

STUDENT REFUND AND CREDIT BALANCE POLICY AND PROCEDURE



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1 PURPOSE

- 1.1 This document outlines the circumstances under which student refunds will be made and provides guidance to staff, students and others on the administration and management of student refunds and credit balances.
- 1.2 Procedures have been developed to ensure compliance with legislation, University rules and audit and financial management requirements and to ensure adequate controls are in place to minimise delays.

2 SCOPE

- 2.1 This policy and procedure applies to applicants seeking a place at CQUniversity Australia, both Higher Education (HE) and Vocational Education and Training (VET), and to current and former students of CQUniversity Australia, both full fee paying and Commonwealth supported or assisted, with the exception of VET FEE-HELP students. VET FEE-HELP students should refer to the [VET FEE-HELP Tuition Fee and Refund Policy](#).

3 POLICY STATEMENT

- 3.1 CQUniversity student refunds and credit balances are administered in accordance with the [Higher Education Support Act 2003](#) (Cwlth), [Higher Education Funding Act 1989](#) (Cwlth), [Education Services for Overseas Students \(ESOS\) Act 2000](#) (Cwlth), [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (Cwlth), [TAFE Queensland Act 2013](#) (Qld), and [TAFE Queensland Regulation 2013](#) (Qld).
- 3.2 The term “student” used throughout this document means an applicant seeking a place and/or current and former higher education and vocational education and training students of CQUniversity Australia.

4 PROCEDURE

Payment of refunds

- 4.1 Following receipt of a legible, complete and correct written application, including supporting documentation as required, the University will pay refunds within:
- the time periods specified in the ESOS Act 2000 for international applicants and students, or
 - 20 working days for all other applicants and students.

Applying for a refund

- 4.2 Students applying for a refund must complete the [Refund Request Form](#). If the refund is to be paid to someone other than the student, the [Refund Request Form – Alternative Payee](#) must also be completed by the student. If the refund is to be paid offshore by International Money Transfer (IMT) in a currency other than Australian Dollars (AUD), the [Refund Request Form – International Money Transfer](#) must also be completed. Some students may need to complete all three forms. It is the responsibility of the Student to apply for a refund in instances as set out in this policy and procedure.
- 4.3 International students requesting a refund to be paid to an alternative payee must have nominated that alternative payee on their Student Declaration and Agreement (the Agreement).
- 4.4 International students who will not be commencing study because of an Australian visa refusal must also submit the Refund Request Form, and, must attach a copy of the Department of Home Affairs official notification of visa rejection to the Refund Request Form.
- 4.5 International students who are discontinuing study at CQUniversity, must submit an Application for Cancellation with the refund request plus supporting documentation, not limited to but which may include; a copy of used plane tickets/boarding passes, passport bio-data and signature page, and/or medical certificates and where applicable, notification form from the Department of Home Affairs that they have voluntarily cancelled their visa after returning home. International students in Australia on a student visa who have not completed six months of study in their principal course at CQUniversity and who have not been granted release by CQUniversity to go to another provider are not eligible for a refund until they have left Australia, otherwise they may be in breach of the conditions of their student visa.
- 4.6 International students who are under 18 years of age at the time of refund application must have their refund request signed/countersigned by the parent or guardian who signed their application for admission.
- 4.7 Refund requests will not be considered as complete until all required documentation has been provided.
- 4.8 Refund forms are to be submitted to as follows:
- On campus students (including international students who are onshore) – to the Campus Administration at which the student is enrolled
 - Distance Education students – to the Rockhampton North campus
 - Offshore applicants who have not commenced study at CQUniversity – to the International Compliance team by emailing international-refunds@cqu.edu.au.

Withdrawal without financial penalty/removal of financial liability

- 4.9 Students withdrawing after the census date due to exceptional or extenuating circumstance should read the [Application and Guidelines for Removal of Financial Liability due to Special Circumstances](#) prior to completing and submitting that form. Each application will be considered on a case by case basis by the Coordinator, Student Records and Reporting, and students will be advised in writing of the outcome. Approved applications may result in a credit balance.
- 4.10 The Student Services and Amenities Fee will not be refunded as part of a successful application for removal of financial liability.

