

Department	Vocational Education & Training	
Quality Controlled Document No. & Title	ESOS 3.0	Overseas Student Fee and Refund Policy
Version	2.1	
ESOS National Code 2018	Standard 3.0	



Author	RTO CEO	
Approved	RTO CEO	
Authorised	RTO Academic Board	
Distribution	Internal	Students
	External	Prospective Students

Fee and Refund Policy – Overseas Students Only

1.0 Fee and Refund Policy – Overseas Students Only

The Education Services for Overseas Students (ESOS) Act 2000 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 require that Hampton College have in place a Fee and Refund Policy, which must be provided to overseas students who are studying in Australia on a student visa, before formal approval of their enrolment and issuing of a Confirmation of Enrolment.

This Fee and Refund Policy applies to those Hampton College students who are 'overseas students' as defined in the National Code 2018. Except as provided by law, a refund of tuition fees shall only be granted in accordance with this Fee and Refund Policy. Students acknowledge and agree to the terms and conditions of this Policy on signing the declaration in the enrolment application and signing Hampton College's Overseas Student Offer and Acceptance Agreement.

Hampton College reserves the right to amend these terms and conditions at any time to ensure compliance with applicable State and Federal laws and/or to amend the non-refundable Administration Fee. Hampton College shall inform the Department of Home Affairs of any change of status where a student who holds a student study visa completes their course outside the course duration period, transfers to another provider, defers their course, is suspended or has their enrolment terminated for not meeting course academic requirements, and/or does not meet their visa conditions.

Course fees shall comprise a Tuition Fee, a Materials Fee and an Administrative Fee.

Hampton College shall not collect more than \$1,500 of a student's tuition fees in advance.

2.0 Fee Refunds

Hampton College's Fee and Refund Policy is founded on the principles of fairness and good faith. Hampton College acknowledges that all students may take action under Australia's consumer protection laws where a refund is refused. A full refund of all tuition, and non-tuition, fees paid shall be provided by Hampton College where the course does not commence on the agreed starting date as per the Overseas Student Offer and Acceptance Agreement. Where Hampton College is not able to offer a course, Hampton College may offer affected students enrolment in another suitable course, at no additional cost. It will be completely at the student's discretion as to whether or not such an offer is accepted.

Prior to commencement of a course, a full refund of tuition fees paid to date, less Hampton College's enrolment administrative fee, which is a 'non-tuition fee', shall be provided where, upon presentation of evidence acceptable to Hampton College:

- the student is refused a study visa;
- illness or disability prevents the student from starting a course;
- the student fails to meet the English or other entry requirements for acceptance in the course;
- there are family circumstances which prevent the student from starting the course; or,
- other special or extenuating circumstances, including political, civil or natural events, which prevent the student from starting the course, and which are accepted at the discretion of Hampton College's CEO. For example, a full refund would be payable where an Offer is cancelled because the student is not able to travel to Australia due to travel restrictions being imposed as a result of a pandemic.

A refund of any fees paid shall not be made where the student is found to have deliberately provided incomplete, or inaccurate, information with their Student Enrolment Application, and is not able to rectify the identified issue(s).

Where a student, after accepting an offer of a place, withdraws from the course the up to 30 working days before the commencement of the course, for no valid or acceptable reason, 75% of the tuition and materials fees paid to date for that course are refundable. After this time, where a student withdraws for no valid reason, then no refunds shall be made.

Should the RTO cease to deliver a course after commencement, then refunds shall be calculated in accordance with the Course Fee Refund Formula, and payments for materials not yet provided are refunded.

A student whose visa is cancelled during a course shall not be eligible for a refund of any fees paid.

Where a student has commenced the course but is unable to continue due to extenuating circumstances, such as illness, health issues, family circumstances, or other acceptable reason, then refunds of tuition fees shall be in accordance with the Course Fee Refund Formula, and payments for materials not yet provided are refunded.

Where a student has commenced a course, but has their enrolment terminated, or cancelled, by Hampton College, there will be no refund of fees paid. 'Termination' or 'Cancellation' may be as a result of a significant breach of RTO policies, their visa conditions, or the student is convicted of a criminal offence. In all cases, the student may access the Institute's Complaints and Appeals Policy.

