

CANCELLATION, WITHDRAWAL AND REFUND POLICY (International Students)

Effective Date: July, 2025

Objective:

This Policy outlines the circumstances under which an International Student is entitled to a refund and details the procedure that must be followed for cancelling enrolment or withdrawing from a course in order to receive a refund. It adheres to the ESOS Act, the National Code, and other relevant legislation, and specifically applies to TPC's International Students.

Domestic students should refer to TPC's Cancellation, Withdrawal, and Refund Policy.

Note: This Policy does not affect the student's right to take action under the Australian Consumer Law, where applicable.

Scope:

This Policy applies exclusively to TPC's International Students enrolled in vocational education and training (VET).

Domestic (VET) students are excluded from this Policy and should refer to TPC's Cancellation, Withdrawal, and Refund Policy for Domestic Students.

Definitions:

- TPC: The Performance College.
- Enrolment Fee: A non-refundable fee of \$250 required for processing an application to study at TPC.
- Cancellation Fee: A non-refundable fee of \$500 payable when a student cancels enrolment 28 days or more before the Course Start Date (it includes the non-refundable Enrolment Fee).
- Course Fees: Total fees paid for tuition and non-tuition services, as outlined in the Letter of Offer.
- Course Start Date: The date specified in the Letter of Offer for the commencement of the course.
- Domestic Student: An Australian citizen or permanent resident.
- International Student: A temporary resident or citizen of any country other than Australia, including Student Visa holders.
- Non-Tuition Fees: Fees for services other than tuition, including administrative fees.
- Tuition Fees: Fees paid for the tuition of a course.
- Withdrawal Fee: A fee applied when a student withdraws from a VET course.

Policy Details:

Circumstances for Refunds:

Refunds will only be granted in the following situations:

1. Student Cancellations:

- *28 Days or More Before Course Start Date:* If written notice of cancellation is received 28 days or more before the Course Start Date, a refund will be issued for 80% of Tuition Fees.
- *Less Than 28 Days Before Course Start Date:* If written notice of cancellation is received 27 days or less before the Course Start Date, a refund will be issued for 50% of Tuition Fees.
- *After Course Start Date:* No refund of Course Fees will be provided after the Course Start Date.

2. TPC Default:

- If TPC fails to start or ceases to provide the course, TPC will notify the student in writing and refund any unused portion of the Tuition Fees on a pro-rata basis, except where the student has withdrawn, is at fault, or accepts an alternative course offered by TPC.

3. Student Visa Refusal:

- *Before Course Start Date:* If a student's visa is refused before the Course Start Date, a refund of Course Fees minus the Cancellation Fee will be provided.
- *After Course Start Date:* If the visa is refused after the Course Start Date, a pro-rata refund for the remaining Tuition Fees will be provided.

4. Student's Fault:

- If a student withdraws or has their enrolment cancelled due to their fault (e.g., failure to maintain satisfactory progress, non-payment of fees, or breach of visa conditions), no refund will be provided.

5. Course Deferment or Cancellation:

- If a student defers or cancels their course, any applicable refund will be calculated based on the original Course Start Date, regardless of any new date of commencement.

6. Refund Processing:

- Refunds will be paid to the person or organisation that made the original payment.

Refund Table for International Students	
Unsuccessful Visa application	<p>Before Course Start Date: If a student's visa is refused before the Course Start Date, a refund of Course Fees minus the Cancellation Fee will be provided.</p> <p>After Course Start Date: If the visa is refused after the Course Start Date, a pro-rata refund for the remaining Tuition Fees will be provided.</p>
Cancellation of enrolment more than 28 calendar days before the commencement date	Refund will be issued for 80% of Tuition Fees.
Cancellation of enrolment less than 28 calendar days but before the commencement date	Refund will be issued for 50% of Tuition Fees.
Cancellation of enrolment after commencement date	No refund of Course Fees will be provided after the Course Start Date.
Visa cancellation due to the actions of the student	No Refund of Course Fees paid.

Course cancelled / withdrawn by The Performance College	Full Refund of Course Fees paid.
Students are unable to start the course on serious medical grounds. Evidence provided from a registered doctor at least 14 calendar days before the agreed course start date.	Full Refund of Tuition Fees paid minus Cancellation Fee.
Enrolment Fee	Non-refundable

Responsibilities:

- Campus Manager: Responsible for setting the refund and cancellation conditions in line with the ESOS Act and related legislation.
- Campus Services: Responsible for implementing this policy and ensuring its compliance.

Procedures:

1. Cancellation and Refund Requests:

- To withdraw from a course and request a refund, students must:
 1. Complete the Enrolment Variation Form (available from Student Services Desk or TPC website).
 2. Complete the Refund Request Form (available from the Student Services Desk or TPC website).
 3. Attach any relevant documents that support the reason for withdrawal (e.g., visa refusal).
 4. Submit the completed forms to Student Services or email to: admin@tpc.edu.au. Ensure the student number and current contact details are included, and that the Enrolment Variation is signed and dated.

2. Processing Refunds:

- Upon receiving the completed forms, Administration will assess the request and determine the refund entitlement based on the terms of this policy.
- If further documentation is required, TPC will contact the student for additional information.
- Refunds will be processed within 28 days, unless otherwise stated.

3. Appeals:

- If a student disagrees with a decision made regarding their refund or cancellation, they may appeal in writing following the process outlined in TPC's Student Complaints and Appeals Policy.

Policy Review

This Policy will be reviewed as part of TPC's yearly review process or as legislation requires.

Relevant Legislation

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

- Education Services for Overseas Students Act 2000 (Cth) Education Services for

- Overseas Students (Calculation of Refund) Specification 2014 (Cth)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)
 - Australian Consumer Law (ACL) – Competition and Consumer Act 2010 (Cth)
 - Tuition Protection Service (TPS) – ESOS Act
 - Standards for Registered Training Organisations (RTOs) 2015
 - Migration Act 1958 (Cth)
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Policy Owner: Campus Manager