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Refund Policy – International Students

CRICOS Provider Code 03352G

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1 Purpose

This policy provides guidance to ensure that new and enrolled full fee paying international students (FFPS – primary holders of a subclass 500 visa and standalone visitor visa) are entitled to receive a full or partial refund of their pre-paid fees in certain circumstances. Other temporary fee paying students are not eligible for a refund under this policy (including dependants of primary holders of a subclass 500 visa).

This policy guides Department for Education, Children and Young People (DECYP) including Tasmanian Government Education International (TGEI) staff, parents/legal guardians, students, the Department of Home Affairs (DHA) approved guardians and agents.

2 Policy Statement

- TGEI has obligations and responsibilities in keeping with the requirements of the Education Services for Overseas Students Act 2000 (Cth) (ESOS Act), National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) and the Tuition Protection Service for refunds claimed by and due to subclass 500 visa students.
- Prior to the parent/student accepting an offer to study in a Tasmanian government school, TGEI provides a Letter of Offer (written agreement) to the student, parent/legal guardian and agent which includes details of tuition and non-tuition fees, the level of fees that may or may not be refunded, and an explanation of refunds in case of provider default or student default. The student (if 18 years old or older), or their parent(s) or legal guardian(s), must sign and accept the 'Declaration of Acceptance' within the Letter of Offer.
- The [Refund Table](#) outlines the circumstances in which TGEI will refund fees to eligible persons (or a third party).
- For students who have completed their studies at a Tasmanian government school, a Refund Request Form is required. Refer to Supporting Information below.
- In accordance with the student's Letter of Offer, any subsidy or scholarship reduction will be voided if the student withdraws from the course and any refund payable will be reduced by this amount.
- For students leaving a Tasmanian government school and going home early or transferring to another provider, no refund will be paid until the student has withdrawn from the program by completing and submitting the Withdrawal Request Form together with supporting documents and has ceased studying.
- A Withdrawal Form is not required if the student has received a DHA 'IMMI Refusal Notification with Decision Record'.
- If a student has not deferred and arrives later than the start date specified in the Confirmation of Enrolment (CoE), a refund or credit will not be provided for the days of school they have missed.
- If fees have not been paid in full at the time of withdrawal, outstanding instalments may still be payable.

2.1 Safeguarding

The Department is committed to ensuring children and young people are known, safe, well and learning. The commitment to provide honest and accurate information is essential for students to achieve quality life outcomes. The Department, as a Child Safe organisation, is committed to implementing policies and processes that create a safe environment for young people.

2.2 Change of visa

- Where a FFPS changes to another type of Australian visa while enrolled at a Tasmanian government school, (e.g. other type of temporary resident visa based on a parent being issued such a visa) and the change results in the student being subject to a new rate of fees, the new rate of fees will take effect from the beginning of the next school term following the student's change in visa.
- If the new rate of fees is lower, any pre-paid fees at the higher FFPS rate will be credited against future fees, for up to a maximum of 12 months.
- Any portion of pre-paid fees credited against future fees that is not applied within a 12-month period, will be refunded.

2.3 Refund calculation

- The calculation of any potential refund will be from the date of receipt of the relevant forms and all supporting documentary evidence necessary to complete an assessment of the refund request.
 - If an email is received outside of business hours (after 5:06pm) then the receipt date will be deemed as the next business day.
 - If any form is considered incomplete (e.g. missing signatures, details or supporting documentation) then the submission date will be when the missing content is provided.

2.4 Homestay fees

TGEI will refund unused homestay fees where two weeks' notice is given in the following cases:

- The student does not move into the homestay
- The student leaves the homestay, without causing any damage
- The student completes their study pathway and leaves the program, without causing any damage.

Unused homestay fees are calculated in accordance with the refund table below and refunded accordingly.

Where a student has caused damage to the homestay property, the cost of repairing or replacing damaged items shall be deducted from any refund of unused homestay fees. Any remaining balance, if applicable, will then be refunded.

2.5 Refund of Medibank Overseas Student Health Cover (OSHC) (500 visa holders only)

- Where a student elects for TGEI to organise their OSHC through Medibank and a refund is assessed as due, any pre-paid OSHC fees will be included with the TGEI refund.
- Parents/legal guardian or student must complete Medibank's Letter of Authorisation Form and submit it as supporting evidence with the Withdrawal Form and Refund Request Form.

