

International Student Fees & Refund Agreement

Effective from 01 July 2007

Updated 12 August 2008

General information

1. This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws (ESOS National Code, Standard [3.2.d](#))
2. The contents of this policy and agreement should be read in conjunction with the following documents
 - [ESOS Legislative Framework](#)
 - Universities Australia [Code of Practice and Guidelines for Australian Universities](#) for the Provision of Education to International Students.
 - UWS [Admissions Policy](#), UWS [Enrolment Policy](#), UWS [Progression and Unsatisfactory Academic Progress Policy](#)
3. UWS [Complaints Management and Resolution](#) processes do not circumscribe the student's right to pursue other legal remedies.
4. This agreement applies to courses registered with the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) by the University of Western Sydney under its provider code 00917k.

Enrolment conditions

1. All fees are payable in advance for each teaching session.
2. Commencing students who fail to enrol by the Census date in the nominated commencing session will be notified to Department of Immigration and Citizenship (DIAC). This may lead to the cancellation of the student visa.
3. Accepted commencing students who wish to defer need to give notice in writing and will be subject to admission requirements applying at the new course commencement date and, on fulfilment of those requirements, will be issued a new Offer of Admission letter and attachment. The University will hold all paid fees in trust without penalty and will credit paid fees against course fees when the student enrolls. Please note that annual course fees are subject to change and that the fees stated in the original offer may change if deferment is sought and granted to the next calendar year.
4. Commencing students, who wish to commence study at a date later than the commencement date on their offer letter and do not request a deferment of the commencement date, may be required to lodge a new application for admission with associated fees.
5. Student visa holders are required to select a study load of units in every study session that will enable them to complete their studies within their current visa period, unless documented compassionate or compelling circumstances exist.
6. Charges for additional units studied (including units repeated) will be at the rate applicable at the time of study. Reconciliation of student accounts against their enrolment record will occur at least in the penultimate teaching session prior to completion.
7. UWS reserves the right to discontinue or vary its units, courses, announcements, or staffing at any time. See the [online UWS Handbook](#) for updated course and unit information.

Fees pertaining to commencing students

1. Application or deferment fees may be charged.
2. Unless specified in the Offer of Admission letter and attachment, no tuition fee deposit or partial payment will be required.
3. Unless otherwise specified in the Offer of Admission letter and attachment, payment of half of the annual course tuition fee, applicable to the first session of study, the Overseas Student Health Charge (if applicable), and other fees as appropriate, are required in order for a Confirmation of Enrolment for student visa purposes to be issued and/or as a condition of eligibility for enrolment.
4. Voluntary student association fees are in addition to tuition fees and are subject to the Australian Government Goods and Services tax (GST), as are some other university fees.
5. The annual tuition fee may change on 1 January in each year.

Fees pertaining to continuing students

1. The Annual International Student Tuition Fee for each course is indicated on the UWS International fee list <http://pubsites.uws.edu.au/international/coursefees.html>
2. Fees will be charged on the basis of the study load in each teaching session. International students are required to undertake a study load in each session that will enable them to complete their study program within their contracted time period, as shown on the Confirmation of Enrolment. Study load variation that will extend the contracted study period must be approved in

accordance with the University's intervention strategy. Charges for additional units studied (including units repeated) will be at the rate applicable at the time of study.

3. Fees for continuing students must be paid by the session commencement date, unless a student is granted an extension of time to pay fees by the Academic Registrar (or nominee) (See Section 3.3: Requests for extension of time to pay fees)
4. A late payment fee may be applied to students who do not meet the due date for payment.
5. Continuing students who have not completed reenrolment (i.e. chosen units of study and paid fees) by the Census Date of a teaching session will be deemed to have abandoned their course and the Department of Immigration and Citizenship (DIaC) will be notified, unless a student has been granted an extension of time to pay fees. Notification of DIaC may lead to the cancellation of a student visa.
6. Students seeking reinstatement to a course in the session of abandonment/termination will be required to settle all outstanding fees, pay a reinstatement fee and a late payment fee, and submit an application for reinstatement to the Manager, Enrolments and Student Finance.
7. Students seeking re-admission within a period of five years from ceasing study to a course in which they have been previously enrolled may apply to the Manager, International Admissions (nominee of the Academic Registrar for international students). If readmission is approved, the tuition fees applicable to new students in that teaching session will apply to readmitted students. Readmission may not be granted to the same course that the student left but may be granted into a current course deemed comparable by the University.

