



COM012 Refunds & Withdrawal Policy

Purpose

To ensure that all refunds are provided to all students.

Section 1 - Non-VET Student Loans Enabled Courses & Students – Refunds & Withdrawals

Note: Section 1 of this policy applies to all enrolments and course commencements from the 24th of March 2025.

1) Purpose and Scope

- 1.1 This policy applies to students enrolled in non-VET Student Loans (VSL) enabled courses at ACFB. It outlines refund and withdrawal conditions for on-campus, On-campus FLEXI, and Distance Learning/Online students.

2) Cancellations and Withdrawals

- 2.1 All requests for withdrawal or course cancellation must be received in writing to admin@acfb.edu.au. The withdrawal process begins from the date the request is received.

3) Cooling-Off Period

- 3.1 Students have a cooling-off period from the date they sign the enrolment forms (agreement) to 11:59pm the date before they commence their course.
- 3.2 During this period, students may withdraw and receive a full refund, minus a \$300 administration fee.
- 3.3 After the cooling-off period expires, students are liable for the full course fee, regardless of withdrawal.
- a) Exception: If the student has enrolled in the Diploma of Remedial Massage course and withdraws after the cooling-off period and before the commencement of Section 2, they will be liable for 60% of the entire course fee. If a student withdraws after the commencement of Section 2, they will be liable for the remaining balance.

Note: A student is considered to have commenced a course:

- b) On-Campus - Being the date of the first scheduled class.
- c) Distance Learning/Online students - Being the time and date they receive their login details, and/or access to Section 2 for the purpose of the Diploma of Remedial Massage course.

4) Withdrawal & Refunds After Course Commencement

- 4.1 If a student withdraws after the cooling-off period, they remain liable for the full course fee, even if they have not accessed course materials or attended any sessions.
- 4.2 If a student is on a payment plan or ZipMoney, they must continue payments as per their agreement.
- 4.3 If a student ceases to honor their instalment plan obligations, ACFB will commence the debt recovery process.
- 4.4 If a student ceases to honor their ZipMoney loan obligations, ZipMoney may either restrict or suspend access, or commence debt collection or legal action.



5) Extenuating Circumstances

- 5.1 ACFB understands that unforeseen situations may arise that could impact a student's ability to continue their studies. Extenuating circumstances may include, but are not limited to, the following:
- a) Serious illness or injury not pre-existing at the time of enrolment
 - b) Serious medical conditions that develop after the cooling-off period
 - c) Death or serious illness in the immediate family
- 5.2 In these cases, the student must provide verifiable evidence, such as a medical certificate, to substantiate the claim. In cases where genuine and extenuating hardship can be evidenced and verified, resulting in the student's permanent inability to complete the course requirements, an out-of-policy arrangement may be approved solely at the discretion of the RTO CEO or a Delegated Authority.
- 5.3 **Pre-existing conditions:**
If a student has a pre-existing condition, impairment, disability, or personal situation at the time of enrolment, no refunds will be considered for circumstances arising after the cooling-off period. Additionally, if a student fails to disclose a pre-existing condition to ACFB before enrolling, no refunds will be granted in such cases.
- 5.4 **Individual cases:**
Each case will be reviewed individually and considered on its merits. All supporting documentation must be provided for consideration.
- 5.5 **Non-legitimate reasons for extenuating circumstances:**
The following reasons will not be accepted as legitimate grounds for requesting a refund or waiver of future fees:
- a) Change of mind regarding the chosen qualification
 - b) Preference for a different training provider
 - c) Change in career path
 - d) Changes in employment status
 - e) Personal financial difficulties
 - f) Pregnancy
 - g) Changes in the time available for study
 - h) Relocation or housing situation changes
 - i) Lack of progression in the course
 - j) Failure to meet entry requirements or complete units of competency within the allocated timeframe
- 5.6 We are committed to supporting our students and will work with them to navigate any challenges that arise, but we ask that all students carefully review and understand these terms before enrolling.

