



**IMPORTANT:** This Policy applies to Domestic VET and VSL Eligible Students only.

## **CANCELLATION, WITHDRAWAL, REFUND & RE-CREDIT POLICY (Domestic VET and VSL Eligible Students)**

### **PREAMBLE**

This Policy **only** applies to Domestic VET and VSL Eligible Students of the College.

This Policy sets out the circumstances in which a student is entitled to a refund or re-credit and the procedure a student must follow to withdraw from a course to get a re-credit or refund.

This Policy is made under the VET Students Loan Act and other relevant legislation including the Standards for Registered Training Organisations (RTOs) 2015.

**IMPORTANT:** This Policy and the right to make complaints and seek appeals of decisions and action under various processes does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

### **DEFINITIONS AND ACRONYMS**

In this Policy and as the context requires:

**“Domestic Student”** means an Australian citizen, or a qualifying New Zealand citizen under the VET Student Loans scheme, or a permanent humanitarian visa holder who is usually resident in Australia; and who does not require a student visa to study in Australia.

**“Census Date”** Census date is the date set by the College no earlier than 20% into each teaching term by which time a student needs to have their enrolment or withdrawal finalised.

**“College”** means Australian Pacific College and APC Design School.

**“Course(s)”** means the course listed in the Letter of Offer, or, where you have enrolled in multiple courses, each course listed in the Letter of Offer.

**“Course Fees”** means the Tuition Fees.

**“Course Start Date”** means the start date for the Course as set out in the Letter of Offer.

**“Fee Schedule”** means the document containing VET Student Loans Census Dates and the comprehensive list of fees, which a student may be required to pay during the student's enrolment at the College. Notice will be given to students of FEE Schedule updates by posting a notice on the APC website and in our Google and Omnium Learning Management Systems.



“**Letter Of Offer**” means the letter offering you a place in a Course and which will set out the fees that are payable by you in respect of the Course and the terms and conditions applicable to your study at the College.

“**Policy**” means this Cancellation, Withdrawal, Refund and Re-credit Policy (Domestic VET and VSL Eligible Students).

“**Provider**” means a registered provider that provides or seeks to provide Courses to Domestic Students.

“**SCV Form**” means a student course variation form prescribed by the College.

“**Subject or Units of Study**” a VET Subject or Units of Study approved for VET Student Loans that a Student may undertake with the College, for which the Student may access VET Student Loans assistance to pay for all or part of their tuition fees.

“**Tuition Fee**” means the fees received by the College either directly or indirectly for tuition for your Course. This fee is expressly stated in the Student’s Letter of Offer.

“**You**” or “**Your**” means the student or the student’s legal guardian (where the student is under 18 years of age).

“**VET**” means vocational education and training.

“**VET Student Loans**” means the Commonwealth of Australia’s income contingent loan scheme

“**VET Students Loans Act**” means VET Students Loan Act 2016 (Cth)

“**VSL Eligible Student**” means a person who is not an International Student. That is a person studying with the College (whether within or outside Australia) who is:

- i) an Australian citizen; or
- ii) a New Zealand citizen resident in Australia who holds a special category visa; or
- iii) a qualifying New Zealand citizen under the VET Student Loans scheme or
- iv) a person that holds a permanent humanitarian visa who is usually resident in Australia and who does not require a student visa to study in Australia.

“**Your Fault**” includes circumstances where:

- a. you do not start the Course on the Course Start Date;
- b. you withdraw from a Course after the Census date;
- c. you failed to pay an amount that you are liable to pay the College, directly or indirectly in order to undertake the Course;
- d. any behaviour that results in the suspension or cancellation of your enrolment (all College processes for suspension or cancellation of enrolment must be followed).



## **1. AGREEMENT BETWEEN THE COLLEGE AND THE STUDENT**

- 1.1 When the College accepts a student's application for enrolment it is intended that this Policy will constitute part of the written agreement between the College and the student for the purposes of the VET Student Loan Act and the Standards for Registered Training Organisations (RTOs) 2015.
- 1.2 Tuition Fees must be paid by the due date specified in the Letter of Offer.
- 1.3 The amount of all fees referred to in this Policy are found in the Letter of Offer, Fee Schedule or in other College Policies and Procedures.

