



IHM[®]
Institute of Health and Management

Fees, Charges and Refunds Policy and Procedure for Overseas Students

Purpose

The purpose of this document is to clarify IHM's policies and procedures with regard to the setting, changing and refunding of fees for tuition and other services provided to overseas students.

Scope

This policy applies to all overseas students and prospective overseas students enrolled or enrolling in any accredited course of higher education study provided by IHM. The policy does not apply to fees charged by third parties such as textbook suppliers for services relating to IHM courses, except where students are required to pay such fees in order to complete an IHM course of study.

Responsibility

The Chief Financial Officer is responsible for setting fees in consultation with the Senior Management Team. The administration and management of fees is provided by the Account Manager and Student Admission and Registration Services Manager.

Definitions

Fee

Money payable by a student for tuition or similar services

Obligation period

A period which applies under specific circumstances and for specific durations, as defined by sections 46D, 47D or 47E of the Education Services for Overseas Students Act 2018

Scholarship

Funds allocated for the tuition fees (or part thereof), associated charges and in some cases a stipend, based on a measure of scholarly achievement

A 'study period' is as defined in the Letter of Offer and the Written Agreement.

The Agreed Course/Term start date is defined as the day on which the course or term is scheduled to start. It is also the invoice due date for the term tuition fees.

Minimum deposit is defined as the minimum tuition fee amount payable of \$2,500 to secure a place.

Student default under section 47A of the ESOS Act: an overseas student or intending overseas student defaults in relation to a course at a location if:

- the course starts at the location on the agreed starting day, but the student does not start the course on that day (and has not previously withdrawn, or
- the student withdraws from the course at the location (either before or after the agreed starting day), or
- the registered provider of the course refuses to provide, or continue providing, the course to the student at the location because of one or more of the following:
 - the student failed to pay an amount payable to the provider of the course

- the student breached a condition of their student visa
- misbehaviour by the student (note: the student is entitled to natural justice under subsection 47A (3)).

Course Fees refers to any fees made towards a course including tuition and non-tuition fees.

This Policy applies to all accepted and former students regardless of visa or residency status.

Principles

Charging of fees for tuition

IHM as a commercial entity has both the right and the responsibility to charge fees for tuition, which is our primary source of income and the main service we provide.

Charging of costs in addition to fees for tuition

In addition to tuition fees, IHM may charge other fees for additional services relating to study, provided that students are informed of those fees prior to enrolment.

Charging of fees for services other than tuition

Though tuition is IHM's primary business, IHM may provide other services to students and other clients and charge for those services. Charges for services other than tuition are also subject to the terms of this policy.

Refunding of fees and charges

Fees will be refunded to students if there is an obligation to provide a refund under the Education Services for Overseas Students Act 2000 or other relevant legislation.

Avoidance of Cash Handling

Accepting fees in cash as payment for tuition fees would pose a significant security risk, both financially and to the safety of IHM employees. All fees must therefore be paid by electronic means, or by cheque, bank cheque or money order.

Collecting fees for only one study period in advance

Fees will be collected from an overseas student to the extent of 50% of total tuition fees for a course before the student began their course.

IHM will collect fees more than 50% of total tuition fees from overseas student if;

- (a) either of the following choose to pay more than 50% of the overseas student's, or intending overseas student's, total tuition fees for a course before the student has begun the course:
 - the student;
 - a person who is responsible for paying those fees; or
 - the course has a duration of 25 weeks or less.

Fees to be retained in a designated bank account

All tuition fees collected will be held in a designated bank account which is not used to store money from any other source. The money is placed in this account for each consecutive intake of students and no part of that money will be withdrawn until the students who paid the fees have commenced the units of study for which the fees were paid, unless:

- a. The fees for one or more students, or part thereof, are to be required to be refunded in accordance with section 46D, 47D or 47E of the Employment Services for Overseas Students Act 2000;
- b. The fees for one or more students, or part thereof, are to be required to be refunded in accordance with section of the of the Employment Services for Overseas Students Act 2000 or;
- c. A payment is required to be made to the Tuition Protection Service (TPS) Director in accordance with section 50C of the Employment Services for Overseas Students Act 2000;

If a withdrawal of fees is made due to any of the above exceptions, the fact that it has been made and the amount withdrawn will be stated in the Notice to the Secretary and the TPS Director, which is issued within 7 days after the provider obligation period ceases, in accordance with section 47H of the Education Services for Overseas Students Act 2000 incorporating subsequent amendments.