2.6 Refund of Medibank Overseas Visitor Health Cover (OVHC) (visitor visa holders only)

- Where a student does not travel to Australia and withdraws from studies, the OVHC will be included with the TGEI refund.
- TGEI will complete Medibank's OVHC authorisation form.
- No OVHC refund will be given if a student withdraws after commencing studies at a Tasmanian government school.

2.7 Non-refundable fees

The following non-tuition fees are non-refundable:

- Administration fee
- *Arrival support fee
- Homestay management fee
- Accommodation visit fee
- *Overseas Visitor Health Cover (visitor visa holders only)
- Education agent fees (if applicable). For example, where TGEI has paid commission before the student commences studying and subsequently withdraws.

*In circumstances where a student is refused a visa to enter Australia or withdraws before travelling to Australia to commence studying, this fee will be refunded.

In the circumstances of provider default, the above paid non-tuition fees will be refunded.

Please note that other non-tuition fees may be non-refundable, such as optional school activities, uniforms, Tasmanian Certificate of Education (TCE) enrolment and examination fees to the Tasmanian Assessments, Standards and Certification (TASC), etc.

2.8 Provider defaults

- In the unlikely event that DECYP defaults and the course of study is no longer available and the student has pre-paid the course, TGEI may offer the student a place in an alternative course. If the alternative course is not accepted by the student and they prefer a refund, a refund will be paid when submission of a refund request and all necessary supporting documents are provided to TGEI. Refer to [Refund Table](#) for evidence required.

- In addition, the Tuition Protection Service (TPS) is an Australian Government initiative to assist students whose education providers are unable to fully deliver their course of study. The TPS ensures that students can complete their studies in another course or with another education provider or receive a refund of paid tuition fees. For more information, see the TPS website: www.tps.gov.au.

2.9 Deferred or suspended enrolment

Tuition fees will not be refunded in whole or in part if a student's enrolment is deferred or suspended, except where TGEI's Associate Director determines that there were compassionate or compelling circumstances.

2.10 Refunds due to compassionate or compelling circumstances

- Where a student is not eligible for a refund under the circumstances outlined in the [Refund Table](#), but where a student has cancelled their enrolment or withdrawn from school due to compassionate or compelling circumstances, they may request a refund.
- All refund requests based on compassionate or compelling circumstances must be made in writing to TGEI's Associate Director for approval by email to info@study.tas.gov.au.
- The refund amount will be determined by TGEI's Associate Director on a case-by-case basis. A refund will only be considered from the date that the compassionate or compelling circumstance occurred.
- Adequate evidence must be provided to explain the nature of the compassionate or compelling circumstances and further information or evidence may be requested by TGEI.

2.10.1 Compassionate or compelling circumstances

Compassionate or compelling circumstances may include:

- Bereavement or serious illness of close family members such as parents or grandparents which leads to the student failing to commence or returning home and permanently leaving a Tasmanian government school.
- Bereavement or serious illness of close family members such as parents or grandparents where that family member is a financial sponsor, which leads to the student failing to commence or returning home and permanently leaving a Tasmanian government school.
- Serious illness of the student which means that it is in the student's best interest to return home permanently or not commence studies at a Tasmanian government school.

All refund requests based on compassionate or compelling circumstances are assessed on a case-by-case basis.

2.11 How to apply for a refund

- Where the student is under 18 years of age, any approved refund will be paid to the student's parents or legal guardian, unless an alternative has been requested by the parents and noted in the Request for Refund form.

- Where the student is 18 years of age or older, any approved refund shall be paid to the recipient nominated on the Request for Refund form.
- To request a refund, parents/legal guardians or students (if over 18 years old) must complete and submit the online [Refund Request Form](#), together with all required supporting documentation as detailed in the [Refund Table](#).

2.12 Refund outcomes

- All refunds must be approved by the appropriate delegated officer in accordance with DECYP's Schedule of Financial Delegations and Authorities, who will consider the supporting evidence as well as required notice periods.
- In cases of provider default, any refund the student is entitled to will be paid within 14 days of the submission of a Refund Form and all necessary supporting documents.
- In cases not involving provider default, refund requests will be processed within 20 working days upon receipt of all required documentation. Processing times may vary during peak demands.
- All refunds will be paid in Australian dollars (\$A) by electronic funds transfer (EFT). Where this is not possible, refunds will be paid in American dollars (\$USD). DECYP is not responsible for any foreign exchange losses/charges or bank charges at the receiving end.
- TGEI will advise of the outcome of any refund request in writing in conjunction with paying the refund amount (if any) to the nominated bank account (as detailed on the Refund Request Form).

