

## Refund Policy & Procedure

### Purpose

The following procedures ensure all students are treated fairly and with integrity when applying for refunds.

### Scope

This policy applies to all staff of Newgen Education that are responsible for the processing of the Refund application and/or arranging for the payment of refund, collecting outstanding tuition fees and/or attending to student queries in respect to refund and payable tuition fees.

### Policy

This policy/procedure supports 'Standard 3' of 'The National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2018' which states:

'Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.'

And

### The policy supports Standard 5 Clause 5.3

The following procedures ensure all students are treated fairly and with integrity when applying for refunds. All refund applications are to be submitted to the student support officer, and then forwarded to the admin manager for processing and the following procedures followed in assessing the application.

- All 'refunds' are to be signed off by Operations Manager.
- Refund application processed within 28 days of the application being placed.
- Once a decision has been made and if the student is entitled to a refund, the payment shall be made within 20 Working Days
- Enrolment fee at Newgen Education is non-refundable.

### Definitions

<b>CRICOS:</b>	Commonwealth Register of Institutions and Courses for Overseas Students.
<b>ESOS Act:</b>	Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
<b>National Code:</b>	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.
<b>Prospective Student:</b>	A person who intends to become, or who has taken any steps towards becoming, a student an 'overseas Student' or 'intending overseas Student' as defined by the ESOS Act.

<b>Agent:</b>	An accredited person or organisation with the authority to promote Newgen Education's courses and services to Students or intending Students in nominated regions.
<b>International Student:</b>	A person (whether within or outside Australia) who holds a Student Visa and is an 'overseas Student' as defined by the ESOS Act.

## Refund for International Students

### PROCEDURE

All refund information is made available to students through the enrolment process and is included on the letter of offer which the student signs prior to acceptance into a course of study with Newgen Education and money accepted from a student.

All refund requests are subject to following conditions:

- The College must have had received funds in order for any refund application to be reviewed (i.e., cheques are cleared, telegraphic transfers have been received).
- Any outstanding amounts owed to the College must have been paid in full before requesting for a refund else the outstanding amounts will be deducted from the refund

In case of VISA refusal refund requests, student needs to provide authenticated evidence along with the application

#### a. For offshore applicants:

If the student visa application or visa renewal is refused by the Australian Government, a full refund of course fees less the enrolment fee will be made.

#### b. For onshore applicants

In case of Visa refused after Course start date, after commencement of studies or refusal of Visa extension by the department of home affairs for an:

- I. international student who currently holds Student visa in Australia, or
- II. an individual who currently has study rights based on his current Visa conditions [ i.e., in cases where individuals are trying to convert other Visa types to a student Visa]

### Refunds will be processed using the method -Method in the Calculations table

#### No refunds will be granted where:

- a) An international student currently in Australia has their student visa cancelled by Department of Home Affairs for a breach of visa conditions.
- b) An international student currently in Australia has their student visa extension application refused by Department of Home Affairs after the commencement of their studies, for not meeting visa requirements.
- c) The visa is refused by Department of Home Affairs for the reason of providing misleading information or fraudulent documentation submitted in the visa application.

Special Circumstances Where a student withdraws from the course and returns home because of exceptional and extenuating circumstances of a compassionate nature, such as a death or severe illness in the immediate family, 100% of all the unspent fees paid, less any administration fees, will be refunded.

### Refunds due to non-delivery of course by RTO (ESOS 3.2)

Please note that Government Legislation requires tuition fees and application fees to be refunded in full if:

- The course does not start on the agreed starting date which is notified in the 3.5 Letter of Offer and Acceptance Agreement.
- The course stops being provided after it starts and before it is completed.
- The course is not provided fully to the student because the college has a sanction imposed by a government regulator
- If the course defaults, refunds will be granted in accordance with the provisions of the ESOS Act 2000, the ESOS Regulations 2001 and Tuition Protection Service (TPS).
- Refunds under these conditions will be paid in full within 10days.
- Newgen Education may arrange for another course to be provided to students at no extra cost to the student as an alternative to refunding course money. Where the student agrees to this arrangement, Newgen Education will not be liable to refund the money owed for the original enrolment.

### Refunds based upon Refund application

- All applications for refund must be made in writing by way of the refund application and submitted to the student support officer and then it will be forwarded to the admin manager for processing.
- Where the student withdraws from the course without notification or breaches their Visa conditions, no refund is payable.
- When student defaults or where written notice of withdrawal is received by the College before the agreed start date of the course, the refunds will be calculated only on the prepaid tuition fees.
- Refund will not be applicable on the tuition fee paid which is due at the time of student default.
- Refund application is to be signed off by the operations manager within 28 days from the date of refund application being lodged. If student is entitled for a refund, the payment shall be made within 20 working days
- Any initial deposit paid by the student is not subject to refund after the student's visa has been granted.

The refund is calculated based on the following table.

Enrolment Fee	Non-Refundable
<b>Tuition Fees</b>	
Visa refused Prior to Course start date for Off-shore students	100% refund of tuition fees
Visa refused after Course start date/Visa extension is refused for On-shore students	Tuition fee received from student <b>less</b> the Enrolment fee, Other non-tuition fee and Tuition fee up to the Visa refused date (Calculated on "monthly" Basis) *
Withdrawal notified in writing and received by the Institute 10 Weeks or more prior to course commencement	100% refund of tuition fees
Withdrawal notified in writing and received by the Institute 28 days or more prior to Initial course commencement.	70% refund of tuition fees

Withdrawal notified in writing and received by the Institute less than 28 days prior to course commencement.	No refund of current course tuition fees
If a student fails to commence after the start date of the course	No refund
Student abandons the course without notice	No refund and the balance of all outstanding fees for the course to be invoiced to the student  <i>**The student will not be eligible for any refunds for the durations / units that he or she missed due to abandoning the qualification.</i>
Student requesting for refund after the COE is deferred/Changed.	Refund calculation in this scenario will be done as per the initial commencement date or the very first COE dates and not as per the deferred, changed COE dates

\* The unused tuition fee is calculated based on the duration the student has been enrolled.

