1. Context

Torrens University Australia acknowledges that circumstances beyond the control of a student may impact on that student’s ability to commence or continue their studies after they have paid their tuition fees. This Policy sets out the conditions for providing a full or partial refund of fees to international students. The University’s approach to the refund of fees is designed to be fair and transparent and to comply with the Education Services for Overseas Students (ESOS) legislative framework.

2. Definitions

**Census date:** the official deadline for finalising student enrolment and fees for each teaching session (trimester).

**Commencing student:** a student enrolling in a program at the University in their first session of study.

**Commencement date:** the first day of the first teaching session of the program as identified on the Confirmation of Enrolment.

**Confirmation of Enrolment (CoE):** A document, provided electronically, which is issued by Torrens University Australia to intending international students

**Continuing student:** a student who has enrolled in a program at the University for at least one session of study and is continuing to the second and subsequent sessions in the program.

**Deferment:** an agreement between a student and the University to delay commencement of the student’s program until the date shown on the original CoE.

**Domestic student:** a student who is an Australian citizen, a New Zealand citizen, or a holder of an Australian permanent visa.

**Exceptional circumstances:** circumstances that are beyond a student’s control; not a result of a student’s action or inaction; and are unusual, uncommon or abnormal. Examples include serious medical cases, political upheaval or natural disasters in a student’s home country, traumatic incidents, or the death of a close family member.
International student: a student who holds a student visa and who is protected by the ESOS legislative framework.

Tuition Protection Service (TPS): an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study. The TPS ensures that international students are able to either complete their studies in another program or with another education provider or receive a refund of their unspent tuition fees.

3. Scope

This policy applies to international students. Domestic students and non-domestic students who do not require a visa to study in Australia are outside the scope of this policy and should refer to the Student Refund Policy.

4. Principles

Torrens University Australia adopts fair and equitable processes for the issuing of tuition fee refunds to students and is guided by, and complies with, the ESOS legislative framework.

5. Refunds for commencing students

5.1 Full refund
A full refund will be made in circumstances where:

a. A student is unable to obtain a visa
b. A student is unable to commence their studies because of documented illness or misadventure
c. Torrens University Australia is unable to provide the program for which a student has accepted an offer.

Documentary evidence must be provided in support of an application for a full refund in the circumstances outlined in a. and b.

5.2 Partial Refund
A partial refund will be made to students who withdraw on or before the census date of their first trimester of study. The amount of the refund will be adjusted on a sliding scale depending on when the student applies to withdraw.

5.3 No refund
No refund is payable if a student withdraws after the census date.

6. Refunds for continuing students

6.1 Full refund
A full refund will be made if a student withdraws two weeks (14 days) prior to commencement of the next trimester of study.

6.2 Partial Refund
A partial refund of tuition fees paid will be made if a student withdraws within two weeks (14 days) of commencement of the next trimester of study and on or before the census date.
6.3 No refund
No refund is payable if a student withdraws after the census date.

7. Refunds in exceptional circumstances

Notwithstanding clause 5 and 6 above, a full refund may be granted in circumstances beyond your control if these circumstances:

- Occur on or after the census date, or
- Occur before the census date, but worsen after that day, or
- Occur before the census date but the full effect or magnitude does not become apparent until on to after that day, and
- Make it impracticable for you to complete the attendance and/or assessment requirements for your course/s.

You must apply in writing to the Manager, Student Administration, and include appropriate documentary evidence in support of your application to be considered for a refund on the basis of exceptional circumstances. Depending on the circumstances, consideration will be given to providing a full refund rather than a partial refund in circumstances outlined in 5.2 and 6.2.

8. Payment of refunds

Refunds will be made within four weeks from the date of request or the date of clearance of the original payment, whichever is the later. Refunds will be made in Australian dollars and usually by the original payment method. If a student is transferring to another institution, the refund will be paid directly to the new institution, unless evidence is provided that the tuition fee has already been paid to that institution.

9. Tuition Protection Service

In the event that Torrens University Australia defaults on a program in relation to an international student or intending international student by failing to provide the student’s program at the commencement date and agreed location, or if the program starts but before it is completed, it ceases to be provided to the student at the location:

- The University will refund all of the unused portion of prepaid tuition fees within two weeks (14 days) and will issue a statement that explains how the refund has been calculated, or
- The University will offer enrolment at an alternative program offered by Torrens University Australia or another provider at no extra cost.

If the University is unable to provide a refund or place in an alternative program, the Tuition Protection Service will place the student in a suitable alternative course at no extra cost to the student, or will refund the unused portion of prepaid fees to the student.

10. Appeals

The Student Grievance Management Policy and the Administrative Grievance Procedures outline the appeal mechanism available to students who are not satisfied with determinations made by the University regarding tuition fee refunds or re-credit of FEE-HELP liability and remission of FEE-HELP debts.

They may seek external appeal and review by the Administrative Appeals Tribunal (AAT) in relation to decisions about relating to a refund application. This Policy, and the availability of the University’s
grievance management processes, does not remove the right of a student to take action under Australia’s consumer protection laws.

11. References

The ESOS Act 2000
The ESOS Regulations 2001
The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code)
ESOS Legislation Amendment (Tuition Protection Services and Other Measures) Act 2012.