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## **Refund of Student Contribution Amounts and Tuition Fees, and Remission of Higher Education Loan Program (HELP) Debts Policy**

<b>Establishment:</b>	Council, 16 December 2004
<b>Last Amended:</b>	Deputy Vice-Chancellor (Students), 26 October 2022
<b>Nature of Amendment:</b>	Minor amendments
<b>Date Last Reviewed:</b>	2022
<b>Responsible Officer:</b>	Director, Student Administration Services

### **1. Preamble**

This statement has been written in accordance with legislation and guidelines issued by the Commonwealth.

### **2. Scope**

2.1 This policy applies to domestic students. Domestic students are Australian citizens, Australian permanent residents and New Zealand citizens. International students should refer to the specific provisions on refund of fees in the [International Student Tuition Fees Procedures](#).

2.2 This policy does not apply to OS-HELP debts.

### **3. Withdrawal on or before the census date**

Where a student withdraws from a topic(s) on or before the census date for that teaching period they will not be liable to pay the student contribution amount, will not incur a Higher Education Loan Program (HELP) debt, or will be refunded in full any up-front payments of the student contribution amount or tuition fee. The student will be refunded any Student Services and Amenities Fee (SSAF) for the topic(s).

### **4. Requests for Refund/Remission**

4.1 Students who withdraw after the census date for the teaching period or have not successfully completed the requirements for the topic(s) can apply to have their: HECS-HELP debt remitted; or FEE-HELP debt remitted; or up front payment of the student contribution amount refunded; or tuition fee refunded.

4.2 A full refund of up-front student contribution amounts or tuition fees or remission of HECS-HELP or FEE-HELP debt will be granted where it can be established that:

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4.2.1 special circumstances applied to the student that were: beyond the student's control; did not make their full impact on the student until on, or after the census date; and made it impracticable for the student to complete the requirements for the topic(s), or

4.2.2 an offer of a place was withdrawn, or

4.2.3 the University was unable to provide the course either in whole or in part, or

4.2.4 the student enrolled in a course or topic on the basis of misleading or incorrect information.

4.3 To meet the requirement that special circumstances did not make their full impact on the student until on or after the census date the student's circumstances must occur either: before the census date, but worsen after that day; before the census date, but the full effect or magnitude does not become apparent until after that day; or on or after the census date.

4.4 Special circumstances that make it impracticable for the student to complete the requirements for the topic(s) include:

*Medical circumstances.* For example, where a medical condition has changed to such an extent that a student is unable to continue studying;

*Family/personal circumstances.* For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies;

*Employment related circumstances.* For example, where a student's employment status or arrangements have changed so that the student is unable to continue their studies;

*Course related circumstances.* For example, where the University has changed the topic(s) offered in such a manner that the student is disadvantaged by either not being able to complete the topic(s), or not being given credit towards other topics or courses.

4.5 Special circumstances do not include a lack of knowledge or understanding of the University's policies and procedures, or a person's incapacity to repay a Higher Education Loan Program (HELP) debt.

4.6 A student will not be eligible to have their HECS-HELP debt remitted, or FEE-HELP debt remitted, or up-front payment of the student contribution amount refunded or tuition fee refunded where:

4.6.1 the student has been withdrawn from a placement for reasons of unsatisfactory performance or unsafe, negligent or unprofessional practice and a Fail (F) grade is recorded for the topic in accordance with the [Work Integrated Learning Procedures](#), or

4.6.2 a breach of the requirements of academic integrity has been proven and a penalty of an overall Fail (F) grade has been recorded for the topic in accordance with the [Student Academic Integrity Policy](#).

4.7 Where a student's application is successful a notation of Withdraw, Not Fail (WN) will be recorded against the topic(s).

4.8 Students who withdraw after the census date for the teaching period or have not successfully completed the requirements for the topic(s) are not eligible for a refund of the SSAF, unless their application is successful under grounds 4.2.2, 4.2.3 or 4.2.4 above.

## 5. Application Procedures

5.1 Applications must be made on the standard form, be accompanied by appropriate documentation, and submitted to Student Finance Services as soon as possible given the circumstances. An application will normally not be accepted if it is lodged later than 12 months from the end of the semester in which the topic(s) were taken.

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5.2 Late applications may be considered where the nature of the circumstances prevented the student from submitting an application within 12 months. Late applications must include evidence from a relevant professional practitioner that the circumstances prevented submission within the usual timeframe.

## **6. Notice of decision**

The Manager, Student Finance & Scholarships (or nominee) will consider the application for a remission or refund, as soon as practicable, and no later than 28 calendar days, after the receipt of the application. Once a decision has been made on the application, the Manager, Student Finance & Scholarships (or nominee) will notify the student in writing of the decision and the reasons for that decision.

## **7. Internal Review**

7.1 If a student is not satisfied with the decision on the application for remission or refund, they may apply for that decision to be reconsidered in accordance with section 209-10 of the Higher Education Support Act 2003.

7.2 A request for a reconsideration of a decision must be made in writing and made no later than 28 calendar days after receipt of the notice of the decision. For the purposes of this policy, notifications sent via email are deemed to be received on the date of transmission. At the discretion of the Director, Student Administration Services (or nominee) an extension may be granted. Students requesting an extension must notify the Director, Student Administration Services (or nominee) of their intention to lodge a request for a reconsideration of a decision and set out the reasons for their request.

7.3 The Director, Student Administration Services (or nominee) will acknowledge receipt of the request for a reconsideration of a decision. In the case of students requesting remission of HELP debts, or refund of student contribution amounts, the notice will inform the student that if they have not been notified of a decision within 45 calendar days from the date of receipt of the request, the original decision can be taken to be confirmed and the student may make an application to the Administrative Appeals Tribunal (AAT) for an external review of decision.

7.4 The Director, Student Administration Services (or nominee) will reconsider the original decision and within 28 calendar days of receipt of the request will:

- (a) confirm the original decision, or
- (b) vary the original decision, or
- (c) set the original decision aside and substitute a new decision.

7.5 The Director, Student Administration Services (or nominee) will notify the student in writing of the decision to confirm, vary or set aside the original decision and the reasons for the decision.

7.5.1 In the case of students requesting remission of HELP debts, or refund of student contribution amounts, the notice will advise the student that if they are not satisfied with the outcome of the reconsideration decision that they may make an application to the Administrative Appeals Tribunal (AAT) for an external review of decision.

7.5.2 In the case of students requesting a refund of a tuition fee, the notice will advise the student that if they are not satisfied with the outcome of the reconsideration decision they may lodge an appeal to the Student Appeals Committee, if specified grounds are met. Appeals must be lodged in accordance with the [Student Review and Appeal Policy](#) and procedures (noting that a reconsideration made under 7.1 of this policy constitutes a formal review of a decision as per s.3.2 of the Student Review and Appeal Policy).