6.2.5 Refund Policy and Procedure

1.0 Rationale

This Policy and Procedure establishes a consistent, transparent and compliant framework for the refund of fees paid by or on behalf of students of Acknowledge Education (AE) and ICHM, collectively referred to as the Colleges.

The Policy ensures that refund decisions are made fairly and consistently and in accordance with applicable legislation, regulatory requirements and the terms of the student's written agreement with the relevant College.

For international students, this Policy forms part of the Colleges' arrangements for meeting their obligations under the Education Services for Overseas Students (ESOS) framework. For domestic higher education students, statutory entitlements relating to census dates, up-front payments, HELP assistance, re-crediting and remission apply where relevant.

2.0 Scope

This Policy and Procedure applies to:

- all international and domestic students and prospective students of the Colleges;
- fees paid by students or on their behalf; and
- employees and third parties involved in the administration, assessment, approval or payment of student refunds.

The same general refund application and assessment processes apply to full fee-paying domestic students, except where this Policy refers to requirements that apply specifically to international students, such as student visa refusal, CRICOS, provider default under the ESOS framework or the Tuition Protection Service (TPS).

For domestic higher education students, this Policy operates subject to any applicable statutory rights and obligations under the Higher Education Support Act 2003, including requirements concerning census dates, repayment of up-front payments, HELP re-crediting and remission.

3.0 Regulatory Context

- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations 2019
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students (Calculation of Refund) Instrument 2024
- Higher Education Support Act 2003 (HESA Act)

- Higher Education Support (Administration) Guidelines 2022
- Higher Education Standards Framework (Threshold Standards) 2021
- 2025 Standards for Registered Training Organisations (RTOs)

4.0 Policy

4.1 The Colleges will administer student refunds consistently, transparently and in accordance with:

- applicable legislation and regulatory requirements;
- this Policy and Procedure; and
- the student's written agreement with the relevant College.

4.2 For domestic students, statutory refund, repayment, re-credit or remission entitlements prevail over the general refund provisions of this Policy.

4.3 Unless otherwise required by law, refunds will normally be paid to the person or account from which the original payment was received. Alternative payment arrangements may be approved where appropriate evidence and authorisation are provided.

4.4 Tuition fees are not transferable to another person.

4.5 A refund of 70% of tuition fees will be provided where an enrolment is cancelled more than 28 days prior to commencement of the course.

4.6 No refund of tuition fees will be provided where an enrolment is cancelled within 28 days of course commencement, the student does not commence on the agreed date, or the student withdraws after the course has commenced.

4.7 Students enrolling to commence a course within 28 days of application will not receive a refund where the enrolment is cancelled more than seven (7) days after receipt of the application or within seven (7) days of course commencement.

4.8 No refund will be provided to a student who has deferred their enrolment.

4.9 As per 47E of the Education Services for Overseas Students Act 2000 (ESOS Act) and the ESOS (Calculation of Refund) Instrument 2024, if the student was refused a student visa and the refusal caused the student to fail to start the course at the location on the agreed day the amount of a refund is calculated as the amount of the course fees, minus the lesser of the following amounts:

a. 5% of the amount of course fees received by the College in respect of the student before the default day; or

b. $500.

4.10 As per 47D of the ESOS Act 2000, the Colleges may not provide a refund if:

a. the student was refused a student visa; and

b. the refusal was a reason for one or more of the following acts or omissions by the student that directly or indirectly caused the student to default in relation to the course at the location:

i. the student’s failure to start the course at the location on the agreed starting day;

ii. the student's withdrawal from the course at that location; or

iii. the student's failure to pay an amount he or she was liable to pay the provider, directly or indirectly, in order to undertake the course at that location.

4.11 Where a College defaults in relation to an international student, including where it does not commence a course on the agreed date or ceases to provide the course before completion, the College will, within the timeframe required by the *ESOS Act 2000*:

- refund the student any applicable unspent tuition fees; or
- offer the student a place in a suitable alternative course at the College's expense. Where the student accepts the alternative course in writing, the College will make the necessary arrangements in accordance with ESOS requirements.

4.12 Where the College is unable to meet its provider default obligations, eligible international students may be assisted through the Tuition Protection Service (TPS). Further information regarding TPS arrangements is available at www.tps.gov.au. Refer to *1.3.2 Teach-Out and Transition Policy and Procedure.*

4.13 Notwithstanding the above provisions, the Colleges may grant a full or partial refund on compassionate or compelling grounds made known to the Head of Student Administration in writing and supported by appropriate evidence where reasonably available.