Credit balances and refund payment methods

- 4.11 Refund amounts are calculated after all outstanding debts to CQUniversity have been paid and after clearance of all cheques and receipt of all telegraphic transfers or direct deposits.
- 4.12 Refund amounts payable to international students may be adjusted to include the recouping of waived published fees such as the application fee or change of course fee, and the repayment of any international student scholarships in accordance with the terms and conditions of those scholarships.
- 4.13 Students can review their credit balances, address and other contact details using MyCentre, or these details can be obtained by submitting an enquiry to the Student Advice Team.
- 4.14 Any credit balance which forms part of an international student's tuition fee deposit that was required upon commencement with CQUniversity is not refundable unless there are genuine extenuating circumstances. This includes payments for future terms that were paid in addition to the required deposit as part of the student's demonstration of their financial ability to fund their studies. Where exceptional circumstances exist, the student may be required to take a leave of absence from their studies to address these circumstances to be eligible to receive a refund of the tuition fees paid for future terms.
- 4.15 The student's preferred payment method will be taken into consideration at the time of processing the refund. However, the final determination of payment method will be at the University's discretion.
- 4.16 All payments to Australian bank accounts will be by Electronic Funds Transfer (EFT) and wherever practical, all payments to International bank accounts will be by IMT. Where payment cannot be made via IMT (chosen currency is not accepted), the refund will be processed as a foreign currency transaction. CQUniversity is not liable for any variance due to foreign exchange rate fluctuations. Amounts less than USD\$100 equivalent will only be paid in Australian Dollars to an Australian bank account. Amounts less than AUD\$5 will not be refunded.
- 4.17 Administrative fees will be calculated using the current Tuition Fee Schedule when the Schedule for the appropriate commencement year has not yet been approved.
- 4.18 Any equipment loaned to students for use during their study must be returned in an appropriate condition or the replacement value of the item will be deducted from any refund amount.
- 4.19 Credit amounts on a student's account up to and including AUD\$100 will be forfeited to the University if unclaimed when the student's status has been inactive for more than one study period, unless the student is on an approved leave of absence.
- 4.20 Students with unclaimed credit amounts greater than AUD\$100 will be notified in writing of their credit amount when their status has been inactive for more than one study period, unless the student is on an approved leave of absence. If refund applications are not received within 12 weeks of the date of the written communication, credit balances will be deemed as unclaimed and forfeited to the University.

Bank charges and non-receipt of refunds

- 4.21 Banks charges may be incurred by the refund recipient. These charges are imposed by the banking institutions and are deducted from the payment made by the University. The University has no control over such charges and is not responsible for amounts deducted

- 4.22 Where bank charges are incurred by the University as a result of the student providing incorrect or incomplete bank account details, alternative payee details or any other information, these charges will be deducted from the refund paid to the student.
- 4.23 In the event that the refund payment is not received by the recipient, the recipient must advise the University of the circumstances. The University will contact its bankers to either have the payment re-negotiated or arrange for the return of funds to the University, before issuing a replacement payment. The University will re-credit the remaining funds to the student's account, less any bank charges. Students will be required to re-apply for a refund of these funds.

Government-funded courses – VET

Refund if course or unit cancelled by the University

- 4.24 If the University cancels a government-funded unit before it starts, the University must refund the fees paid for the course or unit.

Refund if enrolment cancelled before course or unit starts

- 4.25 If a student cancels their enrolment in a government-funded course or unit no later than one day before the course or unit commences, the University must refund the fees paid for the course or unit.
- 4.26 If a student cancels their enrolment on the day the course or unit commences, or after commencement, no refund will be paid, unless clause 4.28 applies.
- 4.27 Clause 4.25 does not apply if a student contribution fee or tuition fee payable on the cancelled enrolment must be applied to reduce fees payable on a later enrolment.

Refund after government-funded unit starts

- 4.28 A student may apply to the Coordinator, Student Fees and Timetabling for a refund of fees for the unit if any of the following circumstances occur whilst a student is undertaking a government-funded unit:
- a) the student accepts a place offered through the Queensland Tertiary Admissions Centre
 - b) the student suffers an illness or injury preventing the student from completing the unit, or
 - c) exceptional circumstances prevent the student from completing the unit.
- 4.29 The student must apply using the University's Refund Request Form before the assessment for the unit ends.