## **2. CIRCUMSTANCES FOR REFUNDS**

### **2.1 STUDENT CANCELLATIONS**

When a student cancels their enrolment, refunds of tuition fees paid by students will only be made in the following circumstances:

a) **Where you cancel BEFORE the Course Census Date**

If written notice of cancellation is received before the Course Census Date, the College will, within 28 days, refund the Course Fees received. No refund of fees will be given where notice is received after the Course Census Date.

Once you start a Course, you may withdraw at any time on or before the Census date of the then current term. There is no cost or administrative barrier to a student withdrawing from a course or part of a course before the Census date.

b) **Where you withdraw from the Course AFTER the Course Census Date**

No refund of Course Fees will be given if written notice of cancellation is received after the Course Census Date.

### **2.2 RE-CREDITS – students who are eligible for VET Student Loans assistance**

This section is applicable to you if you are an Australian citizen or permanent humanitarian visa holders (who are resident in Australia for the duration of the unit of study) and enrolled in a VET Student Loans approved course offered by the College. If you wish to withdraw from a VET unit of study/subject you must do so by completing the SCV Form and the Refund / Recredit Request Form (or in the case of re-credit requesting in writing directly to the College).

In the event of a VET Student Loans student withdrawing from a unit of study/subject on or before the census date for that unit of study/subject: 100% of tuition fees paid for that unit will be re-credited to your account; and you will not incur a VET Student Loans debt. In the event of you withdrawing from a unit of study/subject after census date for that unit of study/subject no re-credit is applicable; and/or you will incur a VET Student Loans debt.



Re-credits will be actioned within 30 days of the census date of the VET unit of study/subject to which the withdrawal applies.

Note: A VET Student Loans student who withdraws after the census date from a unit of study/subject may apply for special consideration in line with the College's FEE-HELP Review Procedures for Re-crediting a FEE-HELP Balance which has full information on re-crediting FEE- HELP under special consideration. (See Australian Government Information on [www.education.gov.au/vet-student-loans](http://www.education.gov.au/vet-student-loans) or contact the HELP Student Enquiry line on 1800 020 108 or email [VETStudentLoans@education.gov.au](mailto:VETStudentLoans@education.gov.au)).

### 2.3 What happens to you as a VET Student Loans student if the College ceases to provide your course?

- a) The College will notify you in writing that an approved course is no longer provided within 24 hours after the College ceases to provide the course. The College, within the same period of time, will give written notice to the VSL Tuition Protection Director of the circumstances of the default.
- b) As soon as practicable the College will update its website to reflect that the course is no longer being delivered and give you information about the tuition assurance arrangements.
- c) Within 3 business days of the default occurring, the College will give the VSL Tuition Protection Director the information required under s66C(3) of the VET Student Loans Act.
- d) Replacement courses: The Commonwealth Department of Education and Training or a consultant engaged by the Department will work with you to identify a replacement course and arrange for you to be placed with replacement Providers.
- e) If the College offers you a replacement course and you accept:
  - i) you will not be charged tuition fees for a replacement component of the replacement course if tuition fees have been paid for the affected part of the original course;
  - ii) you will be enrolled in the replacement course as soon as practicable; and
  - iii) the College will inform the VSL Tuition Protection Director within 14 days of your acceptance of the replacement course.

## 3. REFUND PROVISIONS

- 3.1 When you defer commencement in a Course and then cancel the Course, the original Unit of Study Census Date before your request for deferment(s), will be used as the Date to determine whether a refund is to be made.
- 3.2 No refund will be made where the College cancels, suspends or terminates your enrolment as a result of Your Fault. The College will notify you in writing if you default in relation to your Course as a result of Your Fault.



- 3.3 The refund will be paid directly to you or in accordance with your written directions.
- 3.4 The College may:
- a) request further information or evidence to confirm that you are the person entitled to receive the refund or give a direction to pay the refund;
  - b) pay the refund by bank draft or company cheque (in case of refund within Australia) or;
  - c) pay the refund to a bank account by direct credit but only if you provide evidence that the bank account exists.
- 3.5 All refunds will be made in Australian currency only.
- 3.6 The College may change this Policy at any time and the Policy to be used to determine whether you receive a refund will be the Policy applicable at the time you give notice of cancellation or withdraw enrolment in a Course. For the latest Policy please refer to [www.apc.edu.au](http://www.apc.edu.au).
- 3.7 If you wish to appeal a decision of the College made under this Policy you should refer to the College's Complaints and Appeals Policy for the procedure to follow.

