

FEES AND REFUNDS POLICY

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1. Purpose

1.1 This document and the associated Procedures describe the administrative requirements which apply when students at Monaro Higher Education (MHE) pay fees and request refunds and the conditions which apply to refunds.

2. Principles

2.1 Students must be aware of the cost of their studies. The fees, due dates and payment methods must be clear. The process of applying for a refund must be clear and responses to those requests must be timely.

3. Context

3.1 The conditions under which students are liable for payment and entitled to refunds are in accordance with subsection 1.1.2 of the Higher Education Standards Framework (2021).

4. Scope

4.1 This policy applies to all domestic and international students, their agents and administrative staff at MHE.

5. Definitions

Census Date - The last date on which enrolment in a unit or course may be finalised and the last date a student may withdraw from a course without a failure grade. The Census Date for each trimester is stated in the Academic Calendar, which is in the Student Handbook and on the MHE website.

Domestic Student – Any student who legally does not require a Student Visa to enrol at an Australian higher education provider or university. In practice, this means citizens or permanent residents of Australia or New Zealand. It may also include asylum seekers with a class-A or class-E Bridging Visa, Temporary Protection Visa or Safe Haven Enterprise Visa.

International Student - Student or applicant who has been issued a valid, current student visa by the Australian Government.

6. Roles and Responsibilities

Academic staff will be responsible for:

- Informing prospective students and agents of the fees associated with their proposed courses of study
- Ensuring that students and agents know which fees are refundable and which are non-refundable
- Processing payments and refunds in accordance with policies and procedures.

The Finance Manager will be responsible for:

- Recording payments and keeping records of students' status as either paid in full or in arrears
- Sending appropriate warning letters to students in arrears
- Assessing and approving or disapproving requests for refunds.

The Dean will be responsible for:

- Considering and upholding or overruling appeals of denial of refunds.

7. Policy details

7.1 Information about Payments and Refunds

- MHE will explain clearly to prospective students all details related to paying fees, acceptance or withdrawal of offers, enrolment, tuition protection and refunds before they enrol.
- Students will be made aware of changes to fees, offers or any MHE policies applicable to them with as much notice as possible.

- MHE will advise student agents that MHE will not pay commissions to agents until after students referred by those agents have attended their first class.
- Wherever possible, MHE will ensure that its policies and processes resolve complaints without charge to the students or else at a reasonable cost.
- MHE will endeavour to prevent students from incurring unexpected costs through accessing learning resources.

7.2 Domestic Students

7.2.1 Domestic Students' Fees

- Domestic students must pay an application fee when they lodge their application. Remaining fees must be paid no later than the census date.
- Students who have not paid a tuition fee or instalment by the due date will be sent a warning letter. If payment is still not forthcoming, a final warning letter will be sent. After this, MHE may employ debt collectors to recover unpaid fees. These students will be denied access to MHE's resources and facilities and may not sit final assessment. A late payment administration fee may be applicable.

7.2.2 Domestic Students' Refunds

- Except as outlined below, a domestic student will be repaid in full for tuition fees if:
 - MHE is incapable of providing the course or unit
 - MHE withdraws its offer of enrolment
- If a student withdraws from a unit or course before the census date, the student will receive a full refund minus administrative charges. This student will not incur an academic penalty.
- If a student withdraws from one or more units but remains as a continuing student, fees for the units from which the student withdraws will not be refunded but rather kept as advance payment for units in the following trimester.
- Tuition fees are not refundable if:
 - MHE cancels the student's enrolment or expels the student due to breach of MHE's policies and procedures or the Student Code of Conduct
 - The student withdraws after the census date.
- MHE will not refund the following administrative charges:
 - Enrolment fee
 - Administration charges
 - Library fines or late fees (if any)
 - Materials fees (if any)
 - Late payment fees (if any).
- If a student intends to transfer from one course to another within MHE, MHE will not refund fees paid for the previous course if:
 - The student does not complete the necessary Change/Defer/Withdrawal form or submit it to administrative staff
 - MHE has not received documents normally required for enrolment in the new course four weeks before the student starts the new course
 - The student formally withdraws from the previous course after the census date
 - Documents supplied by the student relating to the new course indicate that the student does not satisfy the entry requirements for that course as described in the Admissions Policy and Procedure or the Course-Specific Entry Criteria.

- If MHE is incapable of offering students the course (major) in which they enrolled, MHE will offer an alternative course (major) at no further cost. Students may accept or reject this offer in writing. If a student rejects the offer, MHE will refund fees paid for the part of the course not completed.

7.3 International Students

7.3.1 International Students' Fees

- International students must pay course fees for each trimester in advance. Their written agreements will include all payment dates.
- The minimum payable to ensure enrolment is:
 - offshore students: four units
 - onshore students: one unit initially and three units before the first class.
- Students who have not paid the tuition fee by the due date will be sent a warning letter. A late payment administration fee may be applicable. If payment is still not forthcoming, a final warning letter will be sent. MHE will cancel the student's enrolment and inform the Department of Home Affairs accordingly.

