

Refunds and Cancellation Policy

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1. Purpose

The purpose of this policy is to outline Skills Australia Institute's approach to:

- how course fees are refunded in the case of Student or Provider (Skills Australia Institute) default.
- to inform students about claiming a refund.

2. Scope

This policy applies to both international and domestic students enrolled in VET courses at Skills Australia Institute. It applies to any refund of the unused portion of tuition fees, which have been paid in advance and includes money collected by Skills Australia Institute or by approved Education Agents on their behalf.

3. Key Definitions

ASQA	Australian Skills Quality Authority, the National VET Regulator and the RTO's registering body
Course	The program of study which leads to a qualification or reward
Course Commencement Date	The date the course or unit is due to start.
Course Completion Date	The date the course or unit is due to be completed.
DET	Department of Education and Training
Department of Home Affairs	Is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber security, border, immigration, multicultural affairs, emergency management and trade related functions
Education Agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).
ESOS Act	The Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.

Exceptional Circumstances	Circumstances that involve something exceptional, compelling or compassionate that has affected a student and the cause of which was outside the student's control.
Fees	A total of tuition, materials, application and any other fees during the course of study.
International Students	A student studying in Australia on an international student visa
National Code 2018	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act.
Materials Fee	Covers the cost of learning materials and resources provided by Institute.
PRISMS	Provider Registration and International Students Management System: the Australian Government database that provides Australian education providers with Confirmation of Enrolment facilities required for compliance with the ESOS legislation.
Provider Default	This is when the Provider of a training course fails to commence or continue a course originally offer to students.
Refund	An amount of fees paid by the student to Skills Australia Institute, which is returned to the student under specific circumstances defined in this policy. Under the ESOS Act (2012 Amendment), a refund may only be paid to the student (unless another person is specified in the Student Agreement as being able to receive the refund on behalf of the student).
RTO Standards	The Standards for Registered Training Organisations (RTOs) 2025, are a set of requirements an RTO must meet when providing Vocational Education Training (VET) courses.
Student Default	This is when a student fails to commence a course as arranged/agreed, fails to pay course fees, withdraws without notification or breaches the providers Code of Conduct.
Study Period	A period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by Skills Australia Institute.
Tuition fees	Covers the cost of providing the course of study and use of resources at Skills Australia Institute. Tuition Fee does not include Overseas Student Health Cover (OSHC), administration costs including enrolment/application fee, home stay booking fee, airport pick-up fee and costs related to equipment or training material purchases
Unused Tuition Fees	Tuition fees paid by a student to the Institute and that are repayable to the student in any of the circumstances set out in this Policy.
TPS	The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study.
Withdrawal	Cessation of registration in a course or unit, initiated by a student after acceptance of the Offer Letter.

4. Policy Principles

This policy aims to:

- provide transparent processes for refunds of tuition fees, where applicable.
- set out the circumstances where a full or partial refund may apply.
- set out the calculation of refunds in the event of a student or provider default; and
- ensure Skills Australia Institute fully discharges responsibilities under compliance to all relevant legislation, including the Standards for Registered Training Organisations (RTOs) 2025, Education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2011, Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2018.

4.1 Student Default by International Students:

The ESOS Legislation Amendment (TPS) Act (2012) – Division 2, Subsection B, 47A – defines international student default as follows:

An overseas 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); or
- b) the student withdraws from the course at the location (either before or after the agreed starting day); or
- c) the registered provider of the course, Skills Australia Institute, 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 he or she was liable to pay the provider, directly or indirectly, in order to undertake the course;
 - ii. the student breached a condition of his or her student visa;
 - iii. breach of Skills Australia Institutes Code of Conduct as outlined in the Student Handbook.

4.2 Student Default by Domestic Students is when:

- 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); or
- b) the student withdraws from the course at the location (either before or after the agreed starting day); or
- c) Skills Australia Institute refuses to provide, or continue providing, the course to the student because of one or more of the following events:
 - i. the student failed to pay an amount they were liable to pay the provider, directly or indirectly, in order to undertake the course;
 - ii. breach of Skills Australia Institute Code of Conduct as outlined in the Student Handbook.