\* The course fees for a course is the sum of:

- (a) the tuition fees received by Newgen Education in respect of the student; and
- (b) the non-tuition fees (Material Fee) if any received by Newgen Education in respect of the student

- 1) Counting of Days Starts from Next Day of the receipt of form by Newgen Education and end day will be calculated 1 day before course commencement (example: If refund application reaches Newgen Education the 1st of a month the counting Starts from 2nd and If a student is starting on 3rd of a Month then the days counted will be until 2nd of that Month) and **VISA Refused applies to only students applying from overseas and not the VISA extension or Change of Visa type**. Proof from Immigration department of VISA Refusal must be submitted along with the refund application form.
- 2) Refund application requests must be made in writing on the Refund Application Form provided by the Institute. The refund application form is available on request from Student support Officer @ Reception or Online [www.newgen.edu.au](http://www.newgen.edu.au)
- 3) Refunds will be paid to the student or to the person nominated by the student on the refund application in Australian dollars. By a bank draft or telegraphic or electronic transfer (or other approved payment options). Bank fees or postage charge apply.
- 4) All refunds must be in accordance with ESOS requirements, and the refund agreement signed by the student and maintained in their individual student file, Student Management System and in MYOB.
- 5) A written explanation (3.4 Refund Calculation Statement) as to how the refund was calculated and a copy of the 3.5 Letter of Offer and Acceptance agreement that was signed by the student must accompany student refunds.
- 6) Admin Manager will calculate the refunds if applicable and send the completed form to the Operations Manager / CEO for final approval.
- 7) Details of refunds provided must be maintained in individual student files.
- 8) The availability of the Complaints and Appeals process does not remove the right of the student to take action under Australia's consumer protection law. (ESOS 3.2)

- 9) In the event that the course did not start on the agreed start date (and the student has not elected to commence the course on a new starting date), or the Course ceased to be provided by Newgen Education at any time after it started, but before it was completed, the student shall be entitled to a refund of all course money they have paid to date.
- 10) Newgen Education will not collect tuition fee exceeding \$1500 in advance. Where the visa requirements for the students are involved and the student wishes to pay more than \$1500, Newgen Education is covered by Tuition Protection Service.
- 11) If the student's visa status changes (e.g., becomes a temporary or permanent resident), the student will continue to pay full overseas student fees for the duration of the enrolled course unless withdrawn earlier.

### **The Tuition Protection Service (TPS)**

*The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study. The TPS ensures that international students are able to either:*

- *complete their studies in another course or with another education provider or*
- *receive a refund of their unspent tuition fees.*

*“In the unlikely event your education provider is unable to deliver a course you have paid for and does not meet their obligations to either offer you an alternative course that you accept or pay you a refund of your unspent prepaid tuition fees (this is called a provider's ‘default obligations’), the TPS will assist you in finding an alternative course or to get a refund if a suitable alternative is not found.*

*The reforms aim to protect the considerable investment international students make in an Australian education, and to protect and enhance Australia's global reputation.*

*Some of the key features are:*

- *A new national TPS which will replace a range of existing tuition assurance arrangements.*
- *A limit of up to 50 per cent of total tuition fees may be collected prior to student commencement (unless the course is 24 weeks or less).*
- *Specified providers to keep initial prepaid fees in a separate account until a student commences study.*
- *Student refunds will be based on unexpended tuition fees (rather than on total course cost as previously).”*

*For More details, please visit <https://tps.gov.au/Home>*

### **Refund for Domestic Students**

Refund application is to be processed by the admin manager within 28 days from the date of application lodged. If student is entitled for a refund, the payment shall be made within 20 Working days. The refund is calculated based on the following table. (ESOS 3.2)

Enrolment Fee	Non-Refundable
<b>Tuition Fees</b>	
Withdrawal before the commencement date	100% refund of tuition fees
Withdrawal on or after the commencement date	No refund
Course withdrawn by Newgen Education	100% refund of tuition fees



Newgen Education is unable to provide the course for which the original offer was made	100% refund of tuition fees
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1. Counting of Days Starts from Next Day of the receipt of form by Newgen Education and end day will be calculated 1 day before course commencement (example: If refund application reaches Newgen Education on the 1st of a month the counting Starts from 2nd and if a student is starting on 3rd of a Month, then the days counted will be until 2nd of that Month.)
2. Refund application requests must be made in writing on the Refund Application Form provided by the Institute. The refund application form is available on request from Student support Officer @ Reception or Online [www.newgen.edu.au](http://www.newgen.edu.au)
3. All refunds must be in accordance with this policy and the refund agreement signed by the student and maintained in their individual student file, Student Management System and in MYOB.
4. A written explanation as to how the refund was calculated and a copy of the refund agreement that was signed by the student must accompany student refunds.
5. Admin Manager will calculate the refunds if applicable and send the completed form to the Operations Manager for final approval.
6. Details of refunds provided must be maintained in individual student files.
7. The availability of the Complaints and Appeals process does not remove the right of the student to take action under Australia's consumer protection law.
8. In the event that the course did not start on the agreed start date (and the student has not elected to commence the course on a new starting date), or the Course ceased to be provided by Newgen Education at any time after it started, but before it was completed, the student shall be entitled to a refund of all course money they have paid to date.