

Refund Policy

Scope

This policy applies to all prospective and enrolled students (“students”) and staff of Kaplan Higher Education Pty Ltd, trading as Murdoch Institute of Technology (hereby referred to as “School”) in the School’s English, MUPC, Foundation Studies and Higher Education programs.

Purpose

The purpose of this policy is to provide guidelines to our students and staff on eligibilities for refunds of enrolment and course fees, cancellation of enrolments and transfer requests.

Policy Statement

All applications for refunds will be assessed and processed in accordance to the requirements of this policy and with regard to:

The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

The Higher Education Standards Framework (Threshold Standards) 2015, (Standard 1)

The Education Services for Overseas Students Act (ESOS Act)

The National Code of Practice for Providers of Education and Training to Overseas Students 2018, (Standards 2 and 3).

Education Services for Overseas Students (Calculation of Refund) Specification 2014

Department of Home Affairs (DHA) Visa Regulations

Guiding Procedures

Application Process

All Students

Students must apply in writing to the School, using the “*Request for Refund/Credit Adjustment Form*” to request a refund, cancellation, transfer or substitution of an enrolment. All refund applications to be submitted either in person at the School’s admission’s office or by email to mit.info@murdochinstitute.wa.edu.au.

The written application for a refund is only considered complete, where the “*Request for Refund/Credit Adjustment Form*” is signed by the student and all the supporting documentation (such as medical certificates, flight tickets, etc) as well as the correct refund details have been provided (including any third party recipients) in accordance with this Policy. For students under the age of 18 years, a parent or legal guardian will also have to acknowledge and sign the “*Request for Refund /Credit Adjustment Form*”.

The School will process all Student refund requests and will provide written responses **within ten (10) working days** from the date of receipt.

A student can submit the written request by filling in the “Request for Refund/Credit Adjustment Form”, and as per the ESOS Act the refund payment must be made back to the student’s bank account or if a person (other than the student) is specified in the “Offer of Admission” (“the Agreement”) the refund payment may be paid

into the specified person's bank account. However, it is Kaplan's policy for every refund to be transferred back into the account it was paid from.

Note: Tuition fees are not transferrable to other students.

Domestic Students

Students who are accessing a FEE-HELP loan from the Commonwealth Government and wish to withdraw, must do so in writing prior to the published census date for the course. Failure to do so may result in incurring a debt to the Commonwealth Government. Students should note that the census date for each program at the School is 3 weeks from the published course start date.

Further information on FEE-HELP is available at <http://studyassist.gov.au/sites/StudyAssist/>.

Course enrolment fees will not be refunded if a student withdraws from the subject after the census date for the trimester, except under the following circumstances:

- where the student's application for enrolment is declined by the School;
- by reasons beyond the student's control, including acts of government authorities, civil strikes and riots, the student is prevented from studying a module or subject;
- the School cancels a course in which the student has enrolled or where the commencement of the course is postponed for more than two (2) weeks.

Refunds

Course Enrolment Fees

In the event a student wishes to withdraw from their course prior to commencement of the course, the following refund rules apply for both overseas and domestic students who do not have access to FEE-HELP.

Withdrawal timeframe	Refund
Withdrawal at least 10 weeks prior to course start date	All fees paid, less \$AUD1,000 cancellation fee
Withdrawal at least 4 weeks prior to course start date	60% refund all fees paid
Withdrawal less than 4 weeks prior to course start date	30% refund all fees paid
Withdrawal after the published commencement date	No refund of the first study period, a full refund of subsequent study periods.

Please note: For the purpose of the Refund Policy, a course is defined as one trimester of study, or for English programs 10 weeks of study.

Visa refusal

Where a student visa application is refused by the Department of Home Affairs before the published course commencement, all unspent tuition fees will be refunded, less the Enrolment Fee as outlined in the "Offer of Admission" (the "Agreement").