4.3 Provider Default on International Students:

For international students, the ESOS Legislation Amendment (TPS) Act (2012) – Division 2, Subsection A, 46A – defines provider default as follows:

A registered provider defaults, in relation to an overseas student or intending overseas student and a course at a location, if:

- a) either of the following occurs:
 - i. the provider fails to start to provide the course to the student at the location on the agreed starting day.
 - ii. the course ceases to be provided to the student at the location at any time after it starts but before it is completed; and
- b) the student has not withdrawn before the default day
- c) the course is not provided in full to the student because a sanction has been imposed on Skills Australian Institute (SAI) or any other reason.

4.4 Provider Default on Domestic Students:

In the unlikely event of Skills Australia Institute defaulting, it will **within 14 days of the default:**

- a) either offer the student an alternative place at skills australia institute's expense, that is accepted by the student in writing; or
- b) refund the student the unused portion of the prepaid fees.

4.5 Explanation of Fees and Charges

- **Application Fee:** This fee is a non-refundable fee, and is charged to all applicants to review their application and supporting documentation to enrol in a course of study.
- **Tuition Fees:** These fees payable to Skills Australia Institute for undertaking a course.
- **Materials Fee:** These are fees that cover the materials and resources required to complete a course at Skills Australia Institute. At Skills Australia Institute we are committed to ensure that we have a sustainable and ecofriendly training environment, therefore, wherever possible we provide our Training Materials in an electronic format, rather than as a printed resource. Printed resources are often provided as class-sets which students can borrow and use as reference when the unit is running. The Materials Fee is non-refundable if you cancel less than four (4) weeks before the course commences.
- **Administration Fee:** This fee is charged to cover the administrative costs in reviewing and processing the necessary documentation in order for a student to obtain the necessary visa to study in Australia. The Administration Fee is only charged in the event the Student Visa Application is refused and is non-refundable.
- **Overseas Student Health Cover (OSHC):** This insurance is compulsory for all international students and must be maintained throughout your entire stay in Australia. Students can choose any approved Australian Overseas Student Health Cover provider. These fees are only payable to Skills Australia Institute for Students who choose Skills Australia Institute's recommended insurance provider. Please read the OSHC brochure and terms and conditions on Skills Australia Institute's website. The OSHC Fee included in the Offer Letter is based on OSHC Provider's scheduled fee, which are subject to change each Calendar Year. Any variances are payable by you the student, on receipt of an invoice from the OSHC Provider. Any requests for a refund of OSHC fees will need to be lodged with the OSHC Provider.

- **Additional Fees and Charges:** Any Additional Fees and Charges incurred during a students studies, are as detailed in their Written Agreement with Skills Australia Institute. Where there is any change to our published Additional Fees and Charges, students will be informed via email, prior to implementation of the change.

4.6 Payment of Refunds for International Students

- Refunds will be made within 28 days of submission of a completed *Course Variation Application Form (CVAF)* and *Refund Application Form*. Incomplete forms or applications without sufficient supporting documentation may cause delays in processing refunds.
- Approved refunds will be paid:
 - to the student; or
 - a person nominated by the student.
- Approved refunds will be paid in Australian dollars to the applicant's bank account unless otherwise requested by the student in writing.
- If a currency other than Australian dollars is requested, the student will be expected to cover the exchange rate fees as charged by the bank of either party. This amount will be deducted from any refund. The exchange rate will be as per the rate offered on the day of transfer by Skills Australia Institute's bank.
- Refunds will be made within four (4) weeks after receipt of a written application, in accordance with the *ESOS Act* Section 47D (4).
- Students will receive a Statement of Refund explaining how the refund was calculated, and where a cancellation fee has been applied.
- Skills Australia Institute will calculate the refund of any unspent tuition fees as outlined within Table 1.