Refund if academic exemption received

- 4.30 If a student receives an academic exemption from a government-funded unit after enrolling, the student may apply to the Coordinator, Student Fees and Timetabling for a refund of fees for the unit.
- 4.31 The student must apply using the University's Refund Request Form within five weeks of the unit commencing.

Material fees

- 4.32 No refunds will be processed for materials that are considered to be used.

Transfer of enrolment

- 4.33 Fees adjustment may occur for certain transfers and cancellations of enrolment in government-funded units.
- 4.34 If a student enrolled in a government-funded unit cancels the enrolment and enrolls in another unit at the University no later than two weeks after the start of the cancelled unit, any student contribution fee payable on the original or cancelled enrolment will be applied to reduce the total amount of the student contribution fee payable on the later enrolment. Any remaining credit balance in fees will then be refunded.

Non government-funded courses – VET

- 4.35 If the University cancels a course or unit before it starts, the University must refund the fees paid for the course or unit.
- 4.36 If a student cancels their enrolment in a non-government funded unit less than five days before it starts, the University will not refund any fees and charges paid by/for the student and will not cancel any remaining payments due for the enrolment.

Refused application for fee exemptions, refund and time to pay – VET

- 4.37 Any decision by the Director, Governance to refuse a student's/person paying on behalf of a student's application for a fee exemption or decision by the Coordinator, Student Fees and Timetabling to refuse a refund, or time to pay, will be provided in writing and include the reason for refusal.
- 4.38 The student/person may apply to the Director, Governance for a reconsideration of the refusal within seven days of the written notice of refusal.

Higher Education domestic student refunds

- 4.39 Where students withdraw from a study package prior to the census date, any upfront Student Contribution Amount, Tuition Fee or Student Services and Amenities Fee already paid to the University for that study period may be refunded in full.
- 4.40 Where students withdraw from a study package after the census date any upfront Student Contribution Amount or Tuition Fee paid may be refunded only in special circumstances; otherwise, no refund will be payable. See the Withdrawal without financial penalty section above for further details.

International students who obtain Australian Permanent Resident status

- 4.41 Permanent Resident status is recognised once the University receives written notification and supporting documentation confirming the status and will be effective from a date no earlier than the date permanent residency was granted or became effective.
- 4.42 If the student has already paid the international tuition fee for the study period and has become a full fee paying domestic student prior to or on the census date of that study period, a refund of the difference (if any) between the international and domestic tuition fees will be paid, less any outstanding charges.
- 4.43 If the student has already paid the international tuition fee for the study period and has become a Commonwealth supported student prior to or on the census date of that study period, a refund of the difference (if any) between the applicable fees will be paid, less any outstanding charges. Note: CQUniversity does not enrol Commonwealth supported students on its offshore delivery sites.
- 4.44 If the student obtains Australian Permanent Resident status on or prior to the census date for that study period and has already paid the international tuition fee for the study period but withdraws prior to the census date for that period, tuition fees paid for the study period will be refunded.
- 4.45 If a student obtains permanent resident status after the census date in a study period, the student will remain classified as an international student for the remainder of that study period and will be liable to pay the international tuition fee in that study period. From the following study period, the student will be classified as a permanent resident.

Higher Education International student refunds, excluding English Language Centre study packages

- 4.46 An Application for Cancellation must accompany a refund request when an applicant will not be commencing or a student is withdrawing from study at CQUniversity.