6) Financial Hardship Policy

- 6.1 Financial hardship refers to a student's inability to meet their financial obligations. Unwillingness to meet financial obligations does not constitute financial hardship. Eligibility for consideration under the Hardship Policy is at the sole discretion of the organisation.
- 6.2 To be considered under the Hardship Policy:



- a) The hardship must not be a pre-existing financial condition. It must have arisen after the cooling-off period and be beyond the student's control.
- b) If the hardship was a pre-existing condition prior to enrolment, alternative options such as medical extensions or modified payment plans may be available at the organisation's discretion.

6.1 Requesting a Payment Plan Adjustment

During their enrolment, students may request an adjustment to their payment plan. Requests must be submitted in writing, accompanied by evidence of genuine hardship and relevant documentation. Requests will be assessed in accordance with the applicable policies.

6.2 Required Evidence for Financial Hardship Applications

Students must provide verifiable evidence, which may include:

- a) Payslips
- b) Bank statements
- c) Proof of expenses
- d) Medical certificates
- e) Proof of unemployment

6.3 Important Notes

- a) Pro-rata refunds or fee waivers will not be approved unless adequate and legitimate documentation is provided.
- b) It is the student's responsibility to ensure that all evidence is verifiable and meets policy requirements.
- c) Due to Privacy Legislation, the organisation will not contact third parties to obtain evidence on the student's behalf, however, ACFB reserves the right to contact a third party in the event we need to validate the evidence provided.
- d) All evidence will be securely stored and accessible only to authorised staff, in compliance with the Privacy Policy and Privacy Legislation. It will be used exclusively for processing the refund request.

7) Course Suspensions & Transfers

- 7.4 Students may defer their course as outlined in the Student Handbook, however payment plans will continue as set and no refund will be provided for deferrals
- 7.5 Any student who wishes to exit their course and complete a lower-level qualification will not be entitled to a refund of course fees paid over the amount of the lower-level course.

8) Provider Default

- 8.4 In the unlikely event that a class is postponed or cancelled, you will be given the option of transferring to an alternate class/intake or a full refund.

9) Payment Plan Obligations

- 9.4 Students on a payment plan remain responsible and liable for all instalments unless a refund is granted under this policy.
- 9.5 Missed payments may result in enrolment cancellation with no refund.



10) Refund Processing

- 10.1 Refund requests must be submitted in writing to ACFB at admin@acfb.edu.au.
- 10.2 Approved refunds will be processed within 28 days of approval.

11) Debt Recovery

- 11.1 If for any reason a student has defaulted in their payment to ACFB, then the remaining balance may be referred to either our solicitors or a debt collection agency for recovery proceedings. The student shall be liable for all costs associated with the recovery of their debt, including collection fees, commissions, and legal costs.

12) Appeals Process

- 12.1 Students may appeal refund decisions by following the Complaints and Appeals Policy available at acfb.edu.au.

Section 2 - VET Student Loans Enabled Courses – Refund Policy

This section is applicable to students who are, or would be, entitled to VET Student Loans assistance enrolled in a VET Student Loans enabled course offered by ACFB. Census dates are outlined on ACFB's website – acfb.edu.au.

- 1) In the event of a student withdrawing from a VET unit of study on or before the census date for that unit of study:
 - 100% of tuition fees paid for that unit will be refunded to the student; and
 - the student will not incur a VET Student Loans debt.
- 2) In the event of a student withdrawing from a VET unit of study after census date for that unit of study:
 - no refund is applicable; and/or
 - the student will incur a VET Student Loans debt.
- 3) Re-crediting a FEE-Help Balance

The Australian College of Fitness & Bodywork will conduct this procedure in compliance with the requirements of the VET Student Loans Rules (s89).

ACFB will:

- set a census date for each VET unit of study that is no earlier than 20% of the way through the VET unit of study;
- ensure that all students are informed of the census date for each VET unit of study in the manner and by the date prescribed in the VET Administration Guidelines;
- ensure that all students are informed of the review procedures for the re-crediting of a FEE-HELP balance.