Privacy and freedom of information

Information about the fees and charges owing on a student's account is considered private information. No person other than the student will be given any information, including outstanding balances, about a student's account, without having first presented a proxy letter of power of attorney document.

Information provided by a student while paying fees such as credit card details, billing address and payment history, will be provided to students upon request.

Indexing of fees and charges

Fees and charges will not automatically increase with indexation. However, measures of inflation, currency exchange rates and market factors, both locally and in target markets, will be taken into account during each regular review of fees and charges. An extraordinary review will be conducted if major changes to the rate of inflation or other factors occur.

Tuition protection

IHM will pay the Overseas Student Tuition Fund levy and the TPS levy in accordance with Section 52 of the Education Services for Overseas Students Act 2000 and with the Education Services for Overseas Students (TPS Levies) Act 2012.

Informing prospective overseas students about fees and charges

Prior to applying for a course of study, prospective overseas students will be provided with the following information about fees, charges and refunds, plus additional information as required:

- The total cost of undertaking the course for which they intend to apply;
- A breakdown of any fee components such as fees per unit, per study period and any additional costs such as textbooks and services;

- The timeframe for paying fees;
- The circumstances under which a refund may be granted;

Collection of fees

- In accordance with the Student Registration Procedure, or prior to the commencement of a new tuition period, an invoice is issued to an overseas student for the collection of fees;
- The student makes payment by any of the methods specified on the invoice;
- The payment is deposited directly into the designated bank account and verified by the Account Manager;
- The invoice is marked as 'Paid' and the Student Administration and Registration Services Manager is notified and updates the student's enrolment status in accordance with the Overseas Student Registration Procedure.

Collection of fees by an education agent or third party

Any education agent or third party involved in recruiting students on behalf of IHM will provide students with the same information that is listed in the procedure for informing students about fees and charges and will sign a checklist indicating that this has been done. A random sample of students will be audited by Quality Assurance Department whether they were provided with this information by the education agent involved in their application as a quality control measure.

Notice to the Secretary and the TPS Director

In the event that a default occurs under Subdivision A or Subdivision B of the Education Services for Overseas Students Act 2000:

- The Finance Manager prepares a draft Notice to the Secretary and the TPS Director, using the Notice to the Secretary and the TPS Director Template;
- Obligations to the student are discharged;
- The Chief Finance Officer inspects the notice and provides conditional approval for its submission;
- If amendments have been made, the Chief Finance Officer inspects the notice once more and grants final approval;
- If no amendments were made, or once step 4 has been completed and no later than 5 days after the cessation of the obligation period, the Finance Manager lodges the notice.

Procedure for waiving fees

The Accounts Manager may determine that a fee is to be waived if it is a minor fee of less than one hundred Australian dollars. Fees of over one hundred dollars may only be waived with authorisation from the Finance Manager. Fees will only be waived where it is in the interests of IHM, or if there is a legal or moral obligation to do so.

Refunding of fees

This procedure may be initiated either by a request for a refund being made by a student or where circumstances under which IHM is required to provide a refund are identified. Where a refund is requested or thought to be required:

1. A Refund Request Form (RRF) is completed by a student, education agent or staff member and submitted to the Student Administration and Registration Services Manager. This may be done either electronically or in hard copy;
2. The refund is granted if:
 - a. An obligation to provide the refund under sections 46D, 47D or 47E of the Education Services for Overseas Students Act 2000 is identified;
 - b. An obligation to provide a refund under any other applicable legislation such as the Competition and Consumer Act 2010 is identified;
 - c. Compelling circumstances exist that justify the provision of a refund;
3. In the event Overseas Student Health Cover Fees is arranged by IHM the fees will be refunded as per the providers policy and refunded to the student by IHM.
4. In the event Overseas Student Health Cover Fees is arranged by the student the fees will be refunded as per the providers policy and refunded to the student by the provider.
5. The Student Administration and Registration Services Manager reviews the refund request, consulting as necessary with the Quality Standards and Compliance Manager regarding any applicable legislative, regulatory or policy requirements, and may grant and process the refund using petty cash if the amount is less than one hundred Australian dollars;
6. If the amount exceeds one hundred Australian dollars, the Student Administration and Registration Services Manager seeks authorisation from the Finance Manager then submits the authorised request to the Account Manager;
7. The Account Manager processes the refund, no later than 21 working days after the lodgement of the RRF;

Payment of refunds

Refunds will be

1. paid only to the person who originally paid the fees, or to the sponsoring agency paying fees on a student's behalf by Electronic Funds Transfer
2. All refunds will be paid in Australian dollars within 21 days of lodgement of the RRF.

