

# Refund Policy

## 1 SCOPE

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This policy covers the refunds process for all fees payable for training services provided within National Training College of Australia'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.

## 3 POLICY STATEMENT

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Details concerning the scope of National Training College of Australia 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.

## 4 GENERAL RULES

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- 4.1 The refund process reflects the commitment by National Training College of Australia 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 National Training College of Australia 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 National Training College of Australia using the 'Refund Request Form'. Verbal notification to National Training College of Australia 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 National Training College of Australia.

- 4.5 The Administration Manager of National Training College of Australia 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 National Training College of Australia 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, 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 Administration Manager of National Training College of Australia. All Refund Requests and issued refunds are to be logged in the Refund Register.
- 4.11 Application/Admission fee is not refundable once it is paid in all circumstances.
- 4.12 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.
- 4.13 Material Fee paid in full will be refunded where,
  - The student withdraws from the course at least 28 days prior to the course commencement.
  - If Student was refused a student visa and the refusal was a reason for the student’s failure to start the course on the agreed starting day for the course,
  - At the discretion of the CEO, when other special or extenuating circumstances have prevented the student from commencing their studies
  - Any other circumstances student is not eligible for a refund of material fee.
- 4.14 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, National Training College of Australia if advised of the cancellation 28 days or more before course starts and prior to entering into Australia. All refunds of OSHC must be dealt with the insurance provider. NTCA Institute will not refund the OSHC to the student.
- 4.15 Student enrolled in packaged courses do NOT qualify for a refund once they commence their studies in Australia.
- 4.16 If the student have given misleading information to an National Training College of Australia approved agent, National Training College of Australia and/or any Commonwealth Agencies of Australia, no refund will be given.
- 4.17 National Training College of Australia will forward the refund to the applicant in their country of origin unless otherwise authorised in writing.

- 4.18 No refunds will be paid to a third party (person other than the student), unless directed by the student on the Refund Application Form.
- 4.19 All refunds for Provider Default and Visa Refusal is calculated as per Explanatory Guidance on the Education Services for Overseas Students (Calculation of Refund) Specification 2014, more information can be found on  
  
[https://internationaleducation.gov.au/Regulatory-Information/Documents/Fact%20Sheet%20ESOS%20refund%20specification%2040714%20\(2\).pdf](https://internationaleducation.gov.au/Regulatory-Information/Documents/Fact%20Sheet%20ESOS%20refund%20specification%2040714%20(2).pdf)
- 4.20 If a student is eligible for refund after course commencement (in case of Visa refusal), refund is calculated on pro-rata basis.
- 4.21 National Training College of Australia will give the student a refund statement that explains how the amount has been worked out.
- 4.22 If the student is not eligible for any refund, based on the circumstances as stated below, the student shall be informed of the same via an email/letter.
- 4.23 In case of a cancellation by the student or National Training College of Australia , any outstanding fees to National Training College of Australia become due with 7 (seven) days.
- 4.24 Any costs incurred by National Training College of Australia to recuperate outstanding fees will be charged to the student.
- 4.25 Unpaid fees will be recorded as a debt and recovered by action in a court of competent jurisdiction.
- 4.26 National Training College of Australia will not release any testamurs/awards to students until outstanding course fees have been paid in full.
- 4.27 Advise the student of their right to appeal the decision of National Training College of Australia management.
- 4.28 The refund policy is subject to review at least once per year
- 4.29 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, National Training College of Australia will recover the paid fees and return to student.
- 4.30 National Training College of Australia only accepts responsibility for fees and charges associated with the cost of enrolling in and studying with the RTO. No accountability will be taken for fees or charges associated with international education agent or migration agent fees or visa application costs.