If a student who has requested VET Student Loans assistance withdraws from a VET unit of study on or before the census date for that VET unit of study, the student will not incur a VET Student Loans debt for that VET unit of study.



If a student who has requested VET Student Loans assistance withdraws from a VET unit of study after the census date for that VET unit of study, the student will incur a VET Student Loans debt for that VET unit of study.

A student who has incurred a VET Student Loans debt for a VET unit of study may apply to have their FEE-HELP balance re-credited for the affected VET unit of study in accordance with the following procedure.

4) Special circumstances

If a student withdraws from a VET unit of study after the census date, or has been unable to successfully complete a VET unit of study, and believes this was due to special circumstances then the student may apply to have their FEE-HELP balance re-credited for the affected VET units of study.

ACFB will re-credit the student's FEE-HELP balance if it is satisfied that special circumstances apply that:

- are beyond the student's control; and
- did not make their full impact on the student until on or after the census date for the VET unit of study in question; and
- make it impractical for the student to complete the requirements for the VET unit(s) of study in question.

ACFB will be satisfied that a student's circumstances are beyond the student's control if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal.

A student may apply to the Secretary for their FEE-HELP balance to be recredited under section 71 of the Act because:

- The provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET Student Loan; or
- The provider has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student

Applications to the Secretary for re-crediting must be made within 5 years after the census date for the course, or the part of the course, concerned, or within that period as extended by the Secretary. The application must include the following to the extent that they are known to the applicant:

- Details of the course to which the application relates
- Details of the provider of that course
- The loan amount that is to be re-credited
- The applicant's student identifier (if any)
- Any documents supporting the application

The Secretary may re-credit a student's FEE-HELP balance in relation to special circumstances if ACFB:

- Is unable to act or is being wound up or has been dissolved; or
- Has failed to act and the Secretary is satisfied that the failure is unreasonable

Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim. Initial applications for the re-crediting of a student's FEE-HELP balance are to be made, in writing, to ACFB's Administration Manager.



Att: Administration Manager

ACFB

Suite 4/333 Mitcham Rd

Mitcham, Victoria, 3132

The procedure for the re-crediting of a FEE-HELP balance is as follows:

- when a student withdraws from a VET unit of study, ACFB shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;
- when a student fails to meet the requirements of a VET unit of study, ACFB shall confirm the failure by giving notice to the student in writing of the final result for that VET unit of study after results for that VET unit of study have been formally approved;
- the student must apply in writing to the Administrator Manager within 12 months from the date specified in the notice as the day of withdrawal or the date of receiving their final results for the VET unit of study. ACFB may exercise its discretion to waive this requirement if in its opinion, it was not possible for the application to be made before the end of the 12 month period;
- The Administrator Manager shall advise the student of the outcome of the application within 28 days stating the reasons for the decision;
- The Administrator Manager shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

The Administrator Manager will consider the application and will agree to such requests if they are satisfied that there were special circumstances in the student's case. If a decision is made to re-credit the student's FEE-HELP balance, ACFB will notify the Department of Education and will repay to the Commonwealth any VET STUDENT LOANS assistance received on the student's behalf and the student's VET Student Loans debt for those VET units of study will be removed.

5) Review of a decision

If a student is not satisfied with the decision made by the Administrator Manager in relation to re-crediting their FEE-HELP balance they may request a review of the decision.

The review shall be carried out by the Review Officer who is not involved in the original decision making and is senior to the original decision maker.

Any such request must be submitted to the Review Officer in writing and:

- include the date of the original decision
- must be lodged within 28 days of receiving notice of the original decision, unless ACFB has allowed a longer period; and
- must specify the reasons for making the request.