Full refunds

- 4.47 Full refunds will be paid only if the student is not subject to any of the clauses in the Partial refunds or No refunds sections below.
- 4.48 A full refund will be made of tuition fees paid for future study periods (including fees for future study packages):
- a) where the offer set out in the Agreement is withdrawn by CQUniversity prior to the student's enrolment
 - b) where CQUniversity is unable to provide the study package in the Agreement and the student does not accept an alternate study package
 - c) where a new commencing student withdraws more than four weeks prior to the commencement of the study period
 - d) when illness or disability prevents the student from commencing
 - e) when the death of a close family member (parent, sibling, spouse or child) prevents the student from commencing
 - f) at the discretion of the Coordinator, Student Fees and Timetabling at CQUniversity, when other special or extenuating personal circumstances (including but not limited to political, civil and natural events or other traumatic circumstances) prevent a student from commencing
 - g) when a student is excluded by CQUniversity for failure to meet academic progression rules or for disciplinary reasons (but only in respect of fees paid in advance for that part of the study package not yet delivered at the date the exclusion takes effect), or
 - h) when a continuing student who has completed six months' study in their principal course as part of a Study Package at CQUniversity re-enrols in the next available study term, then withdraws before the census date of that term
 - i) when a student has a credit balance of less than \$5,000 and:
 - o overpaid the amount required as a result of a Scholarship being awarded after the payment was made
 - o has enrolled in a unit and paid the tuition fee and subsequently been granted credit for that unit (this does not apply in the student's first two terms of enrolment)
 - o overpaid due to both CQUniversity and the student arranging International Health Cover for the student
 - o an application for Removal of Financial Liability has been approved, or
 - o has completed their course of study.
- 4.49 Independent documentary evidence must be provided in support of an application for a refund under provisions d), e) and f) above. Depending on the circumstances, a death certificate, or a statement from a doctor, counsellor or institution may be appropriate. Letters from a family member or agent are not considered independent. Supporting documentation must be signed and dated, and should preferably be on printed letterhead.

Partial refunds

- 4.50 A partial refund of tuition fees paid for current and future study periods will be made if:
- a) a new commencing student withdraws less than four weeks prior to commencement of the study period
 - b) the student did not satisfy a condition of the offer of admission
 - c) the student transfers to another provider after being granted release prior to commencement of studies at CQUniversity, or, after having completed six months of study in their principal course or as part of a study package
 - d) prior to the student arriving to commence studies, there is a refusal by the Australian Government authorities to grant a visa, and the refusal was a reason that directly or indirectly caused the student to default under the Agreement

- e) after arriving to commence studies, there is a refusal by the Australian Government authorities to grant a visa, or visa extension, and the refusal was a reason that directly or indirectly caused the student to default under the Agreement, or
- f) the student withdraws from or cancels their study package on or before the census date of their commencing study period.

4.51 Where 4.50 a), b), c) or d) applies CQUniversity will refund the tuition fee paid less applicable waived fees and an administration fee, which will be the lesser of:

- a) 5% of the total amount of tuition fees due for the study package now not being undertaken, or
- b) AUD\$500.

4.52 Where 4.50 e) or f) applies CQUniversity will refund the unspent portion of the tuition fees only i.e. for the number of weeks remaining in the student period for which the student will not receive tuition to be calculated as follows:

Refund amount = weekly tuition fee x weeks in default period, less any waived fees and/or scholarship discounts that are to be recouped prior to the refund of the unspent portion.

4.53 If, after accepting an offer of a place at CQUniversity, an applicant (prior to enrolment) successfully defers the commencement date but subsequently gives written notice of an inability to commence in the future study period, tuition fees are refundable as outlined in 4.44 to 4.47.

No refund

4.54 Except as provided in 4.51, there will be no refund of tuition fees paid if:

- a) a student withdraws from their course or study package after the census date of the study period for which the fees were paid, except where exceptional circumstances apply (see section 4.8 Withdrawal without financial penalty).
- b) a student is in breach of the Agreement and/or the mandatory terms and conditions of their student visa
- c) in lieu of refund, a student elects to accept enrolment in an alternate course or study package offered by CQUniversity (where CQUniversity is unable to provide the original course or study package)
- d) CQUniversity is prohibited by relevant sanctions or laws from paying a refund
- e) CQUniversity makes the offer on the basis of incorrect, incomplete or fraudulent information being supplied
- f) the fees form part of the deposit required upon commencement with CQUniversity, and the student has not cancelled their enrolment or commenced a leave of absence due to genuine extenuating circumstances. Refer to 4.14 for further details.

4.55 In all cases except for d), however, CQUniversity will refund any tuition fees paid in advance for future study periods now not to be undertaken, minus waived fees, an administrative fee as applicable in clause 4.51 and after repayment of any scholarship discount as applicable.

