

# Refunds Policy and Procedure

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## 1 PURPOSE

- 1.1 The refund policy relates to the tuition fees paid including the circumstances in which the ACTT is able or unable to refund all or part of the tuition fees paid, how to apply for a refund and how refunds are paid. In accordance with section 46D of the ESOS Act, in the event of a Provider default, the Provider must either:
- arrange for the student to be offered a place in a course at the ACTT's expense; or
  - pay a refund to the student of "unspent tuition fees",

## 2 SCOPE

- 2.1 This policy applies to all current and prospective students for VET courses at ACTT.

## 3 PROCEDURE

You will receive a refund in the following circumstances (except where you have already withdrawn):

### 3.1 Provider Default

	College default event	Refund Entitlement	Refund arrangements
3.1.1	The course fails to start on the agreed starting date.	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 14 days of the default day. Alternatively, the College may offer the student a place in an alternative course at no additional cost of the originally offered course of study. Should the student accept the place offered in another course they will be asked to sign a document to indicate that you have either accepted the refund or place in another course offered by the College

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3.1.2	The course ceases to be provided by the College after it has started, but before it is completed by the student.	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 14 days of the default day. Alternatively, the College may offer the student a place in an alternative course at no additional cost of the originally offered course of study. Should the student accept the place offered in another course they will be asked to sign a document to indicate that you have either accepted the refund or place in another course offered by the College
3.1.3	The course is not able to be provided to you in full because the College has had a sanction imposed by a government regulator	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 14 days of the default day.
3.1.4	an offer of a place is withdrawn by THE COLLEGE and no incorrect or incomplete information has been provided by the student	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 14 days of the default day. Alternatively, the College may offer the student a place in an alternative course at no additional cost of the originally offered course of study. Should the student accept the place offered in another course they will be asked to sign a document to indicate that you have either accepted the refund or place in another course offered by the College

### A. The Tuition Protection Service (TPS) for International Students

In the unlikely event the College 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 following process must be followed in the event of provider default:

#### Step 1 – Provider default occurs

The College defaults if:

- the course did not start at the location on the agreed starting day
- the course ceased to be provided at the location at any time after it commenced but before its completion

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- the college is prevented from providing a course at a location because a sanction has been imposed under part 6 of the ESOS Act 2000
- the course was not provided in full because a condition has been imposed on the registration of the College on CRICOS, or the registration has been suspended or cancelled, and the student has not withdrawn before the occurrence of any one of the events stated above.

### Step 2 - Notifying the Secretary, the TPS Director and students

- Under section 46B of the ESOS Act, the College must notify the Secretary and the Tuition Protection Scheme (TPS) Director of the default within 3 business days of the default occurring. The College must also notify affected students. All notices of any such default must be in writing.

### Step 3 - Provider obligation period

- Under section 46D of the ESOS Act, the College has 14 days after the default day to satisfy its tuition protection obligations to affected students studying on a student visa.

### Step 4 - Notification of the outcome - discharge of obligations

- Under section 46F of the ESOS Act, the College 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. This notice must comply with the requirements of section 46F of the ESOS Act.
- If the College does not meet its obligations affected students studying on a student visa may be assisted by the TPS Director.

### Refunds in other cases

Event	Refund Entitlement	Refund arrangements
a student cannot commence the course because of illness or a disability compassionate or compelling circumstances where there is death of a close family member of the student (parent, sibling, spouse or child)	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 4 weeks upon receipt of application and supporting documentation
at the discretion of the CEO or approved representative, when other special or extenuating circumstances have prevented the student from commencing their studies including political, civil or natural events	A refund of all unspent tuition fees	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 4 weeks upon receipt of application and supporting documentation
packaged offer for multiple course	Subject to student default listed below for the current/initial course. Subsequent courses unspent tuition fees will be refunded less a \$200 administration fee	The College will arrange for a refund of these fees to you or a person nominated by you in writing. Paid within 4 weeks upon receipt of application and supporting documentation

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### 3.2 Student Default

An international student or intending overseas student defaults, in relation to a course at a location, if:

- a) 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);
- b) the student cancels their enrolment in a course (either before or after the agreed starting day);
- c) the College refuses to provide, or continue providing, the course to the student at the location because of one or more of the following events:
  - (i) the student failed to pay an amount they were liable to pay the College, directly or indirectly, in order to undertake the course;
  - (ii) the student breached a condition of his or her visa;
  - (iii) misconduct by the student (Refer to the Student Code of Conduct and the Student Discipline Polices).

