



# Refund Policy

## 1 SCOPE

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This policy covers the refunds process for all fees payable for training services provided within OPIE's scope of registration, in accordance with ESOS Act and the National Code.

## 2 PURPOSE

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To provide for appropriate handling of student's payments and to facilitate refunds in the case of cancellation by either party. The refunds process will allow students the option to disengage from training in a manner in which a negative impact may be negated or reduced, depending upon notification time frame.

Unless otherwise stated, all refunds of fees will only be granted in accordance with this policy. The terms and conditions of this policy apply to all students, whether they are waiting to commence or are continuing studies.

Details concerning the scope of OPIE Refund Policy are to be clearly disseminated to prospective students prior to contractual arrangements being made, this dissemination is in the form of the Student Handbook, Application for Enrolment and Letter of Offer.

This agreement, 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.

## 3 POLICY STATEMENT

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## 4 GENERAL RULES

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- 4.1 The refund process reflects the commitment by OPIE to hold places as booked by students and the amount of administrative resources consumed at the various stages.
- 4.2 The date the written notice is received by OPIE is the DEFAULT DATE, and is the date used for the calculation of any refund and/or cancellation.
- 4.3 Refunds must be requested in writing to the Administration Manager of OPIE. Verbal notification to OPIE staff or agents are not valid.



- 4.4 Refund application WILL NOT be processed where the signature on the refund application form DOES NOT match the student's signature as shown on other documents provided by the student for admission to OPIE.
- 4.5 The Administration Manager of OPIE will process refund requests and if approved, arrange payment within 28 days.
- 4.6 Refunds will be paid in Australian Dollars into the nominated bank account.
- 4.7 To allow prompt settlement of refund requests, all advanced payments will be held in a nominated bank account by OPIE until the course start date.
- 4.8 All requests for refund will be processed on an individual basis, taking into account impact on follow on units /modules if applicable.
- 4.9 The term "commencement" in this policy refers to the first day of the first program attended by the student.
- 4.10 Issues with regard to payment are to be handled at the first available opportunity and directed to the Compliance Manager of OPIE. All Refund Requests and issued refunds are to be logged in the Refund Log.
- 4.11 In the event of visa refusal, the application/enrolment fee is not refundable. Refund on visa rejection will require a copy of notification from the Australian High Commission. Airport pick up fee is refundable if a visa is refused.
- 4.12 Tuition fees and Overseas Student Health Cover (OSHC) are refundable in full where student has provided evidence of medical or compassionate reasons due to which the student cannot commence the course, OPIE if advised of the cancellation 28 days or more before course starts and prior to entering into Australia.
- 4.13 Student enrolled in packaged courses do NOT qualify for a refund once they commence their studies in Australia.
- 4.14 If the student have given misleading information to an OPIE approved agent, OPIE and/or any Commonwealth Agencies of Australia, no refund will be given.
- 4.15 All refunds will be payable in the same currency in which fees were paid. OPIE will forward the refund to the applicant in their country of origin unless otherwise authorised in writing.
- 4.16 No refunds will be paid to a third party (person other than the student), unless directed by the student on the Refund Application Form.
- 4.17 OPIE calculates refunds based on a SEMESTER fee (20 weeks study period plus 6 week holidays = 26 weeks).
- 4.18 OPIE will give the student a refund statement that explains how the amount has been worked out.
- 4.19 In case of a cancellation by the student or OPIE, any outstanding fees to OPIE become due with 7 (seven) days.



- 4.20 Any costs incurred by OPIE to recuperate outstanding fees will be charged to the student.
- 4.21 Unpaid fees will be recorded as a debt and recovered by action in a court of competent jurisdiction.
- 4.22 OPIE will not release any testamurs/awards to students until outstanding course fees have been paid in full.
- 4.23 Provide the student in writing the resulting decision of OPIE's management.
- 4.24 Advise the student of their right to appeal the decision of OPIE management.
- 4.25 The refund policy is subject to review at least once per year
- 4.26 Refunds will only be paid to the student or legal guardian of a student under 18. If a student has paid the fees to their agent, OPIE will recover the paid fees and return to student.
- 4.27 OPIE only accepts responsibility for fees and charges associated with the cost of enrolling in and studying with OPIE. No accountability will be taken for fees or charges associated with international education agent or migration agent fees or visa application costs.