A student must provide original, independent documentation as part of any application due to special circumstances. The documentation must clearly indicate the following:

- the level of impact of the special circumstances
- what the special circumstances were
- when they occurred
- how long they lasted; and



- for applications relating to a remission/refund of debt, that the circumstances made their full impact on the student on, or after, the census date.

This documentation should include:

- Medical Reasons – a statement from an appropriate health care practitioner that states:
 - The date your medical condition began
 - How your condition affected your ability to study
 - When it became apparent that you could not continue your studies or that your studies would be impacted in some way

Note: The student should inform their doctor that the statement will be sent to ACFB in support of your application for consideration under special circumstances.

- Family/Personal Circumstances – a statement from a doctor, counselor or independent member of the community, for example a Justice of the Peace or a Minister of Religion, stating:
 - The date your family/personal circumstances began or changed
 - How your circumstances affected your ability to study
 - When it became apparent that you could not continue your studies or
 - that your studies would be impacted in some way.
- Employment Related Reasons – a statement from your employer stating:
 - Your previous work hours and location
 - Your current work hours and location
 - The reason for changed hours and location

Att: Review Officer

ACFB

Suite 4/333 Mitcham Rd

Mitcham, Victoria, 3132

The Review Officer shall acknowledge receipt of an application for a review of the refusal to re-credit a FEE-HELP balance in writing and inform the applicant that if the Review Officer has not advised the applicant of a decision within 45 days of having received the application for review, the Review Officer is taken to have confirmed the original decision.

This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal for a review of the decision and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

The Review Officer shall:

- seek all relevant information from the person who made the original decision;
- review the case within 3 weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.

The Review Officer may:

- confirm the original decision;
- vary the original decision; or
- set the original decision aside and substitute a new decision;



The Review Officer will give written notice of the decision setting out the reasons for the decision. The applicant shall also be advised in the decision of the right to apply to the Administrative Appeals Tribunal for a review of the decision; and be provided with the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal as follows:

If you wish to further appeal this decision you may lodge an appeal with the Administrative Appeals Tribunal (AAT). The current fee to lodge an application with the AAT for the review of a decision is \$1,826 (GST exempt) for 2021 and is indexed annually. In certain circumstances, this fee can be reduced to \$100. If your application will be dealt with in the Small Taxation Claims Tribunal, the application fee is \$85. This fee cannot be reduced.

Your application cannot proceed until you pay the application fee. The AAT may dismiss your application if you do not pay the application fee within six weeks of lodging your application.

If you have paid a full application fee and the application is resolved in your favour, most of it will be refunded. There is no refund if you paid the reduced application fee or if your application was dealt with in the Small Taxation Claims Tribunal.

The contact details for the AAT are:

Level 16, HWT Tower, Southgate
40 City Road
Southbank VIC 3006
(03) 9282 8444

Where a student is unsatisfied with the reviewed decision, they may apply to the Administrative Appeals Tribunal for consideration of the Institute's decision to refuse to re-credit their FEE-HELP balance. The student may supply additional information to the Administrative Appeals Tribunal which they did not previously supply to the Institute either in the original application or the request for review.

The Secretary of the Department of Education, or the Secretary's delegate, will be the respondent for cases that are brought before the AAT. Upon the Department of Education's receipt of a notification from the AAT, they will notify ACFB that an appeal has been lodged. Upon receipt of this notification from the Department of Education, the Review Officer will provide them with copies of all the documents they hold that are relevant to the appeal within five (5) business days.

6) Cancellation of Enrolment

In the event that ACFB is required to cancel a student's enrolment, ACFB will:

- provide the student with at least 28 days to initiate grievance procedures before the cancellation takes final effect; and
- provide for the cancellation to take final effect only after any grievance procedures initiated by the student have been completed; and
- set out the circumstances in which fees for the course, or the part of the course, concerned will, or will not be, refunded.

7) Publication



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This *Student Review Procedures for Re-crediting a FEE-HELP Balance* will be published in ACFB's Student Handbook which is available at www.acfb.edu.au.