2.13 Appealing a refund decision

- If the parents/legal guardian, or student over 18 years old, believe the refund amount is incorrect or TGEI's fee Refund Policy has been incorrectly applied, they can appeal a refund decision by outlining the reasons and providing documentary evidence to support their claim. A refund appeal must be lodged within 20 working days of receipt of the written notification from TGEI of the refund decision.
- For more information, please refer to the Complaints and Appeal Policy.

2.14 Refund Table

Full or partial refunds are granted when assessed as meeting the following circumstances, if supported by the necessary documentary evidence.

Circumstance	Refund	Evidence Required to accompany Refund Request Form
Student has received a CoE but is refused a visa to enter Australia, or guardian is refused a visa	Full refund of paid fees except for the administration fee	<ul style="list-style-type: none"> • Department of Home Affairs (DHA) 'IMMI Refusal Notification with Decision Record' • OSHC Letter of Authorisation (if applicable)
Student has been granted permanent residency and is no longer required to pay fees	New fee rate will apply from the next term <ul style="list-style-type: none"> • Refund of paid tuition fees calculated from the next term 	<ul style="list-style-type: none"> • Visa grant letter from DHA • OSHC Letter of Authorisation (if applicable)
Change of visa subclass to temporary resident	New fee rate will apply from the next term <ul style="list-style-type: none"> • Paid fees will be applied to future temporary resident invoices (up to a maximum of 12 months) • Paid fees in excess of 12 months of future fees at the new rate will be refunded 	<ul style="list-style-type: none"> • Visa grant letter from DHA • Authority to Enrol • OSHC Letter of Authorisation (if applicable)
Parent/legal guardian/student has overpaid the amount they owe to TGEI and the family does not owe any other overdue fees	Refund of excess payment	Written confirmation from TGEI that student's fees have been overpaid
<i>Homestay program</i>		
Student does not move into homestay program	Provides two weeks' written notice: <ul style="list-style-type: none"> • Refund of unused homestay fees Provides less than two weeks' written notice: <ul style="list-style-type: none"> • Refund of unused homestay fees less two weeks (in lieu of notice) and rounded up to one week 	Change of Welfare form (if applicable)

Circumstance	Refund	Evidence Required to accompany Refund Request Form
Student withdraws from the homestay program	Provides two weeks' written notice: <ul style="list-style-type: none"> • Refund of unused homestay fees from two weeks after the day written notice is received, and rounded up to one week Less than two weeks' notice provided: <ul style="list-style-type: none"> • Refund of unused homestay fees less two weeks (in lieu of notice) and rounded up to one week 	<ul style="list-style-type: none"> • Change of Welfare form (if applicable) • Flight details – domestic and international (if applicable) • Parent/legal guardian or student (if 18 years or older) confirmation of leaving homestay
<i>Student withdrawal</i>		
Student withdraws 14 days or more before the commencement of the term	<ul style="list-style-type: none"> • 80% current Term fees • 100% future Term fees 	<ul style="list-style-type: none"> • Withdrawal Form completed by parent/legal guardian or student (if 18 years or older) • Copy of CoE/Letter of Offer if transferring to another CRICOS registered provider, or • If returning home, a copy of the flight ticket (domestic and international) • OSHC Letter of Authorisation (if applicable)
Student withdraws less than 14 days before the commencement of the term	<ul style="list-style-type: none"> • 50% current Term fees • 100% future Term fees 	As above
Student withdraws within 21 days of the commencement of the course	<ul style="list-style-type: none"> • 50% current Term fees • 100% future Term fees 	As above
Student withdraws 21 days after the commencement of the term/semester	<ul style="list-style-type: none"> • No refund for current Term fees • 100% future Term fees 	As above