#### Refunds resulting from OPIE Default

In the unlikely event of OPIE default, within 14 days of the default, OPIE will:

- Either offer the student an alternative place at OPIE's expense, that is accepted in writing;  
OR
- Refund the student the unused portion of the prepaid fees.

If OPIE is unable to provide a refund or place the student in an alternative course, then the student shall be referred to the Tuition Protection Service (TPS: [www.tps.gov.au](http://www.tps.gov.au)), who will place the student in a suitable alternative course or if a suitable course cannot be found, pay a refund as calculated by the TPS Administrator.

#### Refunds resulting from Student OPIE Default

In the event of student visa being refused, OPIE will:

- Refund the student the unused portion of the prepaid fees within 4 weeks after the default date.



OPIE will report the default vide prisms upon receiving a copy of the visa refusal from the student within 28 days.

OPIE will report to TPS Director within 7 days after the end of the obligation period the outcome of the discharge of the obligation by notice to ESOS agency and TPS director.

The notice provided to the ESOS agency and TPS director must contain the following

1. Whether the RTO has provided a refund under section 47 E
2. Details of the student the provider provided the refund to
3. Details of the amount of refund provided.



## TABLE OF REFUNDS

Type	Timeframe	Amount Refunded	Documents
<b>VISA Refusal</b>	Within 4 weeks from the date of reporting Student default Vide Prisms  Before Commencement (Onshore Student)	All FEES minus the NON-REFUNDABLE application/enrolment fee	Refund Request  Proof of VISA Refusal
<b>VISA Refusal</b>	After the course has commenced	Student is required to pay for the duration completed on a pro-rata basis	Refund Request  Proof of VISA Refusal
<b>VISA Removal for breach of conditions</b>	At any time	Nil	Refund Request  Proof of VISA Refusal
<b>Withdrawal, Transfer or Enrolment Cancellation</b>	10 weeks or more prior to commencement of the course	70% of fees minus the non-refundable application/enrolment fee.	Refund Request  Letter of Offer  Deferment, Cancellation, Withdrawal Form
	Greater than 5 weeks but less than 10 weeks before commencement of the course	50% of fees minus the non-refundable application/enrolment fee.	Refund Request  Letter of Offer  Deferment, Cancellation, Withdrawal Form
	Less than 5 weeks before commencement of the course	Nil	Nil
<b>Default by OPIE</b>	At any time	Full Refund	Nil



## 5 RESPONSIBILITIES

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The CEO/PEO, OPIE is responsible for ensuring compliance with this policy. Administration Manager of OPIE will process refund requests, if approved, AND arrange refund payment within 28 days.

The OPIE Access & Equity Policy applies. (See Access & Equity Policy)

All documentation from refund processes are maintained in accordance with Records Management Policy. (See Records Management Policy)

All Refund practices are monitored by the CEO/PEO, OPIE and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

Role within RTO	Area of responsibility
<b>CEO</b>	Approval Authority
<b>Compliance/CEO</b>	Development/Review
<b>Compliance/CEO</b>	Monitoring and Evaluation
<b>Compliance/CEO</b>	Compliance
<b>Administration/CEO</b>	Implementation

## 6 RELATED LEGISLATION AND REGULATIONS

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- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standards
- Standards for Registered Training Organisations (RTOs) 2015, Standard 5 clause 5.3 and standard 7 clause 7.2
- Education Services for Overseas Students Regulations 2001
- Education Services for Overseas Students Act 2000

## 7 RELATED POLICIES, PROCEDURES AND DOCUMENTS

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- Fees and Charges Policy
- Deferral Suspension Cancellation Policy
- Complaints & Appeals Policy
- Complaints & Appeals Procedure
- Academic Misconduct and Cancellation Form