Requests for extension of time to pay fees

1. Requests for an extension of due date for payment of fees will be considered on an individual basis. Requests should be made in writing and presented initially to the International Student Advisor on the student's home campus before the due date for payment of fees, accompanied by documentation detailing the exceptional circumstances that support the request.
2. Extensions may be granted by the Academic Registrar (or nominee) following advice from the International Student Advisor on the student's home campus.
3. Extensions will be set to a date normally no later than the Census Date of the teaching session for which the fee is due. Only under exceptional circumstances might the extension of time to pay fees be set to a date after the Census Date.

Refunds

Full Refunds

1. All course-related fees are refunded if the prospective student's application for a student visa is rejected by the Department of Immigration and Citizenship (DIaC). Appropriate documentary evidence must be supplied.
2. In the event that an offer of a place is withdrawn or the University is unable to provide the program, all tuition fees paid are fully refundable, unless the offer was made on the basis of incorrect or incomplete information being supplied by the applicant or student. In such cases the university reserves the right to retain up to 10 per cent of the tuition fee as well as any cost incurred in recruiting the student.
3. A student who fails to meet academic progression rules and who is thus not permitted to re-enrol will be eligible for a refund of fees if paid in advance of notification of exclusion.
4. If at completion of a course a student has a credit balance of tuition fees, the amount will be refunded in full.
5. In the unlikely event that UWS is unable to deliver your course in full, you will be offered a refund of all the course money you have paid to date. The refund will be paid to you within 2 weeks of the day on which the course ceased being provided. Alternatively, you may be offered enrolment in a comparable course by UWS at no extra cost to you. You have the right to choose whether you would prefer a full refund of course fees, or to accept a place in another course. If you choose placement in another course, we will ask you to sign a document to indicate that you accept the placement. ([ESOS National Code Standard 3.2c](#))

Partial Refunds

Note: the Universities Australia guidelines for partial refunds apply equally to commencing students and continuing students, and are based predominantly on standard semester programs. Where short summer/winter intensive programs are involved, the fee refund policy of the ESOS Act applies.

6. Where a student, after accepting an offer of a place, gives a minimum of four weeks written notice before the commencement of the semester of an inability to undertake the program, all tuition fees paid are refundable less an administrative fee of 10 per cent of the initial course fee and any agents or partners fee that may have been incurred.
7. Where a student gives less than four weeks written notice before the commencement of the semester of an inability to undertake the course, all tuition fees paid are refundable less 50 per cent.
8. Where a student withdraws from a program within the first four teaching weeks of a standard semester, all tuition fees paid are refundable less 50 per cent.
9. Where a student has paid less than the full fee, the refund is the difference between what has been paid and 10 per cent of the tuition fee.

10. If a new student fails to satisfactorily fulfil requirements and/or conditions for admission to the offered course at UWS (including failure to complete the pre-requisite course in a packaged program) and fails to gain admission to another UWS course, on written application a refund will be made of all but 10% of the full tuition fee for the first session of study in the offered course at UWS.

No refunds

11. A student who withdraws from a course for whatever reason after four teaching weeks shall not be eligible for a refund.
12. A student whose visa is cancelled shall not be eligible for a refund unless there are extenuating circumstances.
13. In cases where an offer was made on the basis of fraudulent documents, the University reserves the right to retain the full fee.
14. If a new student satisfactorily completes a prerequisite course of a packaged program and is therefore eligible to progress to the principle UWS course for which s/he received a Confirmation of Enrolment, but chooses not to enrol, the package partial payment towards the UWS course is not refundable.
15. Where a student drops a unit prior to the Census Date in a teaching session in their course, has paid tuition fees in relation to that unit and continues into a further session of study, the resulting credit will be applied against any future liabilities.
16. Cancellation of enrolment after one session of study for which a student has paid on the basis of the normal full-time load for that session in a course will attract no refund even if the student studied for less than a normal full-time load unless the student has completed the course or has obtained written permission to carry a reduced load. See [Application for Reduced Study Load \(onshore student visa holders only\)](#) form and the UWS [ESOS National Code Information for Students and Staff](#) web pages.