4.14 For domestic higher education students, the above refund provisions operate subject to the *Higher Education Support Act 2003*. Where a student withdraws from a unit of study on or before the applicable census date and is no longer enrolled in the unit at the end of the census date, any up-front tuition fee or student contribution amount required to be repaid under the Act will be refunded.

4.15 Where a domestic higher education student withdraws after the census date, any application for re-credit, remission and/or repayment on the basis of special circumstances will be considered in accordance with the *Higher Education Support Act 2003* and the Colleges' applicable processes.

4.16 The same general refund provisions apply to full fee-paying domestic students, except where a provision relates specifically to international students, including student visa refusal, CRICOS, provider default under the ESOS framework or the Tuition Protection Service.

5.0 Procedure

Applying for a Refund

5.1 A student, or a parent, guardian or authorised representative acting on the student's behalf, must submit a written refund request to registrar@ae.edu,au.

5.2 The request should include:

a. the student's full name, student number, date of birth and address;

b. details of the reason for the refund request;

c. contact details; and

d. the requested destination of the refunded payment.

5.3 Refund requests should be submitted as soon as practicable after the circumstances giving rise to the request occur.

5.4 The Head of Student Administration will review the application against the relevant policy and obtain any additional information reasonably required to assess the request.

5.5 Where a refund is payable, the student will be sent the refund form to complete and return to registrar@ae.edu.au.

5.6 Where a refund is declined or is less than the amount requested, the student will be advised of the decision within five working days along with the reasons.

5.7 Where the student wishes to appeal the decision, they will be referred to the Colleges' Complaints and Appeals Policy and Procedure.

5.8 Approved refunds will be referred to Finance for processing.

5.9 Refunds will be paid within 28 calendar days of receipt of a complete refund request.

5.10 Where an international student defaults and the Colleges are required to provide a refund under section 47E of the ESOS Act 2000, the Colleges will notify the relevant ESOS agency and the Tuition Protection Service (TPS) Director within seven (7) days after the end of the provider obligation period. The notification will include:

i. whether the required refund was provided;

ii. details of the student to whom the refund was provided; and

iii. the amount of the refund provided.

6.0 Records

6.1 The Colleges will maintain appropriate records of refund applications, assessments, decisions, correspondence and payments in accordance with applicable legislative and records management requirements.

6.0 Roles and Responsibilities

Board of Directors

- maintaining oversight of the Colleges' compliance with applicable legislative and regulatory obligations;
- approving this Policy where required under the Colleges' governance framework; and
- receiving assurance regarding material compliance risks relating to student fees, refunds and tuition protection through established governance and reporting arrangements.

Chief Executive Officer

- ensuring that appropriate systems, resources and delegations are in place to support compliance with this Policy and applicable legislative requirements.

Head of Student Administration

- overseeing implementation of this Policy and Procedure;
- ensuring refund applications are assessed consistently and within required timeframes;
- determining or overseeing refund decisions within delegated authority;

- ensuring ESOS and HESA requirements relevant to refund decisions are appropriately applied;
- approving refunds on compassionate or compelling grounds within delegated authority;
- ensuring students receive written notification of refund decisions and applicable review rights; and
- escalating material or systemic refund issues where appropriate.

Student Administration Team

- receiving and acknowledging refund applications;
- confirming enrolment, commencement, withdrawal and census date information;
- obtaining additional information where required;
- maintaining appropriate records of refund applications and decisions;
- ensuring required ESOS notifications relating to student default refunds are completed within applicable statutory timeframes;
- communicating outcomes to students; and
- updating relevant student management systems.

Finance Team

- verifying fees received and amounts previously refunded;
- processing approved refunds within applicable timeframes;
- returning funds to the appropriate payer or account in accordance with this Policy and financial controls;
- maintaining accurate financial records of refunds; and
- providing payment information to Student Administration to support refund assessments and reconciliation.

Quality and Risk

- providing advice on regulatory requirements relevant to this Policy;
- monitoring material compliance risks and systemic issues relating to student refunds;
- supporting periodic review of this Policy against applicable regulatory requirements; and
- supporting regulatory reporting or assurance activities where required.

Admissions and Enrolments

- students receive clear information about applicable fees and refund arrangements before entering into an agreement with a College;
- international student written agreements meet applicable ESOS requirements; and
- relevant admissions and enrolment information is available to support refund assessments.

