

## **ENGLISH LANGUAGE PROGRAMS CANCELLATION AND REFUND AGREEMENT**

### **1. PURPOSE AND SCOPE**

- 1.1. The terms and conditions of this Agreement apply to international students who accept an offer of enrolment or are enrolled in a course of study registered by Western Sydney University Enterprises PTY Limited (The College) English Language Centre in the [Commonwealth Register of Institutions and Courses for Overseas Students](#) (CRICOS) with CRICOS provider number 02851G.
- 1.2. This written Agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Consumer Law applies (ESOS National Code 2018, Standard 3.4.5) as well as your right to pursue other legal remedies.
- 1.3. This Agreement should be read in conjunction with:
  - 1.3.1. ESOS Legislative Framework
  - 1.3.2. The University's obligations under the Simplified Student Visa Processing framework
  - 1.3.3. Western Sydney University's International Student Fees and Refund Agreement
- 1.4. This Agreement is in accordance with the ESOS Act and the ESOS National Code.

### **2. DEFINITIONS**

- 2.1. For the purposes of this Agreement, the following definitions apply:
  - 2.1.1. Agreed Starting Date – The first day of a course shown on the Confirmation of Enrolment (CoE) or the first day of any subsequent teaching session. If a student is unable to start on the agreed starting date due to circumstances beyond their control and notify the University in writing, a new agreed starting date may be negotiated. The University will inform the student in writing of a new agreed starting date in such circumstances. NB: This definition is the equivalent to the “agreed starting date” for the purpose of the ESOS Act.
  - 2.1.2. CoE – Confirmation of Enrolment.
  - 2.1.3. Census Date – First day of each course commencement.
  - 2.1.4. CRICOS – The Commonwealth Register of Institutions and Courses for Overseas Students.
  - 2.1.5. Due Date – The course start date is the date that all course fees are due.
  - 2.1.6. ESOS Act – Education Service for Overseas Students Act 2000 (Cth).
  - 2.1.7. Teaching Session – A specified period of teaching in a course set by English Language Programs. Teaching sessions will vary between courses of study.

- 2.1.8. Tuition Fees – Fees related to the provision of a course that The College is providing.
- 2.1.9. The College - Western Sydney University Enterprises Pty Limited trading as Western Sydney University The College.
- 2.1.10. The University – Western Sydney University.

### **3. REFUNDS**

- 3.1. If you are eligible for The College refund, you must have paid all fees by the due date and be in compliance with the accepted offer letter.
- 3.2. Refunds will be calculated in accordance with the University's International Fees and Refund Agreement.
- 3.3. No refund will be given for a Teaching Session in which enrolment has ceased after its census date. Fees paid for any subsequent Teaching Session will be refundable.

### **4. PROCEDURES**

- 4.1. If you are eligible for a refund of any tuition fees paid to the University under this Agreement, you may apply for a refund by completing and submitting the [Request for Fee Refund - International Students Only](#) form to Student Central.
- 4.2. The process of claiming a refund is detailed on the University's Refund Agreement webpages [https://www.westernsydney.edu.au/international/home/apply/admissions/course\\_fees/refund\\_agreement](https://www.westernsydney.edu.au/international/home/apply/admissions/course_fees/refund_agreement)

### **5. RELATED CORRESPONDENCE / LEGISLATION / POLICIES / PROCEDURES**

- 5.1. The University Offer Letter
- 5.2. The University Acceptance Form
- 5.3. The University Acceptance Terms and Conditions
- 5.4. The University International Offer Information Fees and Refunds Agreement
- 5.5. ESOS Act 2000

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### STATUS AND DETAILS

<b>Status:</b>	Current		
<b>Version:</b>	1		
<b>Effective Date:</b>	24 July 2020		
<b>Review Date:</b>	24 July 2023		
<b>Approval Authority Policy:</b>	Western Sydney University Enterprises Board		
<b>Endorsed by:</b>	The English Language Committee		
<b>Unit Responsible:</b>	English Language Centre		
<b>Enquiries Contact:</b>	Joan Park E: <a href="mailto:J.Park3@westernsydney.edu.au">J.Park3@westernsydney.edu.au</a>		
<b>Available On:</b>	SharePoint	<input type="checkbox"/>	Website <input checked="" type="checkbox"/>

### Summary of Changes from Previous Version

Nil