7.3.2 International Students' Refunds

- All payments and refunds are made in Australian dollars only. MHE cannot be held responsible if exchange rate fluctuations cause an international student to be refunded less than what they paid in the currency of their homeland.
- Applications for refunds must be made using the MHE Refund Request Form and be submitted to MHE administration for processing.
- No refund on tuition fees will be made to students who cancel or terminate their enrolment after the census date.
- Enrolment fees and administrative charges, including those in the case of visa refusal, are non-refundable under any circumstances.
- All applications for withdrawal will incur a Withdrawal Fee of \$200.
- Fees for any additional services requested — accommodation assistance, homestay placement, homestay screening for parent nominated homestay service, airport pick up, etc. are also non-refundable, even in the case of visa refusals.
- MHE will not authorise tuition fee transfers to any other institution or to other students.

7.3.3 Approved Refunds

All approved refunds will be paid within twenty-eight (28) days from the date of receipt of the written claim by the students as detailed below:

- MHE requires four (4) units of course tuition fees to be paid before course commencement and applies to all refund circumstances below.
- When a student visa is refused before commencement of the course, a full refund of the course fees is paid, less MHE administrative fees for processing enrolment. Certified evidence from the Department of Home Affairs (DHA) must be provided for requests for a refund.
- When a student visa is refused after the course has commenced, a refund is calculated on the fees paid for the part of the course after the formally notified withdrawal date. Certified evidence from DHA must be provided.
- When a Notice of Claim is received twenty-seven (27) days or less before the course commencement date, 50% of the paid tuition fees will be refunded.

- When a Notice of Claim is received twenty-eight (28) days or more before the course commencement date, 70% of the tuition fees already received by MHE will be refunded.

7.3.4 Conditions where no refund is available

- There will be no refund of fees if the visa is rejected on the basis of fraud as determined by the DHA.
- When MHE cancels a student's enrolment because the student is found to have used fraudulent documentation for admission, there is no refund of tuition fees.
- If a student has been reported to DHA for breaching MHE's rules or visa conditions, such as unsatisfactory course progress or behaviour, no refund will be provided.
- If the student visa is granted based on MHE's Confirmation of Enrolment (COE), but the student decides after the census date to withdraw from MHE, no refund is given except when there are compassionate or compelling circumstances supported by valid and sufficient evidence.
- If the student admission is part of a packaged COE with SSBT or with any other vocational education provider and the student withdraws from their MHE study path without completing six months of study in a principal course, no refund is given unless there are compassionate or compelling circumstances supported by valid and sufficient evidence.
- If an onshore international student is studying with another provider and has a COE for a MHE course and then decides not to commence studying with MHE, no refund is given unless there are compassionate or compelling circumstances supported by valid and sufficient evidence.

7.4 MHE Default

- In the unlikely event that MHE defaults on its agreements and is unable to run an advertised course, provisions are made under the ESOS Act 2000 for students to transfer to another MHE course or alternatively will receive a 100% refund of unexpended fees paid.
- Refunds made in these circumstances will be paid within 14 days of the provider's default, in line with ESOS requirements.
- If MHE is in default as set out in section 27(1) of the Education Services for Overseas Students Act 2000 (ESOS Act), MHE will provide a refund to the student in accordance with the ESOS Act, and the regulations made under that Act.
- MHE defaults if:
 - the course offered does not start on the agreed starting day,
 - the course stops being provided after the start date and before it is completed (partial refund applies)
 - the course is not provided in full to the student because MHE has had a sanction imposed (partial refund applies).
- Students will be offered a refund of the difference between what the student has paid, and the value of tuition already delivered before the default. If MHE defaults, MHE will pay to the student within fourteen (14) days of the date of the default (the day on which the course ceased being provided):
 - a full refund if it is before commencement of the course, or
 - a partial refund if it is after commencement
- MHE will provide a statement explaining how the refund amount has been calculated.
- Alternatively, a student may be offered enrolment in an alternative MHE course at no extra cost to the student.
- Students have the right to choose whether they would prefer a partial refund of course fees, or to accept a place in another MHE course. If a student chooses placement in another course, they will be asked to sign a document indicating acceptance of the placement.

