

Refund Policy and Procedure

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1. Purpose

This policy outlines how Stellar College manages tuition and non-tuition fees and processes refunds in a fair, transparent, and consistent manner.

The policy ensures compliance with the following legislation and regulatory requirements:

- **Standards for Registered Training Organisations (RTOs) 2025**
- **Education Services for Overseas Students Act 2000 (ESOS Act)**
- **Education Services for Overseas Students Regulations**
- **ESOS (Calculation of Refund) Specification 2014**
- **National Code of Practice for Providers of Education and Training to Overseas Students**
- **Australian Consumer Law**
- **Tuition Protection Service (TPS) requirements**

The purpose of this policy is to ensure students clearly understand:

- when refunds may apply
- how refunds are calculated
- how refund requests are processed
- the timeframes for refund decisions and payments.

2. Scope

This policy applies to:

- all **international students** enrolled at Stellar College on a **Student Visa (Subclass 500)**
- all **tuition and non-tuition fees** paid to Stellar College
- all **refund requests arising from student default, visa refusal, provider default, or exceptional circumstances.**

This policy does **not apply to fees paid directly to education agents or third-party providers** unless the funds were received by Stellar College.

3. Definitions

Tuition Fees

Fees directly related to the delivery of the course, including training, assessment, and learning resources.

Non-Tuition Fees

Fees not directly related to course delivery, such as application fees, enrolment administration fees, or material fees.

Unused Tuition Fees — tuition fees paid in advance minus the tuition fees for the portion of the course already delivered, calculated in accordance with the ESOS (Calculation of Refund) Specification 2014 where applicable.

Provider Default

Occurs when Stellar College:

- fails to start the course on the agreed start date, or
- stops delivering the course before it is completed.

Student Default

Occurs when a student:

- withdraws from the course
- fails to start the course
- breaches visa conditions
- has their visa refused or cancelled
- is suspended or cancelled due to misconduct.

TPS – Tuition Protection Service

The Australian Government initiative that assists international students if an education provider cannot deliver their course.

4. Policy Statement

Stellar College is committed to:

- providing every student with a **written refund policy before any fees are paid**
- processing refund requests **fairly, consistently, and transparently**
- complying with **ESOS legislation, TPS obligations, and Australian Consumer Law**
- ensuring refund decisions are **documented and recorded**
- maintaining refund records for **a minimum of two (2) years after the student ceases enrolment**
- ensuring students understand their **rights and responsibilities regarding refunds**.

Nothing in this policy overrides a student's rights under **Australian Consumer Law**.

5. Refund Eligibility and Conditions

5.1 General Refund Conditions

- Refund requests must be submitted using the **Application for Refund Form**.
- Supporting evidence must be provided where applicable (e.g., visa refusal letter).
- Refunds are normally paid to the **original payer** unless written authorisation is provided.
- Refunds are paid in **Australian dollars (AUD)**.
- **Bank transfer or currency conversion fees may be deducted** from the refund amount.

- Approved refunds are processed within the required regulatory timeframe.
- Students may withdraw within 7 days of signing the Written Agreement and receive a full refund of tuition fees paid, excluding non-tuition fees.

Refund Processing Timeframes

Circumstance	Refund Processing Time
Visa refusal before course commencement	Within 14 days
Provider default	Within 14 days
All other eligible refund cases	Within 28 days

5.2 Refund Calculation Table

Refunds for visa refusal (before or after commencement) are calculated in accordance with the ESOS (Calculation of Refund) Specification 2014

Situation	Refund Amount	Conditions
Visa refusal before course commencement	Tuition fees paid minus the lesser of 5% of tuition fees or \$500	Evidence from Department of Home Affairs required
Visa refusal after course commencement	Refund = unused tuition fees, calculated in accordance with the ESOS (Calculation of Refund) Specification 2014	Evidence from Department of Home Affairs required
Student withdraws more than 4 weeks before course start date	80% of tuition fees	Administration fee may apply
Student withdraws less than 4 weeks before course start date	50% of tuition fees	
Student withdraws after course commencement	No refund	Except in compassionate circumstances
Student fails to commence course	No refund	Unless visa refusal
Provider default (course not delivered)	Full refund of unused tuition fees	Within 14 days
Student visa cancelled due to student breach	No refund	
Student expelled for misconduct	No refund	

5.3 Non-Tuition Fees

Unless required under Australian Consumer Law, **non-tuition fees are generally non-refundable**. These may include:

- application or enrolment fees
- material or equipment fees
- administration charges.

Fees for **Overseas Student Health Cover (OSHC)** or other third-party services are not refundable by Stellar College. Students must contact the provider directly.

6. Provider Default

Provider default occurs if Stellar College:

- fails to start the course on the agreed commencement date, or
- stops delivering the course before it is completed.

If provider default occurs, Stellar College will:

1. Offer the student an **alternative course at no extra cost**, or
2. Provide a **full refund of unused tuition fees**.

Refunds will be processed **within 14 days** of the default occurring.

If Stellar College cannot meet these obligations, the **Tuition Protection Service (TPS)** will assist students to:

- enrol in an alternative course, or
- receive a refund of unused tuition fees.

More information is available at: <https://tps.gov.au>

7. Compassionate or Compelling Circumstances

Refunds may be approved in exceptional situations at the discretion of the CEO.

Examples include:

- serious illness or injury
- death of an immediate family member
- major personal hardship
- natural disaster or emergency situations.

Students must provide **supporting documentation** when applying for refunds under compassionate circumstances.

8. Refund Procedure

Step 1 – Submit Request

The student submits an **Application for Refund Form** along with supporting documentation.

Step 2 – Review Request

The Student Administration or Compliance team:

- reviews the request
- verifies eligibility under this policy
- calculates the refund amount.

Step 3 – Decision

The decision is approved by the **CEO or authorised delegate** where required.

Step 4 – Notification

The student receives **written notification** of the decision.

Step 5 – Payment

Approved refunds are processed by **electronic bank transfer** to the nominated account.

9. Education Agent Payments

Education agents are **not authorised to collect tuition fees on behalf of Stellar College**.

Students must pay fees **directly to Stellar College**.

Any disputes relating to payments made directly to an agent must be resolved between the **student and the agent**, unless the funds were transferred to the College.

10. Recordkeeping

Stellar College maintains accurate records of:

- refund applications
- supporting documentation
- refund decisions
- payment records
- communication with students.

Refund records are securely stored for a **minimum of two (2) years after the student ceases enrolment**.

11. Responsibilities

Student

- read and understand the refund policy before paying fees
- submit refund requests with appropriate evidence.

Student Administration / Compliance Team

- process refund applications
- maintain records
- ensure policy compliance.

CEO

- approve exceptional refunds
- ensure compliance with ESOS, TPS, and RTO Standards.

12. Appeals

Students who are dissatisfied with a refund decision may lodge an appeal in accordance with the **Complaints and Appeals Policy**.

Accessing the complaints and appeals process does **not limit the student's rights under Australian Consumer Law**, and students may also seek **external dispute resolution** if required.

13. Policy Review

This policy will be reviewed **annually** or earlier if required due to:

- regulatory or legislative changes
- internal or external audit outcomes
- operational improvements
- stakeholder feedback.

All updates will be recorded in the **Continuous Improvement Register**.