



Policy & Procedure - Refund [RTO S5 & ESOS-S3]

Purpose

The Lawson College Australia under the ESOS Act 2000 and the National Code 2018 must have in place a Refund Policy and Procedure which is to be provided international students studying in Australia on a student visa, before formalisation of their enrolment.

This policy and associated procedure outlines how Lawson College Australia ensures the above requirements are met.

Scope

This Refund Policy applies to:

- International students studying at Lawson College who are 'overseas students' as defined in the National Code.
- Staff of the Lawson College Australia involved in the payment and refund of international tuition fees payed to the Lawson College of Australia.

Definitions

Academic Progress	Term related to the stage of completion of course enrolled
ACEPT	Australian Council for Private Education and Training
Administration Fee	The fee payable to cover costs involved when a student withdraws from a Course up to 20 working days before or after commencement of semester. The Administration Fee is subject to change.
Application Fee	The fee payable, if any, set out in the Student Agreement to make an application to study the Course at Lawson College. The Application Fee, if applicable, comprises: A non-refundable fee covering the cost of registration, and A non-refundable airport reception and accommodation booking fee [where applicable]. The Application Fee is subject to change.
AQF	Australian Qualifications Framework
ASQA	Australian Skills Quality Agency
Award Course	AQF award course
Cancellation of Enrolment	If a student's enrolment is cancelled, it means they can no longer attend classes at Lawson College Australia. DET via PRISMS will be informed that cancellation of enrolment has occurred.
Census Date	The date on which a student's enrolment is taken to be finalised.
CoE	Confirmation of Enrolment document issues through PRISMS for student to apply for a student visa
COPE	Centre for Operations Partnerships and Excellence, Lawson College Australia
Course	A full-time registered Course offered by Lawson College and registered in accordance with the requirements of the ESOS Act. Also known as Program
Course Credit	Exemption from enrolment in a particular part of the course as a result of previous study, experience or recognition of a competency currently held. This includes academic credit and recognition of prior learning. Credit cannot be rescinded unless compelling education reasons are presented.
Course Fees	The money received by Lawson College for providing the course to the student and includes: Tuition fees Any amount received by Lawson College that must be paid to a registered health benefits organisation on behalf of the Student; and

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	Any other amount the Student has paid, directly or indirectly, to Lawson College in order to undertake the Course.
Course Money	The money received by the College for providing the Course to the Student and includes: <ul style="list-style-type: none"> • tuition fees, • any amount received by the College that must be paid to a registered health benefits organisation on behalf of the Student; and any other amount the Student has paid, directly or indirectly, to the College in order to undertake the Course
Credit Transfer	Students who have completed a Nationally Recognised qualification / unit that have the exact same code as a unit currently enrolled will be eligible for credit transfer for the particular unit(s). The student must provide the original certificate to be sighted by the Lawson College to verify the Credit Transfer.
Domestic Place	Commonwealth assisted funded place.
Domestic Student	Refers to all students who are not overseas fee paying students.
DIBP	Department of Immigration and Border Protection
Enrolment	The process whereby a person registers as a student of Lawson College.
Enrolment load	The number or value of courses that at student is enrolled in per compulsory study period. International students must have a full time enrolment load.
ESOS	Educational Services for Overseas Students Act 2018 as amended from time to time
Full time	The normal amount of study for a particular Course which is approved by the accrediting authority for the Course
Governance & governance committee [course]	The action or manner of governing an organization. The system of rules, practices and processes by which a company is directed and controlled. A committee made up of relevant persons may be formed to implement/oversee governance of certain areas, for example academic governance.
Head of School / nominee	Responsible for course discipline and academic outcomes. Nominee is a qualified person the responsibility is deferred
Holding Account for Overseas Students	Individual bank account where fees are deposited at the time of collection. Fees are not accessed until after the course commences.
International Student	A person holding an Australian student visa and defined as an 'Overseas Student' in the ESOS Act
LQAF	Lawson Quality Assurance Framework
National Code	The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018
Non-award Course	
Principal Course	The main course of study to be undertaken by a Student where a Student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas Student arrives in Australia with a student visa that covers multiple courses.
PRISMS	Provider Registration and International Students Management System used to process information to DIBP by registered providers
Recognition of Prior Learning [Also known as Recognition of Current Competencies (RCC)]	The acknowledgment of skills and knowledge that have been gained through training, work, or life experiences into formal competencies. The assessment of RPL is made from the evidence provided against the units of competency (elements and performance criteria) as described in the relevant endorsed Training Package. To support this type of application evidence of where and how the skills were obtained are required. I.e. A certificate where the codes do not match but are of similar skills and knowledge would require an ability to assess the learning the outcomes against the learning outcomes of the current course. RPL is awarded for a total unit of competency (no partial RPL of a unit will be awarded)
Semester	Study Period. Also known as term or teaching period. A semester is made up of two terms.
Student	A Student who is enrolled at the College and includes both prospective Students and enrolled Students who are 'overseas students' as defined in the National Code and hold student visas as defined by the ESOS Act, and to students of the College who do not hold student visas and are studying off shore but does not include Domestic Students. May also be referred to as a candidate.
TAS	Overseas Tuition Assurance Scheme
Tuition Fees	The fees for enrolment in a Course determined by the College and advised in both the Student Agreement and the Letter of offer attached to the Student Agreement, as being the tuition fees for the