**Note:** Student Default **does not include** student visa refusal.

College default event		Refund Entitlement	Refund arrangements
3.2.1	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)	No Refund for the first study period in which your enrolment was cancelled  A refund of unspent tuition fees for subsequent study periods (if applicable)	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing
3.2.2	If a student has supplied incorrect, incomplete falsified or fraudulent information and as a result the College withdraws the offer or terminates your enrolment.	<b><i>If the College withdraws your offer of a place before you have completed for your first study period</i></b>  A refund of all unspent tuition fees less a \$200 administration fee.  <b><i>If the College terminates your enrolment after you have completed your enrolment for your first study period. You will not be refunded any tuition fees already paid for:</i></b> <ul style="list-style-type: none"> <li>• study periods previously undertaken prior to the study period in which</li> </ul>	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing

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		your enrolment was terminated, or • the study period in which your enrolment was terminated	
3.2.3	The College refuses to provide or continue to provide the course to you because you breached a condition of your visa.	You <b>will not</b> be refunded any tuition fees already paid for: • study periods previously undertaken prior to the study period in which you breached the condition of your visa, or • the study period in which you breached the condition of your visa	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing
3.2.4	The College refuses to provide or continue to provide the course to you because you have been found to have engaged in misconduct in accordance with the student code of conduct and/or discipline policies and procedures and the College has terminated your enrolment	You <b>will not</b> be refunded any tuition fees already paid for: • study periods previously undertaken prior to the study period in which your enrolment was suspended or terminated, or • the study period in which your enrolment was suspended or terminated	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing
3.2.5	Where the ACTT terminates the student's enrolment, due to a failure to comply with ACTT policies, or unsatisfactory course progress or attendance	No Refund	
3.2.6	If written notice of withdrawal is received more than 28 days prior to commencement date  2.7 and 2.8 are the same, if we have prior to commencement or less than 28 days no refund	A refund of all unspent tuition fees less a \$200 administration fee.	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing

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3.2.7	If written notice of withdrawal is received 0- 28 days prior to commencement date except for the reasons set out in 1.4	A 50% refund of all unspent tuition fees less a \$200 administration fee.	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing
3.2.8	Where a student has not met the conditions included in the letter of offer and written notice of withdrawal is received 0- 28 days prior to commencement date	No Refund	
3.2.9	If written notice of withdrawal is received after the commencement date	No Refund	
3.2.10	The ACTT refuses to provide or continue to provide the course to you because you failed to pay an amount owing to the ACTT in order to undertake the course.	A refund of all unspent tuition fees less a \$200 administration fee.	You must apply for a refund as outlined under <i>How to apply</i> for a refund Paid within 4 weeks of receipt of your refund application to you or a person nominated by you in writing. You must pay/settle any other debts owing such as material fees. ACTT may deduct such payments from the amount refundable.

### 3.3 Visa Default

Visa default event		Refund Entitlement	Refund arrangements
3.3.1	Where an on shore student is renewing their visa and the outcome is refused	No Refund	
3.3.2	Where a student is unable to obtain a student visa (off shore)	A refund of all unspent tuition fees less a \$200 administration fee.	The ACTT will arrange for a refund of these fees to you or a person nominated by you in writing within 20 working days of your visa being refused

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3.3.3	Where a student's visa is cancelled during enrolment	No Refund	
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### B. How to apply for a refund

Provider default	How to apply	Refund Payments
Defaults 1.1, 1.2, and 1.3	The ACTT will arrange for a refund of these fees to you or a person nominated by you in writing. Alternatively, the ACTT may offer you a place in an alternative course at no additional cost of the originally offered course of study. Should you accept the place offered in another course you will be asked to sign a document to indicate that you have either accepted the refund or place in another course offered by the ACTT	Paid within 14 days of the default day
Student default	How to apply	Refund Payments
Defaults 2.1, 2.2, 2.6, 2.7, 2.10	You will need to complete and submit an application for refund along with supporting documentation (where applicable).	Paid within 4 weeks of receipt of your refund application.
Refusal of Student Visa	How to apply	Refund Payments
Defaults 3.1	You do not need to apply for a refund. The ACTT will arrange for a refund of fees to you.	Paid within 20 working days of your visa being refused.

### 3.4 Outcomes of a refund decisions

- 3.4.1 The outcome of the refund assessment will be provided by written notice to the student's registered address, outlining the decision and reasons for the decision along with any applicable refund or adjustment notice.
- 3.4.2 Refunds will be paid in Australian dollars to the person who made the original payment.
- 3.4.3 Where a student does not agree with the refund decision, he or she may access the ACTT's Complaints and Appeals process.
- 3.4.4 This process does not circumscribe the student's rights to pursue other legal remedies.



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**NOTE:** The availability of complaints and appeals processes does not remove the rights of the student to take action under the Australia's Consumer Protection Laws.

In all of the above cases, course commencement date is the date indicated on the student's most current and approved e-CoE. There will be no refund of any bank or courier charges.

### Student Contribution Refund (Certificate 3 Guarantee Program and Higher Level Skills only)

- 3.4.5 Refunds must be requested in writing 7 business days prior to commencement. As a general rule, no refund will be payable after the unit has commenced, however, exceptions will be considered on a case by case basis.
- 3.4.6 Withdrawal request must be submitted in writing. This must be signed by the student.
- 3.4.7 Payments will be refunded on a unit-by-unit basis for all non-commenced units.
- 3.4.8 If an offer of a place is withdrawn, or The Actors College of Theatre and Television ACTT is unable to provide the training program, the learner will receive a full refund within 7 business days on tuition fees paid.

## 4 RECORDS MANAGEMENT

- 4.1 Staff must maintain all records relevant to administering this policy and procedure in a recognised Institute recordkeeping system.

## 5 FEEDBACK

- 5.1 Institute staff and students may provide feedback about this document by emailing [compliance@actt.edu.au](mailto:compliance@actt.edu.au)

## 6 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	CEO
Administrator	Compliance Manager