## 5 PROVIDER DEFAULT (INTERNATIONAL STUDENTS)

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- 5.1 Provider default occurs in relation to an overseas student or intending overseas student and a course at a location, if:
- 5.2 the provider fails to start providing the course to the student at the location on the agreed starting day; or
- 5.3 After the course starts but before it is completed, it ceases to be provided to the student at the location; and the student has not withdrawn from the course before the default day.
- 5.4 NTCA will notify the Secretary and the TPS Director of the default within 3 business days of the default occurring. NTCA will also notify students in relation to whom NTCA has defaulted.
- 5.5 NTCA has 14 days after the day of the default (the provider obligation period) to satisfy NTCA tuition protection obligations to the student as set out in the section.
- 5.6 Should the above arrangement not be suitable to the student NTCA will arrange for its TPS process to promptly offer affected students a place in a suitable alternative course(s). The student's acceptance of the alternative course offer in writing will relieve NTCA from its obligation to refund all course money to the student. Percentage of fees, for training left to achieve will be refunded to the Student.
- 5.7 NTCA has 7 days after the end of the obligation period to give a notice to the Secretary and the TPS Director of the outcome of the discharge of NTCA obligations.
- 5.8 Additional information regarding TPS process is available on NTCA web site and TPS (<https://tps.gov.au>) web site or by contacting NTCA.
- 5.9 NTCA will only refund prepaid course money directly to the student and will not under any circumstances refund course money to a third party.

## 6 STUDENT DEFAULT (INTERNATIONAL STUDENTS)

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- 6.1 Student default occurs when Under section 47A of the ESOS Act, an overseas student or intending overseas student defaults, in relation to a course at a location, if:
- 6.2 the course starts at the location on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn); or

- 6.3 the student withdraws from the course at the location (either before or after the agreed starting day);  
or
- 6.4 the registered provider of the course refuses to provide, or continue providing, the course to the student at the location because of one or more of the following:
- the student failed to pay an amount payable to the provider for the course;
  - the student breached a condition of his/her student visa;
  - misbehaviour by the student (Note: the student is entitled to natural justice under subsection 47A(3)).
- 6.5 If a student or intending student defaults, NTCA will provide a refund in accordance with the requirements, depending on the circumstances of the default situation.
- 6.6 Notifying the Secretary and the TPS Director: To meet Tuition Protection Service (TPS) reporting obligations, NTCA will report on whether they have provided a refund to a student in two cases of student default:
- where a student's visa is refused, even if there is a compliant written agreement in place
  - where there is no compliant written agreement in place.
- 6.7 NTCA will pay the refund within the period (the provider obligation period) of 4 weeks after the day specified in section 47D or 47E of the ESOS Act, depending on the circumstances of the default situation.
- 6.8 Students are also deemed as defaulted in the case of visa refusal, due to misleading or fraudulent documents. this is not part of the written agreement and therefore cannot be covered by section 47D of the ESOS Act, the section of the ESOS Act in this regard is section 47E

### Refunds resulting from National Training College of Australia Default

In the unlikely event of National Training College of Australia default, within 28 days of the default, National Training College of Australia will:

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

If National Training College of Australia 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.

## TABLE OF REFUNDS

Type	Timeframe	Amount Refunded	Documents
<b>VISA Refusal</b>	Before course commencement	<b>Lesser of</b> (a) 5% of the total amount of pre-paid course fees that the provider received in respect of the student for the course before the default day; or (b) the sum of \$500 Application fee will not be refunded.	Refund Request Proof of VISA Refusal
<b>VISA Renewal Refusal / Visa Refusal</b>	After the course has commenced	Student is required to pay for the UOC/S completed on a pro-rata basis	Refund Request Proof of VISA Refusal
<b>Withdrawal, Transfer or Enrolment Cancellation</b>	Greater than 28 days before commencement of the course	All fees minus the non-refundable application/admission fee	Refund Request Letter of Offer DSWC Form
	Less than 28 days before commencement of the course	Nil	Nil
	After the course has commenced	Nil	Nil
	Cancellation due to non-commencement	Nil	Nil
<b>Transfer to another Provider, prior to 6 months of the principal</b>	Before course commencement	No refunds for each course in the "package of courses"	Refund Request Letter of Offer DSWC Form