Circumstance	Refund	Evidence Required to accompany Refund Request Form
<i>Cancellation by DECYP/TGEI</i>		
DECYP/TGEI withdraws Letter of Offer or cancels CoE due to incorrect, incomplete or fraudulent documents provided by the applicant	<ul style="list-style-type: none"> • No refund for current Term fees • 100% future Term fees excluding non-tuition fees if student has commenced studying • Refund of unused homestay fees calculated from the date 14 days after the last night in homestay and rounded up to a week (if applicable) 	<ul style="list-style-type: none"> • TGEI letter/email confirming cancellation of enrolment or withdrawal of Letter of Offer • If returning home, a copy of the flight ticket (domestic and international) • OSHC Letter of Authorisation (if applicable)
DECYP/TGEI cancels student's enrolment due to the student breaching TGEI's rules of the provider outlined in the Letter of Offer (e.g. student misbehaviour, accommodation)	<ul style="list-style-type: none"> • No refund for current Term fees • 100% future Term fees excluding non-tuition fees • Refund of unused homestay fees calculated from the date 14 days after the last night in homestay and rounded up to a week (if applicable) 	<ul style="list-style-type: none"> • TGEI letter/email confirming cancellation of enrolment • If returning home, a copy of the flight ticket (domestic and international) • OSHC Letter of Authorisation (if applicable)
DECYP/TGEI cancels student's CoE due to reporting the student for breach of visa conditions (e.g. Non-satisfactory Attendance, Course Progress or non-payment of fees etc.)	<ul style="list-style-type: none"> • No refund for current Term fees • 100% future Term fees excluding non-tuition fees • Refund of unused homestay fees calculated from the date 14 days after the last night in homestay and rounded up to a week (if applicable) 	<ul style="list-style-type: none"> • TGEI letter/email confirming cancellation of enrolment • If returning home, a copy of the flight ticket (domestic and international) • OSHC Letter of Authorisation (if applicable)

Circumstance	Refund	Evidence Required to accompany Refund Request Form
<i>Default by provider</i>		
DECYP cancels the student's enrolment before the start of the course due to provider default	<ul style="list-style-type: none"> • Full refund of tuition and non-tuition fees paid 	<ul style="list-style-type: none"> • TGEI letter/email confirming cancellation of enrolment • OSHC Letter of Authorisation (if applicable)
DECYP is unable to continue to deliver the program once the student has commenced due to provider default (if student has not withdrawn)	<ul style="list-style-type: none"> • Refund of unused tuition fees calculated from the end of the week of cancellation • Unused homestay fees 	<ul style="list-style-type: none"> • TGEI letter/email confirming cancellation of enrolment • OSHC Letter of Authorisation (if applicable)

3 Related policies

- [Complaints and Appeals Policy](#)

4 Related procedures

- [Complaints and Appeals Procedure](#)

5 Supporting information/tools

- [Withdrawal Request Form](#)
- [Change of Welfare Form](#)
- [Refund Request Form](#)
- [Conditions of Placement – Subclass 500 Student Visa Holders](#)
- [Conditions of Placement – Visitor Visa Holders](#)

6 Definitions

Confirmation of Enrolment (CoE)

Confirmation of Enrolment (CoE) is an official document which is issued by a registered provider to an international student. The CoE must be submitted to the Department of Home Affairs as part of an application for a student visa.

Compassionate circumstances

Compassionate circumstances refer to circumstances that are not in the student's control or created by the student and adversely impact on student welfare or attendance (for example, illness, bereavements, or traumatic events may qualify), as assessed on a case by case basis.

Compelling circumstances

Compelling circumstances are circumstances which in the opinion of TGEI are in the students' best interests, as assessed on a case by case basis.

Department of Home Affairs (DHA)

Australian Government department responsible for immigration.

ESOS

Education Services for Overseas Students Act 2000 (ESOS) is the Australian national legislation which regulates education and training providers and provides protection for international students.

Letter of Offer

When an international student's application is accepted, the registered provider issues a Letter of Offer.

National Code

The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* sets nationally consistent standards to support providers in delivering quality education and training to international students.

Standalone visitor visa

Not transitioning to temporary resident program dependant visa. This visa provides a maximum three months study rights.

Student Visa Holder

An overseas national who is holding a student visa issued by the Australian Government.

Tasmanian Government Education International (TGEI)

TGEI is the name for the international education business unit within DECYP. TGEI manages the international programs in Tasmanian government schools.

Tuition Protection Service (TPS)

The TPS assists international students whose education providers are unable to fully deliver their course of study. The TPS ensures that the international students can either:

- complete their studies in another course or with another education provider, or
- receive a refund of their pre-paid tuition fees.

7 Legislation

Education Services and Overseas Students Act 2000 (Cth)

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Personal Information Protection Act 2004 (Tas)

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