The following fees/refunds are available to students in relation to their visa being refused:

Visa Refusal	Refund
Visa is refused prior to agreed course commencement date*	Full refund of tuition fees, less Enrolment fees.
Visa is refused after the agreed course commencement date*	Refund of all unused tuition fees** from date of written notification received by the School less the Enrolment fees.

***Note:** The student must provide satisfactory evidence (such as the visa refusal letter from DoHA) for the refund application to be processed.

****Note:** The ESOS Act defines "tuition fees" as being directly related to the provision of a course that the provider is providing, or offering to provide to the student. Tuition fees include lectures, tutorials, training, learning materials, excursions, fieldwork or practical experience that form part of a course that the provider offers. MIT will calculate the refund based on all unused tuition fees on a weekly basis. For example, a student pays tuition fees for a course with a

duration of 12 weeks prior to their student visa being approved, the student attends the course 3 weeks and then receives notification that their student visa application has not been successful, a refund will be given to the student for the remaining 9 weeks, excluding the enrolment fee.

Transfers from one unit of study to another

Students who have enrolled in a unit can transfer to another unit prior to the commencement of the program without penalty. Students who change units may not apply for special consideration based on changing units alone.

Provider default

In the unlikely event that the School is unable to deliver a course that the students have paid for and the School does not meet its obligations to either offer the students an alternative course that the students accept or to pay a refund of all unspent pre-paid tuition fees (this is called a provider's "default obligation"), following arrangements are in place:

For **Students on an Overseas Student Visa** the Tuition Protection Service (TPS) will assist the student to find an alternative course or to get a refund if a suitable alternative is not found.

More information regarding the Tuition Protection Service (TPS) is available at: www.tps.gov.au

For **Domestic Students** the School has established external tuition safeguards to mitigate disadvantage to students who are unable to progress in a course of study due to unexpected changes to the School's operations, including if the School is unable to provide a course of study or ceases to operate as a provider.

For more information, please contact the School's Student Support Services.

New Students (course not yet commenced)

If the School is unable to offer the course for which a prospective student has applied, a full refund will be provided for all tuition fees paid for that course **within ten (10) working days** of the days on which the course ceased being provided.

Continuing Students (course commenced)

If the School is unable to continue offering a course for which a student is enrolled, a full refund of tuition fees paid for subjects **NOT studied** will be refunded.

Withdrawal and Early Release*

If a student is enrolled in one or more courses with the School only and wishes to be released from the course, they have to apply in writing using the "[Application for Release Form](#)" found on the website at:

<https://www.murdochinstitute.wa.edu.au/policies/>

If a student is enrolled in a series of courses, where the principal course is delivered by Murdoch University and wishes to be released from the courses, they must apply for release with Murdoch University, as the University is running the "principal course". Based on Murdoch University's decision, the School will either release or not release the student.

The "principal course" is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple courses, and is usually the final course of study. The first six months are calculated as six calendar months from the date an overseas student commences their principal course.

If the student has completed their courses with the School and they are within their first six months of the principal course with Murdoch University, they must apply for release with Murdoch University.

A student is not entitled to a refund of any tuition fees paid for that trimester once the trimester has commenced.

A student is entitled to a refund of tuition fees paid for any future trimesters.

Note: For more information on release from courses, see “Transfer between Providers Policy”.

Payment of Refund

Refund payments will only be calculated and processed based on the School’s tuition fees. It is important to recognise that the following fees and charges are not tuition fees and are therefore, **non-refundable**:

- Enrolment fees
- Learning materials fees
- Change of course fees
- Late payment administrative charges
- Ancillary charges, including credit card surcharges
- Graduation fees
- Library fines
- Re-marking of assessment fees (where applicable)
- Reprints of transcripts
- Postage, printing or Student ID Card replacement charges.
- Accommodation placement
- Airport pickup
- Photocopying credits

Approved refunds are paid in Australian dollars ONLY into to the same account or credit card from which the original payment was made at the time of enrolment, **within four (4) weeks** from the time a refund claim was received by the School (provided all banking information for payment of refund is received on application).