<b>course</b> , where NTCA has approved the transfer.			
<b>VISA Removal for breach of conditions</b>	At any time	Nil	Proof of VISA Refusal
<b>Withdrawal, Transfer or Enrolment Cancellation (Student default)</b>	Does not return or commence on the agreed date without the approval of NTCA	Nil	Nil
	Transfer to another Provider, prior to 6 months without the approval of NTCA	Nil	Nil
	Cancellation due to academic misconduct/misleading information	Nil	Nil
	Cancellation due to course progress/non-payment	Nil	Nil
<b>Default by National Training College of Australia</b>	Before term commences	Full Refund minus the application/admission fee	Refund Request
	After term commences	Refund amount* = weekly tuition fee** × weeks in default period** minus the application fee*	Refund Request
*	Refund amount	weekly tuition fee x weeks in default period	
**	Weekly Tuition Fee	total tuition fee for the course/number of calendar days in the course x7 rounded up to the nearest whole dollar	
***	Weeks in default period	number of calendar days from the default day to the end of the period to which the payment relates /7	

[https://internationaleducation.gov.au/Regulatory-Information/Documents/Fact%20Sheet%20ESOS%20refund%20specification%2040714%20\(2\).pdf](https://internationaleducation.gov.au/Regulatory-Information/Documents/Fact%20Sheet%20ESOS%20refund%20specification%2040714%20(2).pdf)

## 7 NON-REFUNDABLE ITEMS

In the following cases, there will be **no refunds** applicable:

- 7.1 If complete written notice with required full supporting documents is given less than 28 days prior to the course start date, his/her pre-paid unspent tuition fee will be forfeited
- 7.2 If a student withdraws from a course after the course start date, his/her pre-paid tuition fee will be forfeited.
- 7.3 No refund will be made, and the full course fee is payable where a student fails to complete, withdraws from, or does not commence NTCA program (where they have not formally withdrawn), including where:
- Such failure to complete, withdrawal or non-commencement results from changes to student's visa status, or
  - For visa cancellation, or a student elects to transfer to a different Provider after his/her course has commenced, or
  - Failure to make payment within 20 working days of 'intention to report for non-payment of fees' letter, or
  - misbehaviour by the student
- 7.4 Should a Visa be refused or cancelled due to misleading or fraudulent documents, and/or the information provided on application to NTCA is different, a refund will not apply.
- 7.5 NTCA has withdrawn its offer to applicant where it was found that false or misleading or incorrect or incomplete information has been provided on application at any stage of application.
- 7.6 NTCA has cancelled student enrolment due to student breaching the course progress requirements. Refund will be provided for tuition fees paid for study periods not commenced.

## 8 HOW TO APPLY FOR REFUND

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The following steps are to be followed:



**Step 1: Complete the withdrawal/refund application form\***

This form can be download from NTCA’s website [www.ntca.edu.au](http://www.ntca.edu.au) or you can get a copy on campus.

**Step 2: Submit your complete withdrawal/refund form with supporting documents to NTCA Student Support Team.**

(on campus or via email to [support@ntca.edu.au](mailto:support@ntca.edu.au)).

**Step 3: Your withdrawal/Refund application will be processed by our Student Support Team in 5 business days. This time duration might be longer during peak seasons.**

**Step 4: Once your withdrawal/Refund application finalised, our Finance Department Team will contact you via your registered email address. Please check your email regularly**

*\* please ensure you fill in your withdrawal/refund form with all required detail, sign and date accordingly. The incomplete form will delay your withdraw/refund process, which might further affect your refund payment.*

**How and when will a Refund be paid**

- A refund will only be paid where a withdrawal/refund application form has been completed. This form MUST be filled, signed and dated by a student in person. Supporting evidence(s) MUST be provided to validate the withdraw/refund request.
- All sections of the refund application form must be completed by the student and signed and dated, associated documentation is required to facilitate approval for refund.
- Students eligible refund will be made to his/her nominated bank account indicated on his/her valid withdrawal/refund application. No refund will be paid to a third party unless it is indicated at the time the withdrawal/refund application is lodged. However, if a student paid his/her fee through credit card, the eligible refund will be paid back to that credit card, and credit card surcharge is non-refundable.
- The signature of student will be matched to student’s signature on file and if different, the refund will not be processed.
- Should the form and associated documentation be incomplete this may delay the processing of claim for refund.
- Once the completed refund claim form is received, it will be assessed and the refunds due to the student will be paid within 4 weeks of receiving completed written application on the appropriate form with associated documentation.

