



## International Student Refund Policy and Procedure

<b>Version:</b>	V 3	<b>Approved By</b>	CEO
<b>Approved Date:</b>	22/05/2025	<b>Review period</b>	3 years
<b>Related Policy/Procedure:</b>	<ul style="list-style-type: none"> <li>➤ Admissions Procedure</li> <li>➤ Enrolment Policy</li> <li>➤ Enrolment Procedure</li> </ul>		

# International Student Refund Policy and Procedure

## Purpose

This Policy sets out how Lyons College will deal with refund requests and in what circumstances and the amount of any refunds which may be granted for international students.

## Scope

This Policy applies to all international students at Lyons College.

## Policy

Lyons College understands that circumstances occur which means students are no longer able to continue their studies. In certain circumstances, Lyons College will pay a refund to the student where they have a valid reason and can provide the required evidence.

Lyons College may pay a refund directly to the student if they paid the tuition fees. Where the tuition fees were paid by someone else on behalf of the student, Lyons College will pay the refund to that person.

Lyons College incurs costs in the recruitment, admission and enrolment of students. In particular, recruitment costs can be quite high and payable to third party agents upon receipt of a signed Student Agreement. To reflect this, certain costs may be recovered under this Policy, which are outlined in the refund percentage amounts.

Lyons College may provide a refund of tuition fees for any of the following circumstances:

- Provider default
- Student default
- Visa rejection
- Student withdrawal

Lyons College will only pay a full refund in limited circumstances. The circumstances and amounts of refunds are set out below.

### Provider Default

Provider default is considered when:

- The course does not start on the agreed starting date, which is notified in the Letter of Offer; or
- The course stops being provided after commencement and before it is completed; or
- The course is not provided fully to the student because Lyons College has a sanction imposed by a government regulator.

If a program is cancelled and/or not offered, in accordance with sections 46A and 46D of the ESOS Act 2000, as amended, one of the following options will be offered:

- Any unused portion of tuition fees paid by the student will be refunded, within two (2) weeks from the date of default; or
- An alternate course or part course can be arranged at the providers' expense. If accepted by the student, the payment of the course fees will be paid to the alternate provider with two (2) weeks from the date of the notice of default;
- If Lyons College is unable to provide a refund or provide an alternative course in accordance with the ESOS Act and National Code 2018, then the Tuition Protection Service (TPS) will assist students in finding an alternate course or obtain refunds if a suitable alternative course is not found. Further information regarding the TPS arrangements is provided at [www.tps.gov.au](http://www.tps.gov.au)

### **Visa Rejection**

Where proof of a visa rejection is provided, a refund will be calculated as proscribed by section 47E of the ESOS Act 2000. In accordance with regulations, a full refund will be provided less:

- \$500 or five percent of the total amount of pre-paid fees received for the course (whichever is the lesser);
- If the student has commenced study, the refund will be provided less the proportion of course money that Lyons College has received in respect of the student before the default day that is equal to the proportion of the course that was provided to the student before the default day.

Lyons College may grant no refund if the student's enrolment is cancelled or a student's visa or application for visa is cancelled or refused due to the actions of the student (i.e., fraudulent documentation)

All approved refunds will be paid within 28 days of receipt of refund application.

### **Student Withdrawal**

All refund requests must be submitted in writing. Verbal notifications to Lyons College or agents will not be accepted. The date that the written notice is received by Lyons College, which is known as the default date, is the date used for calculation of any refund.

All valid refund requests will be paid within 28 days of Lyons College receiving a valid request. This means that the Refund Request Form must be completed in full, signed and have all relevant evidence attached.

Refund applications where an applicant's student visa is unsuccessful must include a copy of the official rejection letter from DHA.

### **Student Default**

Student default is considered when:

- a. a student breaches a condition of their student visa; or
- b. the student breaches Lyons College's Code of Conduct or other Policy and their enrolment is cancelled; or
- c. the course starts at the location and on the agreed starting date, but the student does not start the course on that day and has not previously withdrawn from the course; or

- d. the student withdraws from the course after the agreed commencement date; or
- e. unsatisfactory course progress or unsatisfactory attendance; or
- f. an offer in a course was made based on false or fraudulent documentation; or
- g. the student failed to pay an amount they were liable to pay the provider, directly or indirectly, in order to undertake the course.