4.7 Refunds to International Students after a Provider Default

- In the unlikely event of a Skills Australia Institute default, within 14 days of the default, Skills Australia Institute will:
 - offer the student an alternative place at Skills Australia Institute's expense, that is accepted by the student in writing; or
 - refund the student the unused portion of the prepaid tuition fees.
- Where a course of study is cancelled before the agreed Completion Date, Skills Australia Institute will calculate the cancellation fee in accordance with Table 1 as detailed within this policy.
- If Skills Australia Institute 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), who will place them in a suitable alternative course or if a suitable course cannot be found, pay a refund as calculated by the TPS Director.
- Refunds issued by Skills Australia Institute in the event of a provider default will be paid to the student within 14 days of receiving a written application.

Table 1: Refund Calculation – International Students

Skills Australia Institute calculates refunds of fees based on a SEMESTER Fee (20 weeks study period plus 6 weeks holidays = 26 weeks). For courses shorter than a Semester, refunds will be calculated on the Course Fees.

Reason for Refund / Cancellation	Notification Period	Refund	Cancellation Fee
Application for visa is unsuccessful	Before Semester/Course Commences	Full refund less Cancellation Administration Fee of \$250	\$250 cancellation administration fee
	After Semester/Course Commences	Full refund less Cancellation Fee	Pro-rata of tuition fee used calculated on a weekly basis
Student Default Any enrolled student who withdraws Or Student is cancelled for breach of SAI's rules or breach of student visa rules	More than 10 weeks before semester/course commences	Full refund less cancellation fee	10% of a semester fee
	More than 4 weeks and up to 10 weeks before semester / course commences	70% of a semester fee	30% of a semester fee
	4 weeks or less before semester/course commences	40% of a semester fee	60% of a semester fee
	After semester/course commences	No Refund on current semester/ course fees For subsequent semester/ course refer to Notification Period	100% of a semester fee For subsequent semester/ courses refer to Cancellation Penalty
Provider Default	Before course commencement	100% of prepaid fee, excluding application fee	
	After course commencement	Only unspent prepaid tuition fee will be refunded to student	

*Note: A student who has **paid** fees for more than two (2) semesters in advance and withdraws during a semester and more than four (4) weeks before the commencement of the following semester, would receive no refund of fees for the current semester, at least 70% of the following semester's fees and a full refund of fees paid for any subsequent semester; less cancellation fees.*

4.8 Payment of Refunds for Domestic Students

4.8.1 Fee for Service Students (FFS)

- Refund for fees paid in advance:
 - The calculation applied for fees paid in advance is listed in table 2
- Cancellation fees:
 - Where a course of study is cancelled before the agreed Completion Date, Skills Australia Institute will calculate the Cancellation Fee in accordance with table 2.
- Fees payable may include the following:
 - **Tuition Fees:** Tuition Fees are the fees payable to Skills Australia Institute for undertaking a course. The Refund and Cancellation Policy specifications detailed below cover **TUITION FEES** only.
 - **Short Course/Workshop Fees:** Short Course/Workshop Fees are the fees payable to Skills Australia Institute for undertaking a short course
 - **Other/Additonal Fees:** These fees are as specified in your agreement with Skills Australia Institute. Fees may change and students will be notified about changes of other fees. **Other Fees are non-refundable.**

4.8.2 Short Course/Workshop Tuition Fees

- In the case of a cancellation by the student:
 - Skills Australia Institute requires at least four (4) working days' notice of cancellation prior to the start date of the course.
 - Refunds may take up to 15 working days to process.
 - No refunds, transfers or credit notes will be issued for withdrawals when less than four (4) working days' notice is given.

4.9 Funded Program Students (FP)

For Funded Students enrolled in a Department of Training and Workforce Development (DTWD) Funded Program including Jobs and Skills WA Training, courses fees are calculated in the event of cancellation of enrolment before unit/course completion, either at:

- the request of Skills Australia Institute,
- the request of the student
- as a result of a breach of Skills Australia Institute's code of conduct.

4.9.1 Fees and Charges

Fees payable may include the following:

- **Unit Fees:** Are the fees payable for students undertaking a Department of Training and Workforce Development (DTWD) Funded Program, including Jobs and Skills WA Training Courses. Unit Fees are charged in accordance with the VET Fees and Charges Policy for the applicable year.
- **Other/Additional Fees:** These fees are as specified in the student agreement with Skills Australia Institute. Fees may change and students will be notified about changes of other fees. **Other/Additional Fees are non-refundable.**

4.9.2 Refund for fees paid in advance

- The calculation applied for fees paid in advance is listed in Table 3.