#### 4. HOW TO WITHDRAW FROM A COURSE AND GET A REFUND OR RECREDIT

- 4.1 **Complete a SCV Form.** The SCV Form is available from the Student Care Office or the College website.
- 4.2 **Complete a Refund / Re-Credit Request Form.** The Refund / Re-Credit Request Form is available from the Student Care Office or the College website (or in the case of re-credit requesting in writing directly to the College).
- 4.3 **Attach all relevant documents to the SCV Form.** You should attach documents supporting the reason for your withdrawal and confirming your identity as well as a Refund / Re-Credit Request Form.
- 4.4 **Hand in the completed forms to Student Care or email to:** [refunds@apc.edu.au](mailto:refunds@apc.edu.au) and [design.registrar@apc.edu.au](mailto:design.registrar@apc.edu.au). Please make sure that your student number and current contact details (email address, mobile phone number) are on the form. Please sign and date the SCV Form before handing it in. Your form will **NOT** be processed if it is not signed and dated.

The College will process your completed SCV Form and assess whether you are entitled to a refund or re-credit based on our Policy. The College may ask for further information or documentary evidence. Please note that incomplete SCV Forms may delay the processing of it and payment of refunds or re-credits.



## POLICY REVIEW

This Policy will be reviewed as part of the College's three (3) yearly review process or as legislation requires.

## RELEVANT LEGISLATION

This document references the following legislation, regulations, codes and standards:

Relevant Legislation/codes/standards	
<b>Commonwealth</b>	VET Students Loan Act 2016 (Cth) Standards for Registered Training Organisations (RTOs) 2015 Higher Education Support ACT 2003

## RELATED POLICIES AND PROCEDURES

This document references the following College policies and/or procedures:

Related Policies and Procedures	
<b>Procedures</b>	FEE-HELP Review Procedures for Re-crediting a FEE-HELP Balance
<b>Forms</b>	SCV Form Refund / Re-Credit Request Form
<b>Other Documents</b>	Fee Schedules Statement/s of Tuition Assurance

## KEYWORDS

<b>Keywords</b>	Refund, Re-Credit, VET Student Loans, withdrawal from a course, fee, default, student visa refusal
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## POLICY OWNER

<b>Policy Owner</b>	Learner Experience Unit
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## POLICY/PROCEDURE HISTORY

Policy History			
Current version	Current version release date	Author	Description of changes



Cancellation and Refund Policy v6.5	1 July 2016	Alex Lee	
Cancellation and Refund Policy v6.7R	October 2018	Sara Gaudry	Full update in accordance with the Policy and Procedure Template, Guidelines for Drafting Policies and Procedures and the National Code.
Cancellation, Refund and Re-credit Policy v6.7V	29 April 2019	Ron Newman	VDI trading as APC Design School version of standard APC policy created
Cancellation Refund and Re-credit Policy v1.0R(APC Design School)	May 2020	Sara Gaudry Ron Newman	Update of Letterhead and removal of references to application fee.
Refund and Re-Credit Policy (Domestic Students) v1.1R(APC/APC Design School)	October 2021	Sara Gaudry	Change of name of policy. Update of Letterhead due to approval of VSL to Young Rabbit P/L, change to definition of College and additions to clause 2.3.
Refund and Re-Credit Policy (Domestic Students) v1.2R(APC/APC Design School)	May 2022	Sara Gaudry	Addition to clause 2.1(a) to satisfy clause 86(2) of the VSL Rules.
Cancellation, Withdrawal, Refund and Re-Credit Policy (Domestic Students) v1.3R(APC/APCDS)	Feb 2023	Sara Gaudry Monique Egging Pam Segal	Change of name of Policy, changes to the definition of Domestic Student to restrict the use of the policy to only VSL and VSL Eligible Students