**Deferral**

- Where a student has been granted a deferral prior to commencement of a course or semester/term/trimester, tuition paid will be transferred to the subsequent study period.
- Where the student does not take up his/her place in the subsequent study period, a refund will only be payable if the student visa is not granted.

**Overseas Health Cover**

All applications for refunds must be made directly to the medical insurance company with which the student is a member.

This policy and the availability of the Lyons College Complaints and Appeals Policy does not remove from the student the right to take further action under Australian Consumer Protection laws or to pursue other legal remedies.

No refund will be available for enrolment/processing/administration or packaging fees unless required under applicable law.

Reason for Refund	Amount Refunded
<b>Provider Default/Withdrawal</b>	
If Lyons College is unable to provide the course at its campus prior to commencement.	100% of the tuition fees paid will be refunded
If incomplete information is supplied by the applicant and Lyons College withdraws the offer	100% of the tuition fees paid will be refunded, excluding the \$200 administration fee
If Lyons College withdraws the offer due to provision of false or fraudulent documents by student	No refund
<b>Visa Rejection</b>	
Visa unsuccessful prior to commencement	100% of pre-paid fees paid by student minus \$500 or five percent of the total amount of pre-paid fees received for the course (whichever is the lesser)
Visa unsuccessful after commencement	The refund will be based on the following formula: 100% of tuition fees paid by student minus fees/commissions paid to international education agents divided by the number of weeks in a tuition fee period time by number of weeks after commencement
Visa unsuccessful prior to commencement due to provision of false or fraudulent documents by student	No refund
<b>Student Withdrawal</b>	
Student withdraws 28 days or more prior to course commencement	60% of the tuition fees paid for the course
Student withdraws less than 28 days prior to course commencement	No refund
Student withdrawal after course commencement	No refund
<b>Student Default</b>	
Breach of visa conditions or rules of the provider and the student is terminated	No refund
The Student fails to commence the Course on the agreed starting day for the Course (without withdrawal and a Student Visa has not been refused)	No refund
The Student withdraws from after commencing the VET course or higher education unit (where the Student Visa has not been granted)	No refund

## Procedure

1. Making a request for a refund
  - a. By mail or in person to:
 

Attention Refunds  
Lyons College  
Level 4, 303 Collins Street  
Melbourne, VIC 3000 Australia
  - b. By email: [studentadmissions@lyons.edu.au](mailto:studentadmissions@lyons.edu.au)
2. The request for a refund should include:
  - i. Student contact details including student number, full name, phone number date of birth and address
  - ii. Reasons why the refund is requested
  - iii. Supporting documentation/evidence (i.e., a visa rejection letter from DHA or medical records etc.)
  - iv. the destination of the refund payment
3. Once our Student Administration team receives a request, it will be checked for completeness. Students will be contacted if there is missing information or documents.
4. Where a request meets the requirements under the Refund Policy, refunds will be paid within 28 days of receiving a valid request.
5. Refunds will be paid to the student unless:
  - i. The student is registered with an approved sponsor who has paid the tuition fees on behalf of the student; or
  - ii. The student gives written direction to pay the refund to another person or organization and provides documentary evidence to substantiate that the other person or organization paid the tuition fees; or
  - iii. The student is deceased.
6. The college will issue notice of the amount of refund and the date of payment as soon as practicable after its payment.
7. If refunds are made into foreign bank accounts, Lyons College will not be responsible for any variations due to currency fluctuations.
8. Fees paid by credit card will be refunded in Australian dollars to the same credit card. If the credit card is not an Australian issued credit card, Lyons College will not be responsible for any variations due to currency fluctuations.
9. Where no refund is granted, the college will issue notice immediately on assessing the request for the refund

Version	Date	Comments
V1.0	09/08/2019	Initial policy created
V2	21/02/2021	Policy reviewed, no major changes
V3	22/05/2025	Revised and updated