sydney Office,
Level 2, Tablet House 60 Bowman Street (PO Box 568) Pyrmont NSW 2009 T +61 2 9555 4188 1300 69 35 65 F +61 2 9555 7374.

Darwin Office,
37 Gregory St, Parap, 0820, Darwin, PO Box 91 Parap, 0804, Darwin, NT PH +61 8 8927 0142 F +61 2 9555 7374.

7. Legislation

Legislation which applies to this policy:

3. Education Services for Overseas Students Act 2000

8. Responsibility

- National Training Manager.
- Training Coordinators.

<table>
<thead>
<tr>
<th>Policy author</th>
<th>Justine Steward</th>
<th>Date: 20/04/2015</th>
</tr>
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<tbody>
<tr>
<td>Approved by</td>
<td>Bruce Callaghan</td>
<td>Date: 20/04/2015</td>
</tr>
<tr>
<td>Approver signature</td>
<td></td>
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</tr>
<tr>
<td>Entered in policy register by</td>
<td>Angela De Guzman</td>
<td>Date: 26/06/2015</td>
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