Permanent residency

In the event that an overseas student obtains permanent residency after having paid tuition fees for an IHM course as an overseas student, the following procedure will apply:

1. The Student provides documentation to the Student Administration and Registration Services Manager;
2. The Student Administration and Registration Services Manager Enrols the student as a local student and informs the student that a full refund will be provided for any prepaid tuition fees;
3. The Student Administration and Registration Services Manager provides the student with a letter of offer to enrol as a local fee-paying student;
4. The student, upon acceptance of the offer, pays the fees applicable for domestic students and is enrolled in accordance with the Student Registration Policy and Procedure.

Process for applying for refunds

1. Refund applications for full or partial refunds must:
 - Be made in writing via the *Refund Request Form*; and
 - Set out the reasons for the application; and
 - Be accompanied by supporting documents as may be appropriate; and
 - Be forwarded to: accounts@ihm.edu.au

The information provided by the Student on the Refund Request Form must include:

- The date of the claim;
- The Student's full name;
- The course in which the Student was enrolled;
- The basis for making the claim;
- The amount claimed;
- The address to which the refund is to be forwarded;
- The Student's payment details;
- The Student's signature, and
- All documents relevant to the consideration of the claim.

1. Refund applications will not be processed where the signature on the Refund Request Form does not match the Student's signature as shown on other documents provided by the Student for admission to IHM.
2. A Refund Calculation Statement will be prepared and forwarded to the Student and any refund will be made in Australian dollars. IHM accepts no responsibility in respect of any foreign exchange rate fluctuations.
3. Refunds will be made by Bank Transfers and refunded to the person who originally paid the fee (evidence must be provided).
4. Any costs such as banking fees, postage costs, etc. will be deducted from refundable amounts and balance will be remitted.
5. The funds covering the tuition fees must be cleared (i.e. cheques cleared, telegraphic transfers received etc) before the refund is made.
6. All debts owing to IHM are to be deducted from any refund.
7. Where a Student is dissatisfied with a decision to provide or not to provide a refund, he or she may appeal that decision in accordance with the *IHM Complaints and Appeals Policy and Procedure*.
8. This procedure, 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.

Payment of Refunds for provider default

1. Applications for refunds for Students must be authorised by the Finance Manager or delegate.
2. Where:
 - i. the Course does not start on the agreed starting date; or
 - ii. the IHM ceases to offer the Course after it starts and before it is completed; or
3. IHM will refund the amount within 21 working days after receipt of the completed and signed Refund Request Form together with appropriate supporting documents.
4. The date of the notification for application for refund is the date a completed and signed Application for Refund is received by IHM.
5. In the unlikely event that IHM is declared insolvent or is placed under administration and is unable to provide the refunds to students, the Tuition Protection Scheme will be activated and TPS will contact the student and provide further guidance.

The Following payments are not subject to refund:

- Administration Fee (Non- Tuition)

Circumstances of Refunds

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| 1. Provider Default | |
| <p>1.1 In the unlikely event that IHM is unable to provide the course for which the original offer letter was made prior to agreed course start date (Provider Default).</p> <p>1.2 In the unlikely event that IHM is unable to continue to provide the course for which the original offer letter was made after agreed course start date (Provider Default) and the student has not withdrawn by that date.</p> <p>1.3 In the unlikely event that IHM is declared insolvent or is placed under administration and is unable to provide the refunds to students, the Tuition Protection Scheme will be activated.</p> <p>The Tuition Protection Service (TPS) is 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:</p> <ul style="list-style-type: none"> ○ complete their studies in another course or with another education provider or ○ receive a refund of their unspent tuition fees. | <p>100% refund of total course fees (tuition and non-tuition fees).</p> <p>Refund of unspent tuition fees will be calculated as per Refund amount Calculator.</p> |
| 2. Student Default | |
| 2.1. Visa refusal prior to agreed course start date (offshore). | 100% refund of tuition fees. Non-Tuition fee is non-refundable. |
| 2.2. Visa refused due to fraudulent documentation, forged documents or deliberately misleading information. | No refund |
| 2.3. Visa refusal (extension) before the agreed course/term start date (onshore). | 100% refund of tuition fees. Non-Tuition fee is non-refundable. |
| 2.4. Visa refusal (extension) after the agreed course/term start date (onshore). | Refund of unspent tuition fees from the date of written notification received by DoH as per |

