

Refund

Audience

Agents, Education Queensland International (EQI), parents, school staff, students.

Purpose

Prior to accepting a student, or an intending student, for enrolment in a course, EQI must provide current and accurate information on indicative course-related fees including advice on the potential for fees to change during a student's course and applicable refund policies.

EQI must enter into a written agreement with students and the agreement must provide information in relation to refunds of course money. EQI advises students of the process for claiming a refund and clearly, in plain English, explain what happens in the event of a course not being delivered.

Policy statement

The purpose is to outline the circumstances that a refund of already paid fees might be required.

Principles

A student may be eligible for a refund of fees already paid, as set out in the circumstances below. EQI pays any other refunds required by Australian law.

Where compassionate or compelling circumstances exist, appropriate evidence must be provided at the time the refund request is made, in order for EQI to consider the position when making an assessment. Where compassionate or compelling grounds apply for a refund, EQI may agree to refund other unspent fees.

Refund requests for Overseas Student Health Cover (OSHC) are to be made to the OSHC provider.

Requirements

- 1. The amount of a student's refund will depend on the circumstances set out below.**

Circumstance	Refund amount
Student visa application refused by the Commonwealth department responsible for immigration.	Refund of tuition and non-tuition fees paid, minus the lesser of either: \$500 or 5% of the amount of tuition and non-tuition fees paid, as required by Australian law.

<p>You are no longer required to pay tuition fees (e.g. you provide written evidence that you have become a permanent Australian resident).</p>	<p>Refund of unspent tuition fees.</p>
<p>Homestay program</p>	
<p>You withdraw from the homestay program and provide at least 14 days' written notice.</p>	<p>Refund of unspent homestay fees.</p>
<p>You withdraw from the homestay program and give less than 14 days' written notice.</p>	<p>Refund of unspent homestay fees calculated from the date 14 days after the day written notice is given.</p>
<p>Refund of unused homestay fees (applies to December-January school holiday period). Evidence of approved travel of 7 nights or more must be provided with Refund request form.</p>	<p>Refund of difference between weekly homestay rate and homestay holding fee.</p>
<p>Cancellation or default by us</p>	
<p>We cancel your enrolment before you commence the course.</p>	<p>Refund of fees paid (tuition and homestay).</p>
<p>We fail to provide your course at the location on the agreed starting day.</p>	<p>Refund of unspent tuition fees, as required by Australian law.</p>
<p>We cease to provide your course before it is completed.</p>	<p>Refund of unspent tuition fees, as required by Australian law.</p>
<p>Other cancellation or default</p>	
<p>Your Confirmation of Enrolment is cancelled because we have reported you for breach of your visa conditions (see Attendance and Course progress in the EQI Standard terms and conditions of your Enrolment agreement).</p>	<p>A refund of unspent tuition fees, calculated from the date 10 weeks after the day your enrolment is cancelled.</p>
<p>We cancel your enrolment after your commencement date (see the Deferral, Suspension and Cancellation section in the EQI Standard terms and conditions of</p>	<p>A refund of unspent tuition fees, calculated from the date 10 weeks after the day your enrolment is cancelled.</p>

your Enrolment agreement).	
We cancel your enrolment after your commencement date for breach of student visa conditions.	A refund of unspent tuition fees, calculated from the date 10 weeks after the day your enrolment is cancelled.
Withdrawal by you	
You withdraw from the course at least 10 weeks before your commencement date.	Refund of fees paid (tuition and homestay) less an administration fee to recover costs reasonably incurred as a consequence of the withdrawal.
You withdraw from the course less than 10 weeks before your commencement date.	Refund of unspent fees calculated from the date 10 weeks after the date written notice is given, less an administration fee to recover costs reasonably incurred as a consequence of the withdrawal.
You withdraw from the course after your commencement date and provide at least 10 weeks' written notice.	Refund of unspent tuition fees.
You withdraw from the course after your commencement date and provide less than 10 weeks' written notice.	Refund of unspent tuition fees, calculated from the date 10 weeks after the day written notice is given.

2. Provider default

EQI will be deemed to have defaulted (as described in s46A of the Education Services for Overseas Students (ESOS) Act 2000), in relation to a student and a course at a location, if:

- a) either of the following occurs:
 - I. the course does not start on the agreed starting day at the agreed location; or
 - II. the course ceases to be provided to the student at the location at any time after it starts but before it is completed; and
- b) the student has not defaulted or withdrawn before the default day.

If EQI defaults, EQI may arrange for the student to be offered a place in an alternative course at EQI's expense. A student does not have to accept placement in an alternative course. If a student does not accept placement in an alternative course or location, EQI may pay the student a refund of unspent tuition fees, as required by Australian law.

3. Refund process

To obtain a refund, a completed Refund request form and supporting evidence (if required) must be submitted to EQI.

A student does not need to apply for a refund if EQI *defaults* (as described in s46A of the *ESOS Act*).

4. Payment of refunds

If EQI defaults, we will refund unspent tuition fees as required by Australian law within 14 days. Otherwise, we will pay any refund within 28 days of receiving a completed Refund request form.

We may deduct any money that you owe us from any refund that we owe you.

All refunds are determined by fee type and you may not set off any refund amount against a credit amount for a different fee.

All refunds will be paid in Australian dollars to a student’s parent or as directed by the student or parent. However, if a student is over 18 and has personally paid the fees, the refund will be paid directly to the student.

EQI will notify students and parents in writing once a refund request has been assessed. If the request is approved, students and parents will be advised of the amount being refunded.

The student’s Enrolment agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies.

Definitions

Agent	Education agent registered with EQI to recruit students for EQI programs.
Enrolment agreement	A written agreement with the overseas student or intending overseas student and their parent, which includes Standard Terms and Conditions, an Initial Invoice and Statement of fees; signed by the overseas student as well as parents or legal custodians.
EQI	Education Queensland International and employees of EQI.
Homestay program	EQI, through EQI schools, approves the arrangements for the student’s accommodation, support and general welfare.
Student	Overseas student enrolled in an EQI registered course.

Legislation

- [Education Services for Overseas Students Act 2000](#)
- [Education Services for Overseas Students \(Calculation of Refund\) Specification 2014](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)

Delegations/Authorisations

- Nil.

Related policies

- [Enrolment policy](#).

Related procedures

- Nil.

Guidelines

- [PRISMS User Guide](#).

Supporting information/websites

- [Standard terms and conditions](#)
- [Student visa conditions](#)
- [Refund request form](#)

Contact

International Student Programs

Department of Education International

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Superseded versions

Nil.