

Refunds and Cancellation Policies and Procedures

1.0 Policy background and objectives

The SNR Standard 5.3 requires the NVR RTO to provide information to students, prior to enrolment, covering:

- all relevant fee information including:
 - fees that must be paid to the RTO, and
 - payment terms and conditions including deposits and refunds
- the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies
- the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - arrangement is terminated early, or
 - the RTO fails to provide the agreed services.

There may be situations where a student may not be able to attend or continue the course after enrolment. There could also be circumstances where MTS would not be able to deliver the committed course because of the development of unforeseen circumstances.

This policy is developed to establish the principles and processes of refunds including refunds of advance payments and refunds in the events of suspension, deferment or cancellation of a course.

1.2 Policy scope

This policy applies in the context of all type of situations where MTS owes money to a student.

1.3 Governing legislation and standards

This directly relates to SNR 5.3 and 7.3.

1.4 Policy dissemination

This policy will be disseminated through the MTS website under pre-enrolment information, through the Student Handbook for qualification courses and through trainer/assessor/staff induction.

1.5 Implementation arrangements

This policy will be directly implemented by the School CEO.

1.6 Procedures

1.6.1 Principles and procedures for a student default

Student default is a situation where the student cannot start or continue the course because of issues at their end. There can be many reasons for a student to default including disciplinary issues, compassionate reasons, consistent failure and others. The following principles and procedures apply in situations where a student defaults and cannot start or continue the course after enrolment.

Short courses (General Boat Licence and Personal Watercraft Course)

- a. Students must provide two (2) days' notice if they do not intend to attend a course, or would like to transfer to another course and should they fail to give such notice they are liable for the full course fee.
- b. No refund will be made to the student who cancels or withdraws from the training after commencement unless there are valid reasons based on compassionate situations such as accidents, sickness and bereavement.
- c. MTS reserves the right to fully claim any fees paid if a student gives incomplete or false information during enrolment; if a student's enrolment has to be cancelled because of disciplinary reasons; or if a student leaves the School without notice.
- d. MTS reserves the right to charge a \$20 administration fee per refund to cover accounting costs.
- e. MTS will only provide 3 course transfers to students without charge. If a student wishes to transfer the course date for a fourth time, they are required to pay the full enrolment fee.
- f. All correspondence relating to refund will be kept by the Bookkeeper.
- g. A full refund will be offered to all students if a course is cancelled or rescheduled by Maritime Training School.

Qualification Courses (Marine Radio and Qualification Courses)

- a. If a student withdraws an enrolment more than seven (7) days prior to commencement of the training, that student will be entitled for a refund minus any deposit or upfront fees paid.
- b. If a student withdraws an enrolment within seven (7) days of course commencement, no refund will be paid and students paid fees will be fully forfeited.
- c. No refund will be made to a student who cancels or withdraws from the training after commencement unless there are valid reasons based on compassionate situations like accident, sickness and bereavement.
- d. MTS reserves the right to fully claim any fees paid if a student gives incomplete or false information during enrolment; if a student's enrolment has to be cancelled because of disciplinary reasons; or if a student leaves the School without notice.
- e. If a student applies for RPL and the application is unsuccessful, there will be no refund.
- f. All requests for refund must be made in writing either via the Refund Application Form or email indicating the reasons for request, providing supporting evidence where applicable and advising how the refunds should be paid.
- g. All requests for refunds will be responded to in seven (7) working days. If the refund application is approved, MTS will contact the student in writing indicating how the refund payment has been calculated and the money paid. Students also have the opportunity for appeal if they are not satisfied with the refund procedures or calculations.
- h. If a student refund application is not approved, a letter indicating the reasons for not approving the request will be sent out in seven (7) working days also indicating their rights of appeal.
- i. All correspondence relating to refund will be kept in the concerned student's personal file.

1.6.2 Principles and procedures where MTS defaults

When there are insufficient students enrolled in a course MTS could cancel the course. On such occasions, MTS will provide a full refund of all fees paid in advance.

There will be full refund of paid fees in all cases of defaults from MTS, that is, when the School cannot offer the course as committed or the course could not be delivered on the specified date. No administration fees will be incurred in this instance.

If MTS cannot continue to offer the course after it has started, a pro-rata refund will be refunded within 14 days after the default date.

Where MTS can't deliver a course as committed it will try to organise similar or equivalent course to its enrolled students as soon as practicable.

1.6.3 Principles and procedures to protect fees paid in advance

MTS will not require students to pay more than \$1000 in advance of course start.

1.6.4 General procedures for refund

All claims for refund should be made in writing to the School CEO. The application must state the reason/s for refund claim, the amount expected to receive as refund, and the methods of refund payment or transfer. MTS reserves the right to charge a \$20 administration fee per refund request to cover accounting charges. Students can make written request to the School CEO for variation in the School's current fees refund practices, if they have difficult personal, financial, compassionate or extenuating circumstances. However this does not guarantee that a refund will be granted.

1.6.5 Rights to appeal and appeal procedures

If a student is not happy with the refund decision made by the School, they have a right to appeal through the School's mechanism of hearing grievances or through appropriate external complaint procedures.

Generally, complaints relating to refunds are handled through following procedures:

- All complaints relating to complaint must be made in writing within seven (7) working days of the receipt of the refund notice or decision.
- All complaints relating to refund will be directly investigated by the CEO in consultation with the Training Coordinator.
- While reviewing and investigating the refund decision, the decision will be re-examined against this Refund Policy. This may involve recalculating the given refund and ascertaining its accuracy.
- If the original refund decision was correct, the CEO will advise the complainant student, in writing, clearly describing why the decision was correct and what options are available to them including their rights to appeal.
- If the refund decision had to be reviewed in favour of the complainant appropriate adjustments in refund would be made and the student concerned would be advised of the decision and paid the refund-in-difference within seven (7) working days.

Generally, procedures outlined in the school's 'Student Complaints and Appeals Policies and Procedures' will apply in hearing the refund decision. However, the procedures do not remove a student's right to take legal remedy under the Australian Consumer Protection Laws or to pursue other legal remedies.

Document Version History

Version No.	Summary of Changes	Author	Date
1.0	New Document	Danielle Smith	15/02/2015
2.0	Periodic Review. No changed required.	Dijla Koutsouras	02/06/2019
3.0	Reformatted into new controlled document format.	Dijla Koutsouras	10/03/2022
4.0	Added point g. to Short courses (General Boat Licence and Personal Watercraft Course) section that includes a full refund to all students if MTS cancels or reschedules courses	Dijla Koutsouras	18/04/2024