Higher Education International student refunds: English Language Centre study packages

4.56 An Application for Cancellation must accompany a refund request when an applicant will not be commencing or a student is discontinuing study at CQUniversity.

Full refunds

4.57 Full refunds will be paid only if the student is not subject to any of the clauses in the Partial refunds or No refunds sections below.

4.58 A full refund of tuition fees paid for future study periods will be made:

- a) if CQUniversity does not accept a student's application for enrolment

- b) where CQUniversity is unable to provide the study package in the Agreement and a student does not accept an alternate study package
- c) where a new commencing student withdraws more than four weeks prior to the commencement of the study period
- d) when the death of a close family member (parent, sibling, spouse or child) or other exceptional circumstance prevents a student from commencing
- e) when illness or disability prevents a student from commencing
- f) if the student meets English proficiency requirements prior to completion of the English Language Intensive Courses for Overseas Students (ELICOS) study package, unless the student elects to transfer the funds to their award/principal study package (see 4.63 for further details).

4.59 Independent documentary evidence must be provided in support of an application for a refund under 4.58 c), d) and e) above. Depending on the circumstances, a death certificate, or a statement from a doctor, counsellor or institution may be appropriate. Letters from a family member or agent are not considered independent. Supporting documentation must be signed and should preferably be on printed letterhead.

Partial refunds

4.60 A partial refund will be made if:

- a) a student gives written notice of cancellation less than four weeks prior to the commencement of the study period
- b) prior to the student arriving to commence studies there is a refusal by the Australian Government authorities to grant a visa and the refusal reason was a reason that directly or indirectly caused the student to default under the Agreement, or
- c) after arriving to commence studies, there is a refusal by the Australian Government authorities to grant a visa, or visa extension, and the refusal was a reason that directly or indirectly caused the student to default under the Agreement.

4.61 Where 4.60 a) or b) applies CQUniversity will refund the tuition fee paid less any waived fees and an administration fee, which will be the lesser of:

- a) 5% of the total amount of tuition fees due for the study package now not being undertaken, or
- b) AUD\$500.

4.62 Where 4.60 c) applies CQUniversity will refund the unspent portion of the tuition fees only i.e. for the number of weeks remaining in the student period for which the student will not receive tuition to be calculated as follows:

Refund amount = weekly tuition fee x weeks in default period, less any waived fees and/or scholarship discounts that are to be recouped prior to the refund of the unspent portion.

No refund

4.63 Except as provided in 4.66, no refund of tuition fees paid will be made if:

- a) a student fails to enrol in their study package
- b) written notice of a student's cancellation is received by CQUniversity after the commencement of the study period, except where exceptional circumstances apply (see the Withdrawal without financial penalty section above)
- c) a student is in breach of the Agreement and/or the mandatory terms and conditions of their student visa
- d) in lieu of refund, a student elects to accept enrolment in an alternate study package offered by CQUniversity (where CQUniversity is unable to provide the original study package)
- e) CQUniversity is prohibited by relevant sanctions or laws from paying a refund, or
- f) CQUniversity makes the offer on the basis of incorrect, incomplete or fraudulent information being supplied.

- 4.64 Where 4.63 a), b) or d) applies CQUniversity will refund any tuition fees paid in advance for future study periods now not to be undertaken, less an administrative fee as detailed in clause 4.61.

Transfer of fees in lieu of refund

- 4.65 If the student meets English proficiency requirements prior to completion of the ELICOS study package, then in lieu of a refund being paid, the tuition fees paid by a student for ELICOS study at CQUniversity may be transferable to other formal award study packages at CQUniversity. No transfers will be made to another external English language study provider, or any other institution or provider, or for or on behalf of any other student.

International student refunds: students enrolled with Offshore Partners

- 4.66 Special conditions and administrative arrangements may apply for students who are enrolled through an Offshore Partner program. Students should contact their local administrator for further details.

All student refunds

Appeals

- 4.67 If a student believes the University has not met the requirements outlined in this policy and procedure, or that not all of the relevant information has been taken into account, they may submit an internal appeal to the Director, Governance, by emailing refund-appeal@cqu.edu.au. An outcome shall be provided in writing to the student's CQUniversity email address within 20 working days of the appeal being received.
- 4.68 If a student is not satisfied with the outcome of their internal appeal, they may lodge an external appeal with the Queensland Ombudsman by visiting www.ombudsman.qld.gov.au.