4.10 Special Circumstances

- Special Circumstances may apply to an international student if Skills Australia Institute is satisfied that the circumstances comply the guidelines outlined below. The student must submit a written application for special circumstances together with an *Course Variation Application Form (CVAF) - Cancellation of Enrolment*, an *Refund Application Form* and supporting evidence.
- Refunds under special circumstances are at the discretion of Skills Australia Institute and the following guidelines are applied in determining special circumstances.
- Special circumstances include:
 - Circumstances beyond the student's control, which is reasonably considered as not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible:
 - Were unusual for the student; and
 - Made it impractical for the student to complete the requirements of the unit(s); and
 - Where the circumstances occurred or existed before the Census Date for new domestic students, worsened or changed such that their full effect was not apparent to the student until after that date.
 - Circumstances which make it impractical for a student to complete the requirements of the unit/s and may include (but are not limited to):
 - Medical circumstances that have changed to such an extent that the student is unable to continue studying, or new medical circumstances arose.
 - Family or personal circumstances such as death, significant medical issues, unforeseen financial difficulties, or other circumstances that are unreasonable to expect a person to continue their studies.
 - employment related circumstances where the employment status or arrangements have changed so that the student is unable to continue their studies and this change is beyond their control (Employment related circumstances do not apply to students studying on a student visa).
 - unit related circumstances where Skills Australia Institute has changed the unit offered, and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other unit(s); or
 - Extenuating circumstances of reasonable significance that interfere with the student's ability to meet a unit's requirements. This will be assessed on a case-by-case basis and may include. For example, career's responsibilities, legal commitments, military service, accidents or natural disasters.
- Special circumstances do not include:
 - lack of knowledge or understanding of this policy or government legislation.
 - failure to follow correct procedures; or
 - Academic ability that was less than expected.
- Students should ensure that their supporting documentation complies with Skills Australia Institute's requirements and may include any of the following forms of evidence:
 - an original document or certified copy by a Justice of the Peace or equivalent.
 - an original medical certificate that details the condition, where medical circumstances apply.
 - a statutory declaration, where relevant.
 - a detailed account of the circumstances or events that are relevant to the application, including specific dates, and demonstrates how it meets the Special Circumstances section of this policy.
 - an honest representation of the circumstances; or
 - other documentation requested by Skills Australia Institute.

- Supporting documents will need to be in English or translated and certified as an official translation from an official authority.

Table 2: Refunds and Cancellation – Fee for Service Students			
Reason for Refund/Cancellation	Notification Period	Refund	Cancellation Fee
Student Default	More than 10 weeks before semester/course commences	Full refund less Cancellation Fee	10% of a semester fee
	More than 4 weeks and up to 10 weeks before semester/course commences	70% of a semester fee	30% of a semester fee
	4 weeks or less before semester/course commences	40% of a semester fee	60% of a semester fee
	After semester/course commences	No Refund	100% of a semester fee
NOTE: A student who has paid fees for more than two (2) semesters in advance and withdraws during a semester and more than four (4) weeks before the commencement of the following semester, will not receive a refund of fees for the current semester, but will receive at least 70% of the following semester's fees and a full refund of fees paid for any subsequent semester; less cancellation fees.			

Table 3: Refunds – Funded Program Students
Full Refund of Unit Fees for units that have not yet commenced will be made when:
- A student withdraws from a course when the course and/or a unit is cancelled or re-scheduled to a time that is unsuitable to the student; or - A student is not given a place due to maximum number of places being reached.
Partial Refund of Unit Fees will be made when:
A student withdraws for reasons other than those listed above, and who lodges a Course Variation Form before 20% of delivery for the unit has been concluded. In this case, students will be eligible for a full refund of the applicable unit fee.
Pro Rata Refunds will be made when:
- Students withdraw for reasons of personal circumstances beyond their control. For example: - serious illness resulting in extended absence from classes; - injury or disability that prevents the student from completing their program of study; or - other exceptional reasons at the discretion of the accountable officer. - In all cases, relevant documentary evidence (for example, medical certificate) is required.
A Full Refund Of Other Fees will be made when:
A student withdraws from a course before they have commenced their course AND/OR they have not yet been issued with their Resource.
<i>Note - Where you have commenced your course AND been issued with your Resource, Other/Additional Fees are non-refundable.</i>