- If MHE offers the student an alternative course, the student may accept the offer in writing within thirty (30) days after the end of the provider obligation period unless the period is varied by the Director of the Tuition Protection Service (TPS).
- Where MHE has not entered into a written agreement that complies with the ESOS ACT (Section 47), or where a student has been refused a visa, MHE is required to pay the student a refund worked out in accordance with the legislative instrument under subsection 47E(4).
- The legislative instrument under section 47E provides the calculation of the amount of unspent pre-paid fees which is as follows:
 - The amount of unspent pre-paid fees that the provider must refund the student is the total amount of the pre-paid fees the provider received from the student for the course less \$500.
- MHE makes contributions to the Commonwealth Tuition Protection Service (TPS) for every student enrolled at MHE. The contribution to this scheme ensures tuition continuity for all international students at MHE.
- If MHE is unable to provide a refund or place the student in an alternative course, the Director of the TPS will place the student in a suitable alternative course with another provider. The Director of the TPS will determine the payment to be made to alternative providers when placing the students.

7.5 Student Default

- A student defaults if:
 - a student who has not previously withdrawn does not start the course at the location on the agreed starting date, even though the course has started,
 - a student withdraws from the course at the location before or after the agreed starting date, or
 - a registered provider refuses to provide or continue to provide the course to a student because the student has failed to pay an amount owed to the provider, the student has breached a condition of his or her student visa, or because of misbehaviour by a student.
- A student cannot avoid being reported to the Department of Home Affairs (DHA) for nonattendance or failure to progress by cancelling their COE with MHE. As per section 19 of the ESOS Act, MHE is required to report any changes to a student enrolment within 31 days.
- As per section 47D of the ESOS Act, MHE is required to refund a student for student default in accordance with this written agreement within four weeks after receiving a written claim except in the case of visa refusal.
- However, if the visa refusal is due to false or misleading information about student identity, previous qualifications and experience or other relevant information in support of student visa application in order to obtain migration, there will be no Refund.

7.6 Overpayment of Fees

- A student who has overpaid fees may, by written notice to MHE, request a refund. If no request is made, the overpayment may be credited by MHE towards the student's next units of study with MHE.

7.7 Compassionate Grounds for Fee Waivers

- A student may, at MHE's discretion, receive a full or partial waiver of fees. The student must address their request for a waiver, accompanied by documentary evidence, to the Dean. The

Dean will respond in writing within ten working days. Grounds for a waiver include but are not limited to:

- Death of a student's close family member
- Major illness or disability
- A political upheaval or natural disaster in their home country.
- A student who is denied a refund or a waiver by the Dean may appeal in writing to the CEO. The CEO will reconsider the student's circumstances and either uphold or overturn the Dean's decision in writing within ten working days. If the CEO upholds the Dean's decision, the student may appeal externally.
- Until a waiver is granted in writing, the student must not assume that the waiver is automatic and must continue to pay all fees. These fees will be refunded in full if the waiver is subsequently granted.

8. Appealing Refund Decisions

- If MHE rejects a refund application, the student is entitled to appeal the decision through MHE's internal complaints and appeals process outlined in the Student Grievances and Complaints Policy and Student Grievances and Complaints Procedure.
- The written appeal should clearly state why the student believes they are entitled to a refund or should not have to pay a cancellation fee and be lodged within twenty (20) working days of receiving the refund outcome.
- If the student is not satisfied with the final outcome of the MHE internal appeals process the student has the right to make a complaint to an external complaints body such as the Commonwealth Ombudsman via an online form or by phone on 1300 362 072. Further information about the Ombudsman can be found at the website: ombudsman.gov.au

9. Relevant Legislation

MHE acknowledges its legal and regulatory obligations under the following frameworks:

- Higher Education Standards Framework (HESF) 2021
- Education Services for Overseas Students (ESOS) Framework 2013
- Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000

10. Policy Administration

Policy category	Administration
Policy owner	Board of Directors
Responsible officer	Finance Manager
Approving authority	Board of Directors
Contact officer	Finance Manager
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Review date	8 th July 2025

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Related documents	Fees and Refund Procedure Student Fees and Charges Schedule Admissions Policy and Procedure Student Code of Conduct

9. Version control and change history

Version	Approval date	Approved by	Summary of changes
1.1	8th July 2022	Board of Directors	
1.2	9 th May 2025	CEO and Dean	Minor modification for administrative charges for refund

10. Reference / Benchmark

- Australian Institute of Business
Student Refund Policy (aib.edu.au)
- Australian School of Accounting
Student-Fees-Charges-and-Refund-Policy_V4.0.pdf (asahe.edu.au)
Part-3-Terms-and-Conditions_Domestic-Students_V1.4.pdf (asahe.edu.au)
Part-3-Terms-and-Conditions_Overseas-Students_V2.0-1.pdf (asahe.edu.au)
- Crown Institute
Microsoft Word - QA32 Domestic Student Withdrawal and Refund 2.0 (2).doc (cihe.edu.au)
Microsoft Word - QA36 International Student Refund 2.0 (1).doc (cihe.edu.au)
- Kent Institute
POLICY-Student-Refund-Policy-Procedures.pdf (kent.edu.au)