REFUND POLICY

Background
This policy observes the principles outlined in the Code of Practice and Guidelines for Australian Universities published by Universities Australian and complies with the Education Services for Overseas Students (ESOS) Act. The policy applies to all commencing and continuing international students (or their legal guardian or sponsor) and full fee paying students not holding a permanent residence visa unless otherwise stated.

All refund requests for course money (as defined in the ESOS Act) are conditional on the following:

- the funds for the refund must be available (cheques are cleared, telegraphic transfers have been received);
- any debts to the University must be paid in full or the outstanding amounts will be deducted from the refund and
- the relevant faculty must have processed the course or subject cancellation.

Refunds
The University will refund tuition fees paid in advance in full, for the following reasons:

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<tr>
<th>Circumstances</th>
<th>Refund Exceptions</th>
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<tbody>
<tr>
<td>(a) The University is unable to provide the course that was offered, on the date specified in the letter of offer</td>
<td>The University reserves the right to retain up to 10% of tuition fees as well as any overseas representative’s fees that has been paid where an offer is withdrawn in circumstances where the Director, La Trobe International, is satisfied the offer was made on the basis of fraudulent.</td>
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<td>(b) The course ceases to be provided by the University at any time after it starts but before it is completed</td>
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<tr>
<td>(c) The Australian Government authorities refuse to grant the applicant an initial student visa before the commencement of their course</td>
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In the unlikely event that the University is unable to deliver the course in full, students will be offered a refund of all the course money paid to date. The refund will be paid within two weeks of the day on which the course ceased being provided. Alternatively, enrolment may be offered in an alternative course at no extra cost. Students have the right to choose whether to accept a full refund of course fees, or to accept a place in another course. If a student chooses placement in another course, students will be asked to sign a document to indicating acceptance of the placement.

(d) The University withdraws an offer of a place.
(e) The University does not allow a student to re-enrol in a course because of unsatisfactory academic progress, but tuition fees have been paid for a semester/term after the semester/term in which a student was made Show Cause (deemed to have not made academic progress).

A student will be refunded any tuition fees paid for the semester/term after which they were made Show Cause (i.e. the semester/term in which they were considered to have not made academic progress).

(f) In the case of student default where the student withdraws, is excluded by the University for misconduct, has failed to pay the tuition fees or has breached a visa condition. No refund will be given where this occurs after the census date. Refer to table below.

(g) In the case of a student who has received one of the following packaged offers: Foundation plus Diploma plus Degree or ELICOS plus Degree and does not enrol in the degree. La Trobe University will retain $A1000. Note that where a student receives a packaged offer after deferring or intermitting from their degree course, the refund policy related to Deferral of Studies will still apply.

<table>
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<tr>
<th>Continuing Students</th>
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<tbody>
<tr>
<td>If an application for a refund is received from a continuing student, and is not approved, then a system of credit for the overpaid amount will be applied to the next semester’s fees, unless it is the last semester of study. All applications for refunds will be assessed on a case by case basis.</td>
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**Withdrawal**

If a student withdraws from one or more subjects (including discontinuing their studies, intermitting or taking a leave of absence) the University will refund some or all of the tuition fees paid in advance provided timely formal notice is given. The amount of refund will depend on when the withdrawal occurs in relation to the Census dates. These dates are noted below and are also applicable if a student is excluded or suspended from the University, for general misconduct or academic misconduct, for failure to pay tuition fees or if a student’s visa is cancelled by the Department of Immigration and Citizenship.

<table>
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<tr>
<th>Withdrawal</th>
<th>Refund</th>
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<tbody>
<tr>
<td>A minimum of four weeks prior to the commencement date of your course (as specified on your Letter of Offer).</td>
<td>90%. A 10% administrative fee is deducted.</td>
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<tr>
<td>By close of business on the census date* for the subject</td>
<td>50% for international students in the first semester (or term) of enrolment. Continuing students 100%</td>
</tr>
<tr>
<td>After the census date for the subject</td>
<td>0%</td>
</tr>
</tbody>
</table>

*The Census dates in 2011 for standard Semester 1 and Semester 2 subjects are 31 March and 25 August respectively. Census dates for the subjects in which a student is enrolled are detailed on your Statement of Account and the census date for every subject offered by the University is published at: [www.latrobe.edu.au/calendar/all-students/census-dates](http://www.latrobe.edu.au/calendar/all-students/census-dates). If a census date is not a working day, then the subject must be complete by the last working day before the census date.
Refunds in exceptional circumstances
Where a student gives written notice after the census dates have passed to notify of withdrawal from a course due to the following exceptional circumstances the University may, in its sole discretion having regard to the exceptional circumstances, grant a total or partial refund of tuition fees.