Consumer Protection

- 4.69 This policy and procedure does not remove the student's or the University's right to take further action under Australia's consumer protection laws.

Deceased students

- 4.70 The personal legal representative of the Deceased Estate must apply for any excess payments which are to be refunded, and must supply details about who is to receive the refund. The University reserves the right to request official documentation to support any such claims.
- 4.71 If the deceased student's nationality is not Australian, the University may be required to investigate the legal requirements of the student's home country. This can be a lengthy and time consuming process which cannot be estimated and will vary between countries and circumstances.
- 4.72 Refunds will only be processed once all requirements of the University and the student's country of nationality have been fulfilled. When the University is satisfied with all information received, it will endeavour to process the refund within the time period detailed in this policy and procedure.

Living and other expenses

- 4.73 In circumstances where a student's living or other expenses have been paid to CQUniversity, the University will refund the monies upon application and provision of sufficient supporting documentation.

Refunds not included elsewhere

- 4.74 Applications for refunds that are not covered by any of the provisions of this policy and procedure will be determined on a case-by-case basis, initially by the Coordinator, Student Fees and Timetabling in the Student Governance Centre.

5 RESPONSIBILITIES

Compliance, monitoring and review

- 5.1 The Deputy Director, Student Governance and the Finance Operations Manager, are responsible for ensuring compliance with this policy and procedure, and that the University's legislative compliance requirements are met.
- 5.2 A two-stage approval process is required for each refund. Internal and external audits are carried out on an annual and biennial basis respectively.
- 5.3 If at any time the Deputy Director, Student Governance considers that the policy objectives cannot be met, notice in writing will be sent to the Director, Governance.
- 5.4 The Director, Governance has overall responsibility for ensuring this policy and procedure is followed.

Reporting

- 5.5 No additional reporting is required.

Records management

- 5.6 Staff must maintain all records relevant to administering this policy and procedure in a recognised University recordkeeping system which forms part of the student record.

6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

7 RELATED LEGISLATION AND DOCUMENTS

[Application for Cancellation](#)

[Application for Removal of Financial Liability due to Special Circumstances](#)

[Australian Vice-Chancellor's Committee \(AVCC\) Code of Practice and Guidelines for Australian Universities: Provision of Education to International Students](#)

[Education Services for Overseas Students Act 2000](#) (Cwlth)

[Higher Education Support Act 2003](#) (Cwlth)

[Higher Education Funding Act 1989](#) (Cwlth)

[National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018](#) (Cwlth)

[National Vocational Education and Training Regulator Act 2011](#) (Cwlth)

[Payment Plan Application Form \(VET\)](#)

[Payment Plan Procedure \(VET\)](#)

[Refund Request Form](#)

[Refund Request Form – International Money Transfer](#)

[Refund Request Form – Alternative Payee](#)

[Removal of Financial Liability due to Special Circumstances Policy and Procedure](#)

[TAFE Queensland Act 2013](#) (Qld)

[TAFE Queensland Regulation 2013](#) (Qld)

The University is not governed by s97 of the [Financial Accountability Act 2009](#) (Qld) and may retain unclaimed funds.

8 FEEDBACK

8.1 University staff and students may provide feedback about this document by emailing policy@cqu.edu.au.

9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Council
Advisory Committee to Approval Authority	Audit, Risk and Finance Committee
Administrator	Director, Governance
Next Review Date	12/06/2021

Approval and Amendment History	Details
Original Approval Authority and Date	Council 30/05/2011
Amendment Authority and Date	Minor amendments Academic Registrar 29/05/2012; Position titles updated 7 August 2013; Council 29/09/2014; Audit, Compliance and Risk Committee 20/02/2017; Audit, Risk and Finance Committee 12/06/2018; Administrator Approved - Director, Governance 26/06/2018; Typographical Correction 25/07/2018.
Notes	This document was formerly known as the Refund and Excess Payments (Credit Balances) Policy and Procedure (23/01/2015). This document replaced the Student Refund and Credit Balance Policy and Procedure (6/07/2016).