- All refund will be made in Australian Currency only. Bank charges for refund will be deducted from the refund amount. NTCA is not responsible for any transaction loss as a result of currency exchange fluctuations, delays or loss of refund in transit (due to incorrect bank detail provided by a student).
- NTCA undertakes the obligation to make refund within 28 days from receiving the completed withdrawal/refund application with required supporting evidence(s).
- If a student is dissatisfied with NTCA’s decision in relation to their refund request the student may lodge an appeal under the Complaints and Appeals Policy and Procedure.

**Note:** A student may elect to have any unexpended pre-paid tuition fee transferred to an alternative NTCA program if he/she has an approved application for the alternative NTCA program. However, the transfer request must be lodged **NO LESS THAN 28 days** from the course start date of enrolled course. And this transfer of fees is non-refundable and cannot be transfer again to another alternative NTCA program. If transfer request is lodged less than 28 days from the course start date, the transfer of unspent pre-paid tuition fee would not be granted.

## 9 REPORTING PROCEDURES

REPORTING FOR TUITION PROTECTION SERVICE (TPS) FRAMEWORK			
ACTION	TO WHOM	BY WHOM	WHEN
Additions and deletions of courses and qualifications from the College’s scope of registration	Notify the TPS by way of changes to Scope through ASQAnet for PRISMS and CRICOS register.	RTO Manager	When it occurs
variations in fees and length of courses and qualifications	Notify the TPS by way of changes to Scope through ASQAnet for PRISMS and CRICOS register.	Admissions Officer	When it occurs
NTCA pays the annual TPS Levy when it is due.	TPS Director	CEO/PEO	Mid May of every year
NTCA Default	TPS & students in relation to whom it has defaulted. The notices must be in writing and meet the requirements of section 46B.	RTO Manager /CEO /PEO	<ul style="list-style-type: none"> <li>• 3 business days.</li> <li>• NTCA has 14 days after the day of the default (the provider obligation period) to satisfy its tuition protection obligations to the student.</li> <li>• NTCA has 7 days after the end of its obligation period to give a notice to the Secretary and the TPS Director of the outcome of the discharge of its obligations.</li> </ul>

			<p>This notice must comply with the requirements of section 46F.</p> <ul style="list-style-type: none"> <li>• If NTCA does not meet its obligations, affected students may be assisted by the TPS Director.</li> </ul>
<p>Student Default, <i>The student default is confirmed after internal or external complaints and appeals process is completed.</i></p>	TPS through PRISMS.	RTO Manager /CEO /PEO	<ul style="list-style-type: none"> <li>• 5 Business Days. The notice must be in writing and comply with the requirements of section 47C.</li> <li>• provide a refund in accordance with the requirements under either section 47D or 47E of the ESOS Act, depending on which section applies to the circumstances of the default situation.</li> <li>• pay the refund within the period (the provider obligation period) of 4 weeks after the day specified in section 47D or 47E, depending on which section applies to the circumstances of the default situation.</li> <li>• 7 days after the end of your obligation period to give a notice to the Secretary and the TPS Director of the outcome of the discharge of its obligations. This notice must comply with the requirements of section 47H.</li> </ul>

**NTCA reserves the right to amend this policy at any time; the amendments will be for the purpose of continuous improvement of NTCA operations and may affect the student in some way, shape or form.**

**This policy and the “written agreement” Letter of offer does not remove the right of a student to act under Australia Consumer Protection Law.**

## 10 RESPONSIBILITIES

The CEO, National Training College of Australia is responsible for ensuring compliance with this policy. Administration Manager of National Training College of Australia will process refund requests, if approved, AND arrange refund payment within 28 days.

The National Training College of Australia 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, National Training College of Australia and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

Role within RTO	Area of responsibility
CEO	Approval Authority
Compliance / RTO Manager	Development/Review
Admin Officer	Implementation, Monitoring and Evaluation
Student Support Officer(s)	Support

## 11 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

## 12 RELATED POLICIES, PROCEDURES AND DOCUMENTS

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