Exceptional circumstances include:
- illness or disability; or
- death of the student or a close family member (parent, sibling, spouse or child) or;
- a political, civil or natural event which prevents full payment of fees or the student’s attendance; This decision is subject to the provision of acceptable documentary evidence in support of the application for a refund to the University.

An applicant who has not yet enrolled or a student in the first semester of a course should apply for a refund in writing to the Director, La Trobe-International.

A continuing student should apply to Academic Services using the Application for Remission of Debt form, found at: www.latrobe.edu.au/students/forms/search-results

Deferral of studies
If after accepting an offer of a place, an applicant gives written notice before the commencement of the course of intention to defer the place to the next available intake, all tuition fees will be transferred to the next available intake. The “next available intake” may be the following term, the following semester, or the following year, depending on the course and subject availability. If an application for deferral (intermission) is made after the course has commenced and an applicant wishes to apply to transfer tuition fees to a subsequent enrolment period, the applicant will need to submit an Intermission of Studies form approved by the LTI and the relevant Faculty before the relevant census date.

Note that the University is only permitted to approve intermission for Overseas Students on the grounds of compelling and compassionate circumstances (for example, where a medical certificate states that a student is unable to attend classes).

A place may be deferred for up to 12 months. If, after deferring, an applicant gives written notice of intention to not take up a deferred place, 50% of the tuition fees paid are refundable.

No refunds
No refund will be given where a student arrives after the starting date due to a delay in obtaining a visa.

Specific student cohorts
Packaged offers and COEs with partner institutions:

Where a student:
- Does not successfully complete the program at the partner institution;
- Transfers to another institution*; or
- Returns home upon completion of the partner institution program
- The A$1 200 deposit will not be refunded and will be retained by LTU.

Once a student has commenced studies at LTU the University’s Refund policy will apply.

*If a student applies to transfer to another institution on the completion of the partner institution program and meets the entry requirement of the LTU degree, LTU will not provide the student with a Letter of Release to provide to the Australian government Department of Immigration and Citizenship (DIAC). A Letter of Release will only be

La Trobe International – 2011 Refund Policy
provided to those students who are not eligible to commence at LTU.

**Masters by research and PhD candidates**
Research candidates may not defer their course of study (that is to reserve a place until the next year). This is outlined in the *Acceptance of Conditions of Offer of Higher Degree Candidature* attached to the offer letter. It is also not usual to grant permission to interrupt (suspend candidature) during the first 12 months.

**Students granted Australian Permanent Residence**
If a student is granted Australian Permanent Residence (as notified by the date stamped on their passport or on formal notification by letter from DIAC) before the start of semester or before the agreed starting date they must inform the relevant Admissions Officer at the La Trobe International immediately and present their passport.

Students are not permitted to stay enrolled as an overseas student once granted Australian permanent residence, according to Australian Government regulations. Enrolment will be converted to an Australian fee place in the same course, where available.

Where enrolment is converted to an Australian fee place, the tuition fee will be as for all students commencing in the course in the year of the transfer.

Students will also be eligible to apply for a Commonwealth supported place where available. Applications for Commonwealth supported places must be made to the relevant faculty, and must be made before the census date (this is a Commonwealth Government requirement). The faculty will consider the application for a Commonwealth supported place, along with all other transfer or lateral entry applicants. If not successful in gaining a Commonwealth supported place at that time, a student may re-apply for a Commonwealth supported place for the following semester. Admission to Commonwealth supported places is highly competitive and a transfer may not be possible.

If no Commonwealth supported places or Australian fee places are available in the course, students will not be able to continue enrolment at the University.

Further details can be obtained from the following website: [www.goingtouni.gov.au](http://www.goingtouni.gov.au)

**Fees and refunds**
If an enrolment is converted to an Australian fee place or Commonwealth supported place, if the tuition fees are a lesser amount a student's account will be credited with the amount paid for that and any subsequent semester, less any overseas representative’s fee that has been paid where the student is in the first semester of enrolment. If the tuition fees are higher, students will be issued a Statement of Account for the difference. The exception is where a student is granted Australian permanent residence after the relevant census date. In this case there will be no refund for the current semester. Instead, the full fees will continue to apply for the remainder of the semester and the new fee structure will apply from the following semester.