Fee refunds to international students who obtain Permanent Residency

1. An international student who is granted Permanent Resident status in Australia at the commencement of study or while studying at the university will become liable to pay the Higher Education Contribution Scheme (HECS) levy or Australian student tuition fees, along with other compulsory fees. In these circumstances the student will commence or continue study in the university upon fulfilment of enrolment requirements applying to domestic students.
2. Permanent Resident status is recognised from the date stamped on the student's passport, not the date on which the application for the status is made.
3. If a student has already paid the international tuition fees applying for a teaching session of their course, a total refund of these fees will be payable to the student if the student has:
 - obtained Permanent Resident status on or before the Census Date of that teaching session of their course,AND
 - satisfied Section 61 of the Higher Education Funding Act 1988; that is, completed a HECS Payment Option Declaration form by the Census Date, if required.
4. If a student has already paid the international tuition fees applying for a teaching session of their course and obtains Permanent Resident status after the Census Date of that teaching session of the course:
 - the student will continue to be classified as an international student for the remainder of the teaching session;AND
 - from the following teaching session in the course, the student will be classified as a Permanent Resident and will be liable to pay the HECS contribution in accordance with the HECS Guidelines or to pay Australian student tuition fees or enter into a Postgraduate Education Loan Scheme (PELS) arrangement.

The process of obtaining a refund

1. The request for a refund by an international student should be lodged in writing with the Finance Officer, UWS International. The applicant/student may be asked to complete a [Request for Fee Refund - International Students Only](#) form so that the university receives all information necessary to process the request.
2. Refunds will normally be made in the same currencies as the fees were originally paid and will be made in the student's home country except in documented exceptional circumstances.
3. If the student wishes the money to be paid to someone else (e.g., if the tuition was paid by another person), the student must provide a letter of authority signed by the student and the receiving party, including account details of the receiving party, enabling the University to pay the other party. The letter should be attached to the request for refund.
4. In circumstances where a student is approved to study at another institution and is in Australia, any refund must be paid directly to the new institution accepting the student. Refunds in the form of the transfer of fees to another institution will be made subject to the student presenting evidence of acceptance into that institution.
5. Payment of refund will be made to one party only with no split payments to be made on behalf of a student to two or more parties.
6. Refunds will be paid within 4 weeks after receiving a written claim from the student.

7. The student's Confirmation of Enrolment will be cancelled when the refund application is approved. Students wishing to transfer to another education provider in Australia will need to make a separate application for release if they have studies less than 6 months of their principal course at UWS; or will need to resign. Advice is available from the International Office on each campus. For full details see [Transferring Between Education Providers](http://www.uws.edu.au/about_uws/uws/governance/policy_and_governance/education_services_for_overseas_students_esos/esos_national_code_information_for_students_and_staff/international_student_transfer_procedure) at http://www.uws.edu.au/about_uws/uws/governance/policy_and_governance/education_services_for_overseas_students_esos/esos_national_code_information_for_students_and_staff/international_student_transfer_procedure

Exceptional circumstances

1. Consideration will be given to fee refunds or adjustments other than as specified in this policy only under exceptional circumstances, including the following:
 - inability to obtain a student visa;
 - serious illness or disability afflicting the student or his/her sponsor;
 - death of the student or close family member (parent, sibling, spouse or child); and
 - political, civil or natural event which prevents full payment of fees.
2. An application for refund based on any of the above must be made in writing, accompanied by acceptable documentary evidence in support of the application, and lodged with the Manager, International Admissions and Services.

Definitions

fulltime study load	Unless otherwise specified, 0.5 EFTSU (Effective Full-Time Student Unit) or 40 Credit Points of study in a half calendar year.
session	A period of teaching for units in a course; for example Autumn Session, Spring Session, and Terms for some programs.
commencement date	The published starting date of a course, normally the commencement date of a session.
census date	The census dates for units in Autumn and Spring sessions are 31 March and 31 August respectively. These dates are set by the Commonwealth Department of Education, Science and Training
accepted student	An accepted student is a prospective commencing student who has accepted the offer made by the university and paid the requisite fees.
enrolled student	An enrolled student is a student who has fulfilled all requirements necessary for enrolment in a course in the university and has the status of Enrolled at the relevant Census Date of the course.
commencing student	A commencing student is a student enrolling in a course at the university in their first session of study.
continuing student	A continuing student is a student who has been enrolled in a course at the university for at least one session of study and is continuing to the second and subsequent session in the course.
Course money	As defined by Section 7 of the ESOS Act, means money a provider receives, directly or indirectly, from: <ul style="list-style-type: none"> • an overseas student or intending overseas student; or • another person who pays the money on behalf of an overseas student or intending overseas student, for a course that the provider is providing, or offering to provide, to the overseas student. This includes tuition fees, any amount received by the provider for overseas student health cover, and any other amount that the student had to pay to the provider in order to undertake the course.