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3.0 Course Fee Refund Formula

Course Fees Paid X (Course Duration Weeks – Course Attended Weeks*) / Course Duration Weeks

Example: Course fee paid in advance \$1,500, Course duration 64 weeks, student attended 30 weeks.

$\$1,500 \times (64 - 30 / 64) = \797 refund

* 'Course Attended Weeks' shall include all weeks from the week of the course start date, as specified in the Overseas Student Offer and Acceptance Agreement up to, and including, the week when the student's request to withdraw from the course is received, or the week in which the student is notified that their enrolment in the course has been terminated.

The student enrolment administrative is not refundable once the student has commenced their course. Prior to course commencement, refunds shall not require a formal application from the student where Hampton College is not able to offer the course, or where the student is refused a study visa. All other requests for full or partial refunds must be made in writing on the Request Fee Refund Form.

4.0 Other Fees

The following fees are payable as required and are not refundable:

Enrolment application administrative fee	\$250.00
Recognition of Prior Learning Assessment	\$250 per Unit
Re-assessment fee	\$150 per unit
Late payment of course fees	\$5 per day
Deferral of studies – admin fee	\$150
Transfer to another provider – admin fee	\$150

5.0 Events and Refunds

Event	Refund Policy
RTO cancels course prior to commencement.	• Full refund of all fees.
RTO cancels course after commencement.	• No refund of enrolment admin fee. • Refund of tuition fees paid in advance in accordance with Course Fee Refund Formula. • Refund of materials fees for those course materials not yet provided to the student.
Student is refused a study visa.	• No refund of enrolment admin fee. • Refund of all tuition fees paid.
Student accepts offer of enrolment, but does not commence course due to illness, or other extenuating circumstances.	• No refund of enrolment admin fee. • Full refund of tuition and materials fees
Student accepts offer of enrolment but advises RTO of their intention to withdraw, for no valid reason, more than 30 days prior to course commencement date.	• No refund of enrolment admin fee. • Refund of 75% of tuition fees and materials fees
Student accepts offer of enrolment but advises RTO of their intention to withdraw, for no valid reason, less than 30 days prior to course commencement date.	• No refund of enrolment admin fee. • No refund of tuition fees and materials fees.
Student has commenced the course but is unable to continue due to extenuating circumstances, such as illness, health issues, family circumstances, or other acceptable reason.	• No refund of enrolment admin fee. • Refund of tuition fees paid in advance in accordance with Course Fee Refund Formula. • Refund of materials fees for those course materials not yet provided to the student.
Student has been found to have provided false or misleading information in their enrolment application, where otherwise the student's enrolment application would have been rejected.	• No refund of enrolment admin fee. • No refund of tuition fees and materials fees.
Student has commenced a course, but has their enrolment terminated, or cancelled, by Hampton College, there will be no refund of fees paid. 'Termination' or 'Cancellation' may be as a result of a significant breach of RTO policies, their visa conditions, or the student is convicted of a criminal offence. In	• No refund of enrolment admin fee. • No refund of tuition fees and materials fees.

all cases, the student may access the Institute's Complaints and Appeals Policy.	
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* *The enrolment fee is an administrative fee and is non-refundable.*

7.0 Procedures for applying for refunds

To apply for a refund, Students can download the Fee Refund/Withdrawal Application Form from the RTO's website. A hard copy of the form may also be obtained from the RTO Manager or Administration.

Applications will be considered, and applicant advised in writing, within 20 working days of the RTO receiving the application. The decision as to whether the Student will receive a refund or partial refund will be made based on the grounds for refunds specified above.

8.0 Payment of Refunds

The RTO will pay the refund to the same person or body from whom the payment was received on behalf of the Student. This includes credit cards.

9.0 Complaints and appeals

In the event that the Student is dissatisfied with the outcome of their application for a refund, the Student may lodge a complaint under the RTO's Complaints and Appeals Policy. The existence of this policy, and RTO complaints and appeals processes, does not stop Students taking action under Australia's consumer protection laws. The student may nominate another person or entity to act on their behalf of the student in the complaints and appeals process.

10.0 Tuition Protection Service (TPS)

The Tuition Protection Service (TPS) assists international students whose education providers are unable to fully deliver their course of study.

<https://www.education.gov.au/tps/international-students>