However, from the following semester or term, such a student will be registered as an Australian Permanent Resident and liable to pay the Commonwealth supported place contribution or full fees applying to domestic students as applicable.

**Special provisions for postgraduate completions**

**Adjustments after the submission of a thesis by postgraduate research students**
Tuition fees will always be charged in advance. If a student intends to submit a thesis before the end of a semester, they are entitled to a refund depending on the date of submission. Once the thesis is submitted, a refund of fees will be calculated on a daily pro-rata basis.
Extension of research candidature
A postgraduate research student who has been granted an extension of candidature will continue to be charged fees for the next full payment period.

Late submissions of a minor thesis by postgraduate coursework students
Where a minor thesis is part of enrolment for a given semester, students should submit it before the start of the next semester. If this is not possible the student must re-enrol in the same subject for the next semester and pay the tuition fees for this subject again. Where the thesis is submitted prior to the relevant census date, students may apply for a refund. If the thesis is not submitted prior to the census date, students are not eligible for a refund of fees.

Agreement
When the University accepts signed acceptance documents and a tuition fee deposit this policy will constitute a written agreement between the University and the student as an overseas student for the purposes of the ESOS Act 2000 as amended and the National Code 2007.

Application Procedure
If a student changes their enrolment, any monies owed will automatically be credited to their account. If a student prefers a refund, applications can be obtained from www.latrobe.edu.au/students/fees/course/refunds (search 'refund') or from your campus’ Academic Services Office.

Refunds should be applied for within 12 months of discontinuation of enrolment. If a student intends to change their enrolment, they are required to notify the relevant area before the subject census date, or they will not be eligible for a refund. Relevant areas include:
- International Admissions (commencing international students);
- your faculty office (all other international students).

Payment of refunds
Refunds will be:
- paid only to the person who originally paid the fees, or to the sponsoring agency paying fees on a students behalf;
- paid by cheque or Electronic Funds Transfer;
- provided as an international bank draft in foreign currency and sent to the relevant overseas address. If a refund is required in Australian dollars, it can only be processed by Telegraphic Transfer;
- paid within 4 weeks of receipt of your application.

US Federal Family Education Loan Program
The University is obliged to retain tuition fees paid by recipients of US FFELP funds who withdraw at any stage of the year and any unearned funds must be returned directly to the student’s US lender. Any portion of the tuition fees paid which is not required to be returned to the student's US lender will be refunded to the student.

Review process
If a student is unhappy with any decision made by the University relating to the refund of fees, they may apply to the University Ombudsman for a review of the matter, in accordance with the University’s Statutes and Regulations.

If a student is not satisfied with the decision of the University Ombudsman, they may request the University to refer it to the Victorian State Ombudsman who is the independent dispute resolution body in accordance with the National Code 2007. 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.

PRIVACY STATEMENT
The University is only able to effectively process an application for enrolment or arrange
health insurance cover by obtaining and disclosing relevant personal information.

The University may disclose personal information provided by applicants:
- to a third party, authorised by the University, to enable the third party to contact applicants or students by any means whatsoever (including by email, SMS or telephone calls for an indefinite period), for the purpose of assisting with the finalisation, processing and administration of an application
- to provide information about the University generally
- where disclosure is required or allowed by law; and
- where you have otherwise consented.

The University may disclose personal information provided relating to an applicant and members of an applicants family who are covered under the applicants Overseas Student Health Cover (OSHC) membership, to the University’s preferred Overseas Student Health Care provider, for the purpose of the provider communicating with about OSHC.

Information is collected during your enrolment in order to meet La Trobe University’s obligations under the ESOS Act and the National Code 2007; to ensure student compliance with the conditions of their visas and their obligations under Australian immigration laws generally. The authority to collect this information is contained in the Education Services for Overseas Students Act 2000, the Education Services for Overseas Students Regulations 2001 and the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007.

Information collected about you during your enrolment can be provided, in certain circumstances, to the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager. In other instances information collected during your enrolment can be disclosed without your consent where authorised or required by law.

Subject to the provisions of the Information Privacy Act 2000 (Victoria), you may access personal information collected about you and held by La Trobe University by contacting La Trobe International.