In the event of a refund being rejected by the bank due to insufficient data or incorrect data supplied by the Student, any bank fees charged by Kaplan’s bank to Kaplan will be deducted from the amount due to the Student.

Refund amounts transferred by international telegraphic transfer will attract a bank charge.

Non-Tuition Fee Refunds

No refunds will be offered in the following circumstances:

- A student who has been issued a CoE for a course(s) with the School, has not had a release request approved and holds a visa type that does not restrict them from ongoing studies, will not be entitled to receive a refund for any initial deposit amount.
- A student who has had a course cancelled by the School under the following circumstances will not be entitled to receive a refund for any tuition fees paid in advance for that study period or as part of an initial deposit amount:
 - The cancellation was due to a student’s failure to enrol in a compulsory study period/trimester.
 - The cancellation was due to unsatisfactory course attendance or progress at the conclusion of the appeals period.

- The cancellation was due to a student's failure to comply with visa conditions relating to their course with the School.
- The cancellation was due to a student providing false or misleading information at the point of application and this has been substantiated (eg. falsified documentation such as passport, qualifications issued by other education providers, etc).
- The cancellation was due to misbehaviour under serious disciplinary action.
- The terms and conditions of "the Agreement" between the student and the School are breached (e.g. non-payment of tuition fees).
- The student's visa is cancelled by the Department of Home Affairs.

Domestic Students

Students who access FEE-HELP and formally withdraw from the program or a unit of study after the census date are liable to pay the full tuition fee and any expenses, costs or disbursements incurred in recovering the tuition fees.

Tuition refunds after the census date are given solely at the discretion of the School and only if there are compelling, compassionate or exceptional circumstances, which can be verified.

All students, please note:

Tuition fee transfers after the program has commenced are solely at the discretion of the School and are only made if the student is more suitably placed in another program for academic reasons.

Overseas Student Health Cover (OSHC)

Overseas students who have organised their OSHC premium through the School will be entitled to a full refund of their OSHC premium prior to their arrival in Australia. If a student arrives in Australia and wishes to return home early and receive a refund of unused OSHC, they must apply for the refund directly with the OSHC provider and follow their refund processes.

Compassionate and Compelling Circumstances

The School understands that on occasion a student may be required to withdraw from a course due to unforeseen compassionate and compelling circumstances. Therefore, provision is made under this policy for a student to provide appropriate documentary evidence with their refund application for consideration by the School for a full or partial refund.

To be considered, the situation must:

- be outside of the student's control; and
- make it impractical for the student to continue with their studies; and
- be supported by documentary evidence.

Compassionate and compelling circumstances do not include:

- failing to progress adequately or successfully complete a pathway course to meet an entry requirement for the course;
- inability to pay tuition fees alone (overseas students) as it is a visa condition to have sufficient funds for study and living purposes.

Requests for refunds on compassionate and compelling circumstances grounds should be sent to mit.info@murdochinstitute.wa.edu.au accompanied by independent supporting documentation. Students will be informed of the outcome **within ten (10) working days**.

Protection of Student Fees

In the unlikely event that the School is unable to deliver a course in full, students will be offered a refund of all unspent tuition fees. This refund will be paid **within ten (10) working days** of the day on which the course ceased being provided. Alternatively, students may be offered enrolment in an alternative course at no extra cost.

Students have the right to choose whether they would prefer a refund of unspent tuition fees or to accept a place in another course. If they choose placement in another course, students will need to sign documentation to indicate their acceptance of the placement.

In the unlikely event that the School is unable to provide a refund or place a student in an alternative course, the School has established fee protection measures to ensure tuition safeguards to assist domestic students (for more information, please contact the School's Student Support Services), and the Tuition Protection Service (TPS) will assist overseas students in finding an alternative course or to get a refund if a suitable alternative is not found. Further information concerning TPS can be found at www.tps.gov.au.