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	Course [per semester]
TPS	Tuition Protection Service
Registrar	A registrar is an official in an academic institution (consisting of a college, or secondary school who handles student records
Semester	Study Period. Also known as term or teaching period. A semester is made up of two terms.
Student	A Student who is enrolled at Lawson College whether or not they have commenced their studies and includes: 'Overseas Students' as defined in the National Code and hold student visas as defined by the ESOS Act. Students of Lawson College who do not hold student visas; and Students who are studying off-shore; but Not domestic students May also be referred to as a candidate.
Tuition Fees	The fees for enrolment in a Course determined by the College and advised in both the Student Agreement and the Letter of offer attached to the Student Written Agreement, as being the tuition fees for the Course.
Units	A discrete component of a course/program. Also known as subjects/modules
Withdrawal	Student initiated withdrawal from all studies.

POLICY

1. Total Refunds

- . Application/administration fees of \$750 is non-refundable, included in the program fee. Tuition fees will be refunded in full where:
- i. the Course does not start on the agreed starting date which is notified in the Letter of Offer;
 - ii. the Course stops being provided after it starts and before it is completed;
 - iii. the Course is not provided fully to the Student because the College has a sanction imposed by a government regulator; or
 - iv. an offer of a place is withdrawn by the College and no incorrect or incomplete information has been provided by the Student.
2. In the unlikely event that the College is unable to deliver the Course in full, the Student may apply for a refund of the amount of any unspent pre-paid tuition fees paid by the Student for that Course. The refund will be paid within 6 weeks of the day on which the Course ceased being provided. Alternatively, the Student may be offered enrolment in an alternative course by the College at no extra cost. The Student has the right to choose refund of the amount of any unspent pre-paid tuition fees, or to accept a place in another course. If the Student chooses placement in another course, the College will ask the Student to sign a document to indicate acceptance of the placement.
3. A full refund, less any Application/administration fee will be provided to the Student where:
- i. a Student is unable to obtain a student visa;

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- ii. illness or disability prevents a Student from taking up the course;
 - iii. a Student fails to meet the English or other requirements for admission for the course;
 - iv. prior to the commencement of a term, the Student has been excluded from the College for failure to meet progression rules and where fees were paid in advance of notification of the exclusion;
 - v. there is death of a close family member of the Student (parent, sibling, spouse or child) preventing a Student from taking up the course.; or
 - vi. other special or extenuating circumstances, including political, civil or natural events, are accepted at the discretion of the Registrar of the College, or his or her nominee, as preventing a Student from taking up the course.
4. Where an Application for Refund is made under Section 4.1.3, the Student must provide at the time of making the application documentary evidence to the satisfaction of the College in support of one or more of the grounds listed in Total Refunds Items 3 (i-iv).

2. Partial Refunds

1. Partial refunds of the amounts specified below will be provided in the following circumstances:
- i. where the College withdraws an offer based on incorrect or incomplete information supplied by the Student, all fees paid for the term period are refundable less a \$1000 (including GST of 10%) Administration fee and any Application fee;
 - ii. where a Student, after accepting an offer of a place, withdraws from a course 8 weeks or more before the commencement of a term, 100% of the Tuition fees paid for that term and any future terms are refundable, less a \$1000 (including GST of 10%) Administration fee and any Application fee;
 - iii. where a Student, after accepting an offer of a place, withdraws from a course less than 8 weeks before the commencement of a term, a 50% of the Tuition fees paid for that term is refundable less any Application fee;