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| | Refund amount Calculator (minus non-refundable fees). |
| 2.5. Withdrawal more than four weeks prior to agreed course/term start date. | 75% refund of prepaid course fees of first study term. 100% refund of prepaid fees of subsequent terms and/or courses. Excluding enrolment fee and minimum deposit. |
| 2.6. Withdrawal four weeks or less prior to agreed course/term start date. | 50% refund of prepaid course fees of first study term. 100% refund of prepaid fees of subsequent terms and/or courses. Excluding enrolment fee and minimum deposit. |
| 2.7. Withdrawal on or after the agreed course/term start date | No refund for the term to which the start date applies. Refund for subsequent terms and/or courses will be calculated as per the number of weeks prior to the next course/term start date. Excluding enrolment fee and minimum deposit. |
| 2.8. Institute approved deferment of studies for one term, then subsequent cancellation of enrolment. | No refund of current term fees. 100% refund of prepaid course fees for any subsequent course/term. Excluding enrolment fee and minimum deposit. |
| 2.9. Institute initiated cancellation of enrolment due to student default or misbehaviour. | No refund of current term fees. 100% refund of prepaid course fees for any subsequent course/term. Excluding enrolment fee and minimum deposit. |
| 2.10. Cancellation of enrolment due to visa cancellation due to breach in visa condition. | No refund of current term fees. 100% refund of prepaid course fees for any subsequent course/term. Excluding enrolment fee and minimum deposit. |
| 2.11. Cancellation of enrolment due to non-commencement. | No refund of current study period. Subsequent courses will be calculated as per weeks prior to agreed course/term start date. Excluding enrolment fee and minimum deposit. |

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| 3. Non-refundable Fees | |
| Enrolment fee in all conditions (except for provider default prior to course commencement). | |
| 4. Overseas Student Health Cover (OSHC) | Please refer to your insurance provider. IHM's preferred provider is Allianz http://www.allianz-assistance.com.au/ |
| 5. Refund Calculator (ESOS calculation of refund specifications) Weekly tuition fee Weeks in default period Refund amount | Weekly tuition fees = Total tuition fee for the course/number of calendar days in the course x 7. Weeks in default period = Number of calendar days from the default day to the end of the period to which payment relates / 7. Refund amount = Weekly tuition fee x weeks in default period. |

Supplementary Information

Related policies/procedures:

- Fees, Charges and Refunds Policy and Procedure
- Student Complaints and Appeals Policy and Procedure

Related documents:

- Fee Schedule
- Fee Invoice
- Fee Refund Application
- Complaints and Appeals Form

Related legislation:

- Competition and Consumer Act 2010
- Privacy Act 1988
- Privacy and Personal Information Protection Act 1998 (NSW)
- Freedom of Information Act 1982
- Education Services for Overseas Students (TPS Levies) Act 2012
- Education Services for Overseas Students Act 2000
- Guidelines: Not applicable

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| Name of Document | Fees, Charges and Refunds Policy and Procedure |
| Approval Committee | Board of Governors |
| Endorsement Committee | Finance and Resource Committee Academic Board |
| Policy Status | Approved |
| Date of Approval | 12/02/2020 |
| Responsibilities for Implementation | Senior Academic Team |
| Key Stakeholders | Student Administration and Registration Services Manager Finance and Resources Manager Director of Studies Chief Finance Officer CEO |
| Date for Next Review | 12/02/2021 |
| Policies Superseded by this Policy | None |

[1] Fees, charges and refunds for overseas students to whom the Education Services for Overseas Students Act 2018 applies are set out in the Overseas Student Fees Charges and Refunds Policy and Procedure.