Enquiries

Any enquiries about this policy should be sent via email to mit.info@murdochinstitute.wa.edu.au or contact Student Support Services via Reception.

Information about FEE-HELP Review procedures is located on the School's website currently at: https://www.murdochinstitute.wa.edu.au/wp-content/uploads/2017/04/MIT_FEE-HELP-Review-Procedures-v1.2-legal-approval.pdf.

Complaints and Appeals

Students who are dissatisfied with the application of this policy by the School may refer to the School's "*Grievances, Complaints and Appeals Policy*" (available at <https://www.murdochinstitute.wa.edu.au/policies/>) for information regarding their options. This policy and the right to make complaints and seek appeals of decisions and actions under various processes (please see the *Grievances, Complaints and Appeals Policy* for details on complaints and appeals), does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

Relevant Legislation

The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

<https://www.legislation.gov.au/Details/C2017C00271>

The Higher Education Standards Framework (Threshold Standards) 2015

<https://www.legislation.gov.au/Details/F2015L01639>

The Education Services for Overseas Students Act (ESOS Act)

<https://www.legislation.gov.au/Details/C2018C00210>

The National Code of Practice for Providers of Education and Training to Overseas Students 2018

<https://www.legislation.gov.au/Details/F2017L01182>

Education Services for Overseas Students Regulations 2019

<https://www.legislation.gov.au/Details/F2019L00571>

Education Services for Overseas Students (Calculation of Refund) Specification 2014

<https://www.legislation.gov.au/Details/F2014L00907>

Department of Home Affairs (DoHA) Student Visa Regulations

<https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500>

Related Policies and Documents

This policy should be read in conjunction with the following:

- “Offer of Admission” – (the “Agreement”)
- Terms and Conditions of Enrolment
- FEE-HELP Review Procedures
- Statement of Tuition Assurance and Tuition Protection Service Policy
- Grievances, Complaints and Appeals Policy

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

Policy Category	Corporate and Finance			
Responsible Officer	Group Financial Controller			
Implementation Officer	College Director or equivalent			
Review Date	May 2022			
Approved by				
Finance and Commercial Director				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
1.0	Quality & Standards Group	Unpacking of one document into existing document	01.01.2014	01.01.2014
1.1	Quality & Standards Group	Format and wording changes to align across all businesses	22.05.2015	15.06.2015
1.2	Academic Quality and Governance Team	Added no refund for “Visa application rejected by DIBP due to submission of fraudulent documents” and Implementation Officer introduced to Policy.	10.03.2016	17.03.2016
1.3	Academic Quality and Governance Team	Updated Department of Immigration and Border Protection to the Department of Home Affairs and more clarification around protection of student fees	07.03.2018	09.03.2018
1.4	Quality, Regulations & Standards Team	Payment of refund updated to align with terms and conditions.	25.10.2018	25.10.2018
2.0	Quality, Regulations & Standards Team	<p>Full review and update of policy to meet legislative requirements.</p> <p>Added the following information:</p> <ul style="list-style-type: none"> • Policy statement, guiding procedures, provider default information, payment of refunds, OSHC information, compassionate and compelling circumstances, complaints and appeals information, related policies and documents. • Extended information for “non-tuition fee refunds”. • Reviewed and updated information presented in tables. • Updated reference from ACPET to ITECA. 	14.08.2019	14.08.2019

2.1	Quality, Regulations and Standards Team	Removed reference to refunds over \$5k from the "Payment of Refund" section.	11.11.2019	11.11.2019
2.2	Quality, Regulations and Standards Team	Policy update on tuition safeguards for domestic students in "Provider default" and "Protection of Student Fees" sections of the policy. Also updated titles of related policies and documents.	20.02.2020	20.02.2020