3. No Refunds

- 1. A Student who withdraws or defers from a Course more than 3 working days after the commencement of a term shall not be eligible for a refund for that term except for the reasons outlined in Total Refunds Items 3 (i-iv).
- 2. Where a student withdraws or does not commence after the visa is granted – no refund
- 3. Where a student withdraws after commencement – no refund.
- 4. A Student whose enrolment is either suspended or cancelled by the College for whatsoever reason during a term, including but not limited to misbehaviour or non-payment of fees to the College, shall not be eligible for a refund for that term.
- 5. A Student after commencing the course has their visa cancelled during a term or student whose visa is not approved for extension shall not be eligible for a refund.
- 6. Any Application fees paid is non-refundable (application fee included in the tuition fee)

4. Credit Balances

1. Students can apply for a refund of a credit balance, created by overpayment, only if they have no other debts owing to the College. Refund of overpayments will only be made in the currency of the student's country of permanent residence and payable in that country.

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2. Normally overpayment (excess payment) of Student Tuition Fees resulting in a credit balance on the Student's account will automatically be transferred as payment or part payment of the Student's fees payable for the next term or to other outstanding debts owing to the College. It is the responsibility of the student to be aware of all credit amounts (excess payments) on their account and to maintain current address and contact details.
3. Credit amounts on a student's account up to and including AUD\$100 will be forfeited to the College and processed as a forfeit of an insignificant credit balance. The College deems that credit balances are insignificant balances if the credit balance is less than \$100 and the student's program status is inactive for more than one (1) term.
4. Student's with unclaimed credit amounts greater than AUD\$100 will be notified in writing of their credit amount if the student's program status is inactive for more than one (1) term. If refund applications are not received within six (6) weeks of the date of this written communication, credit balances will be deemed as unclaimed and dealt with by the College according to the Unclaimed Monies Act 2008.

5. Process for Claiming Refunds

1. Refund applications for full or partial refunds must:
 - i. be made in writing on the Application for Refund Form; and
 - ii. set out the reasons for the application; and
 - iii. be accompanied by supporting documents as may be appropriate; and
 - iv. be forwarded to:

Registrar,
Lawson College of Australia
PO Box 7155
Dandenong VIC 3175

2. The information provided by the Student on the Application for Refund Form must include:
 - i. the date of the claim;
 - ii. the Student's full name;
 - iii. the course in which the Student was enrolled;
 - iv. the basis for making the claim;
 - v. the amount claimed;
 - vi. the address to which the refund is to be forwarded;
 - vii. the Student's payment details;
 - viii. the Student's signature, and
 - ix. all documents relevant to the consideration of the claim.
3. Refund applications will not be processed where the signature on the Application for Refund Form does not match the Student's signature as shown on other documents provided by the Student for admission to the College.
4. A Refund Calculation Statement will be prepared and forwarded to the Student and any refund will normally be made in the currency of the student's country of permanent residence and payable in that country. Exceptions include non-tradable currencies (where the refund would normally then be paid in USD) or payment to another Australian educational institution. The

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Lawson College Australia is not liable for any variance from the foreign exchange rates fluctuations.

5. The funds covering the tuition fees must be cleared (i.e. cheques cleared, telegraphic transfers received etc).
6. All debts to the Lawson College Australia must have been paid before any refund can be calculated with any outstanding amounts to be deducted from the refund.
7. Where a Student is dissatisfied with a decision to provide or not to provide a refund he or she may appeal that decision in accordance with Lawson College Student Complaints and Appeals Procedures.
8. 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.

7. Payment of Refunds

1. Applications for refunds for Students must be authorised by the Registrar of the College, or his or her nominee.
2. Where the:
 - i. Course does not start on the agreed starting date; or the
 - ii. College stops the Course after it starts and before it is completed; or the
 - iii. Course is not provided fully to the Student because the College has a sanction imposed by a government regulator, and the
 - iv. Student has requested a full refund of fees rather than placement in an alternate course, the refund of fees will be paid to the Student within 6-8 weeks.
3. In any other circumstance, the College will refund the amount within 10-12 weeks after receipt of the completed and signed Application for Refund Form together with appropriate supporting documents.
4. The date of the notification for application for refund is the date the completed and signed Application for Refund is received by the Lawson College Australia

Document History and Version Control Table

Version Number	Date approved	Approved by	Type of change	Extent
V 1.0	18/09/2013	GRMC	N/A	No changes
V2.0	08/10/2015	GRMC	Merge	Updated and ASQA & ESOS policy merged
V2.1	18/09/2017	CEO	Minor	Formatting and editing
V2.2	08/01/2018	CEO	Minor	Updated in accordance with ESOS 2018

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