4.11 Applying for a Refund

- All Refund Requests must be submitted in writing, using the *Refund Application Form*, which is available at the Reception Desk or via the Skills Australia Institute website. Verbal notifications to Skills Australia Institute staff or agents are not accepted.
- The date the written notice is received by Skills Australia Institute is the date used for the calculation of the refund for the 'unspent' portion of the student's tuition fees.
- Where a refund is approved by the National Student Support Manager, and is not due to a provider default, Skills Australia Institute will make the payment of a refund within 28 days of receipt of the application. The refund will be deposited into the student's bank account, as nominated on the Refund Application Form.
- No refunds will be paid to a third party (a person other than the student), unless directed by the student on the *Refund Application Form*.
- All refunds will be paid in Australian Dollars. Where this is not possible, refunds will be paid in United States dollars.
- Refund and Cancellation applications will not be processed where the signature on the Course Variation and/or Refund Application Form does not match the student's signature as shown on other documents provided by the student for admission to Skills Australia Institute.
- Students will receive a clear Statement of Refunds explaining how the refund was calculated. Where a cancellation fee has been applied, students will receive a Statement of Cancellation clearly outlining why the cancellation fee has been applied.

4.12 Outstanding Fees

- In the case of a cancellation by the student or Skills Australia Institute, any outstanding fees to Skills Australia Institute become due within seven (7) days.
- Any costs incurred by Skills Australia Institute to recuperate outstanding fees will be charged to the student
- Unpaid fees will be recorded as a debt and recovered by action in a court of competent jurisdiction.
- Skills Australia Institute will not release any testamurs/awards to students until outstanding course fees have been paid in full.

4.13 Appeals

- Students may seek a review of any decision related to a refund application by submitting an appeal to the Student Services Office within 28 working days of receiving the notice.
- If students are not satisfied with the reviewed decision, then they can make an appeal to the, as set out in the *Complaints and Appeals Policy*.
- If, after 28 working days from submission of appeal to a refund decision, the student has not been notified of an outcome, or if the student wishes to appeal the decision, the student may do so by following the procedures set out in the *Complaints and Appeals Policy*. Students have access to both internal and external appeals.
- This policy, and the availability of complaints and appeals processes, does not remove the right of the student to take further action under Australia's Consumer Protection Laws, nor does it prevent the student from pursuing other legal remedies.

5. Roles and Responsibilities

- **National Student Support Manager:** responsible for overseeing the management of student refunds for international students and ensuring the process is transparent to all parties.
- **Student Services Team:** responsibility for providing guidance, referrals and support for students requesting assistance with refunds of tuition fees
- **Finance Officer/Designated Person:** is responsible for ensuring the correct amount is paid by students or refunded to students.

6. Policy Information

Policy Area	Student Services
Authorised Officer	National Student Support Manager
Supporting documents, procedures, work guidelines and forms	Refunds and Cancellation Procedure Refund Application Form Student Fee Policy Student Fee Procedure Complaints and Appeals Policy Complaints and Appeals Procedure Course Variation Application Form (CVAF) Course Variation Application Form (CVAF) - Cancellation of Enrolment
Audience	Public

7. Compliance Monitoring Summary

Overview	Frequency
Yet to be determined	

8. Link to Standards

8.1 Standards for RTOs 2025

Quality Area	Outcome Standard	Focus Area	Standard	Performance Indicator
Compliance Requirement Policy	Division 3 Accountability	18	Prepaid fee protection measures	4

8.2 National Code of Practice 2018

Standard (Number)	Standard (Descriptor)	Standards (Individual)
Part A	The Education Services for Overseas Students Framework	Section 4: - Australian Government, Dept of Education and Training - Tuition Protection Service
Standard 3	Formalisation of enrolment and written agreements - Part B	3.1, 3.3, 3.4,