Students, Parents, Guardians and Authorised Representatives

- providing complete and accurate information in support of refund requests;
- submitting relevant supporting evidence where required;

- notifying the College promptly of circumstances affecting their enrolment; and
- providing accurate payment and contact information.

7.0 Definitions

Term	Definition
Census Date	The date determined for a unit of study in accordance with the Higher Education Support Act 2003 that determines, among other matters, a student's liability for tuition fees or HELP assistance.
Colleges	Acknowledge Education (AE) and the International College of Hotel Management (ICHM).
Compassionate or Compelling Circumstances	Circumstances generally beyond the student's control that have a significant impact on the student's circumstances and warrant individual consideration.
Course Fees	Tuition and, where applicable under legislation, non-tuition fees received in respect of a student and course.
Provider Default	Circumstances in which a College defaults in relation to a student within the meaning of applicable legislation.
Student Default	Circumstances in which a student defaults in relation to their course within the meaning of applicable legislation or their written agreement.
Tuition Protection Service (TPS)	The Australian Government tuition protection arrangements that assist eligible students affected by provider default.
Written Agreement	The agreement between a student and the relevant College setting out the terms and conditions of enrolment, including applicable fees and refund arrangements.

7.0 Related Documents

- AE and ICHM Offer Letters / Written Agreements
- Refund Form
- 1.1.1 Admissions and Enrolment Policy and Procedure
- 1.3.2 Teach-Out and Transition Policy and Procedure
- 1.1.7 Deferment Suspension Cancellation and Withdrawal Policy
- 2.4.1 Complaints and Appeals Policy and Procedure
- 7.2.1 Marketing Material Integrity and Compliance Policy

8.0 Document Information

Document Name	Refund Policy and Procedure
Document Number	6.2.5
Purpose	This Policy and Procedure establishes a consistent, transparent and compliant framework for the refund of fees paid by or on behalf of students of Acknowledge Education (AE) and ICHM.

Audience	☒Staff | ☒Students| ☒Public
Category	Governance and Accountability
Subcategory	Corporate Monitoring and Accountability
Initial Approval Date	08/05/2012
Effective Date	08/05/2012
Last date of approval	24/09/2026
Next Review Date	24/09/2028
Policy Advisor	Head of Student Administration
Approving Authority	Board of Directors
Contact	Quality Team Regulator.compliance@ae.edu.au

9.0 Change Log

Date	Version	By	Notes
19/05/2018	1.11	BS	Amend refund for Visa Refusal
19/12/2018	1.12	BS	Clarify refund items, add TPS
20/02/2021	1.13	BS	2.3.1-3 missing from previous version
20/10/2023	2.0	Narelle Whatley Dean	Added sections: Scope and Regulatory Context. Rewrote rationale for clarity, separated policy and procedure sections, added policy number and changed title, added definitions section, updated branding, added 4.1.7 third dot point regarding TPC.
12/03/2025	3.0	HRC	Full policy review. Updated terminology for consistency throughout the policy. Updated Scope. Updated related documents section.
16/09/2026	4.0	HQR, HSA	• Changed name from *6.2.5 International Students Refund of Fees Policy and Procedure* to *6.2.5 Refund Policy and Procedure* • Expanded scope and application from AE international students only to AE and ICHM international and domestic students • Incorporated domestic higher education refund, repayment, HELP re-credit and remission requirements under HESA • Clarified application of general refund provisions to full fee-paying domestic students • Updated and expanded regulatory context, including 2025 RTO standards • Clarified requirements around consistency, transparency, and written agreements • Replaced references to Registrar with Head of Student Administration • Introduced clearer requirements for written notification of refund decisions and reasons for declined/partial refunds • Added explicit reference to the complaints and appeals policy and procedure

	• Clarified refund processing timeframes • Explicitly stated ESOS reporting requirements for student default refunds, including statutory notification timeframes and responsibilities • Added explicit refund record-keeping requirements • Expanded roles and responsibilities, including Board of Directors, CEO, Head of Student Administration, Student Administration, Finance, Quality and Risk, and Admissions and Enrolments • Expanded and updated definitions • Updated related documents, terminology, governance responsibilities and document information • **Note: This consolidated AE/ICHM Refund Policy and Procedure replaces the ICHM Fees and Refunds Policy. This policy to be archived following BoD approval.**
19.11.26	• Editorial addition to 4.9 to refer to 47E of the Education Services for Overseas Students Act 2000 (ESOS Act).