Terms and Conditions of Enrolment (International Education)

### General Conditions and Student Responsibilities

1. As a TasTAFE international student, you are bound by TasTAFE’s policies and rules. Breaches may result in your enrolment being suspended or cancelled and this may affect your student visa.
2. You must commence each course on the start date specified in this Letter of Offer and on your Confirmation of Enrolment (CoE). Failure to start on this day will result in your CoE being cancelled in accordance with the ESOS legislative framework. This may result in your student visa being cancelled. To seek permission to arrive later than this date, please contact TasTAFE International at [international@tafe.tas.edu.au](mailto:international@tafe.tas.edu.au).
3. TasTAFE will consult with the student before making the necessary administrative changes to an enrolment or course package and will notify the student by email of these changes. The student’s CoE will be adjusted to reflect the updated enrolment. If the change extends a student’s total study duration, it is the student’s responsibility to contact Department of Home Affairs (DHA) for advice about their student visa.
4. You must advise TasTAFE within 7 days of any change to:

* your current residential address, mobile number, and email address;
* whom to contact in emergency situations.

1. You must not work more than the 48 hours each fortnight when your course is in session but may work unlimited hours during formal holiday periods. Work is not guaranteed and any work that you undertake must not impact on your studies.
2. You must attend classes during compulsory study periods. Suspensions can be requested during study periods where TasTAFE will review and if approval is granted, no refund will be provided. Any payments received may be considered for future tuition however will not be guaranteed. Approval is granted only for compassionate or compelling circumstances.
3. Your enrolment may be cancelled if you do not return to study following a holiday period or approved Leave of Absence; due to misbehaviour; or failure to pay tuition fees by the specified due date. Further details about the TasTAFE’s procedures for deferment, suspension and/or cancellation of studies are provided on the TasTAFE website.
4. You are responsible for keeping a copy of this Letter of offer, and copies of receipts for the payment of tuition fees or non-tuition fees.
5. If you wish to defer your commencement date or change your course preference, please submit the necessary forms here: [international@tafe.tas.edu.au](mailto:international@tafe.tas.edu.au).
6. All course academic and English language entry requirements are subject to change. Any applications to defer will be subject to the current Academic and English language entrance requirements for the course at the time of applying. Qualifications and evidence of English proficiency will be checked to ensure its validity for the new deferred intake.
7. If you wish to transfer to another education provider prior to the completion of six calendar months of your principal course of study, you must apply for approval from TasTAFE. ‘Principal Course’ means the highest-level qualification specified in this agreement.
8. If your student visa application has been refused, a new CoE will not automatically be issued. Evidence of the reason for refusal needs to be supplied to TasTAFE before the request for a new CoE will be considered.
9. In accepting this offer to study at TasTAFE in Australia, you agree that you have the financial means to support yourself and any dependents for the duration of your studies specified in this agreement. This is no less than the total tuition fees stated in this agreement and the minimum annual living costs recommended by the Department of Home Affairs (DHA) which is currently $29,710 per year.
10. TasTAFE and/or the Department of Home Affairs (DHA) may request evidence that you have sufficient financial means to support yourself and your studies for the duration of your stay in Australia. You cannot rely on income earned from part-time employment in Australia to reduce the level of funds required for tuition fees and living costs.
11. You acknowledge and accept that we are required under Section 19 of the ESOS Act 2000 to advise the Department of Home Affairs (DHA) about any changes to your enrolment, and any breach of a visa condition relating to unsatisfactory academic performance, attendance, non-payment of fees or disciplinary reasons.
12. You must apply for a Unique Student Identifier (USI) with the Australian Government: <https://www.usi.gov.au/students/create-your-usi> and provide this to TasTAFE.
13. You have the right to lodge a complaint with the Ombudsman Tasmania at [www.ombudsman.tas.gov.au](https://aus01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.ombudsman.tas.gov.au%2F&data=05%7C02%7Cinternational%40TasTAFE.tas.edu.au%7C9d76ec0b27c84307baf708dc6a6b2950%7Ca9be3ac70c60491e8b3ba32f8f46aec8%7C0%7C0%7C638502256455317582%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=gR%2FwoWmksou84giOJLxsr44UzMOQKHk7yp9Bh095LV4%3D&reserved=0) if you believe TasTAFE has acted in an unlawful or unethical manner. This agreement, and the availability of complaints and appeals processes, does not prevent you from accessing Australian Consumer protection laws. Further information can be found on our website.

## Overseas Student Health Cover (OSHC)

As part of your student visa, you must maintain an Overseas Student Health Cover (OSHC) insurance policy while you’re studying in Australia.

TasTAFE has selected Bupa as its preferred OSHC provider. We can arrange your OSHC with Bupa, or you can choose to organise your own policy.

For more information on Bupa OSHC visit [www.bupa.com.au/standardOSHC](http://www.bupa.com.au/standardOSHC)

The OSHC quote provided is correct at the date of issue, but keep in mind that we reserve the right to adjust fees if there’s a change to Bupa policies or premiums.

*\*Fund and policy rules apply. Please see the* [*Bupa OSHC Important Information Guide*](http://bupa.com.au/oshc-info) *for more information*: <https://www.bupa.com.au/health-insurance/oshc/cover>

Refund Policy

TasTAFE may issue a refund of tuition fees under various circumstances where you are unable to continue your studies.

Generally, refunds may be provided in the following situations:

1. If you withdraw from a course under the specified conditions; or
2. If TasTAFE cancels a course, and a suitable alternative cannot be arranged for you.

**Student Default**

A student default occurs when an international student:

* does not start the course on the commencement day stated in the letter of offer; or
* the student withdraws from the course at the location (either before or after the agreed starting day due to visa refusal); or
* the student fails to pay an amount they were liable to pay the provider; or
* the student breaches a condition of their student visa; or
* attendance and progress conditions are not met by the student; or
* there is misbehaviour by the student.

**Provider Default**

A provider default occurs when TasTAFE:

* cancels the delivery of a course after international student enrolment and the student chooses not to accept a place in an alternative course that they have been offered; or
* has had to refuse an offered place due to capacity limits; or
* closes as a registered training organisation.

In the unlikely event that TasTAFE is unable to deliver the course in full, the student will be offered an alternative place at no additional cost or, the student will be refunded the unspent portion of tuition fees paid to date within 14 working days of the date on which the course ceased to be provided.

In the unlikely event that TasTAFE is unable to provide a refund or place the student in an alternative course, the Tuition Protection Service (TPS) will provide the student with options for suitable alternative courses (if any such courses are available) or if this is no possible, the student will be eligible for a refund as calculated by the TPS Director.

In the unlikely event of a provider default, TasTAFE will adhere to the notification and fulfillment of obligations to students as outlined in Section 46 of the ESOS Act 2000.

## Refund Requests

An international student may request a refund in conjunction with their withdrawal from studies at TasTAFE at any time after accepting the Letter of Offer. TasTAFE will only proceed with a refund request under the following conditions:

* + Tuitions fee payments are up to date and cleared by TasTAFE Finance;
  + The student has been not breached any student visa conditions;
  + A written claim and supporting evidence has been provided.

Students are encouraged to review the TasTAFE Withdrawal and Refund Policy (International Education) on the website to verify the validity of their refund claim or to contact the TasTAFE International for assistance.

To initiate a refund request, students must either complete the Withdrawal Request Form or the Refund Request Form available on our website. The completed and signed form, along with relevant supporting documentation (such as a letter from DHA regarding visa refusal), must be submitted to TasTAFE International.

The calculation of any potential refund will be from the date of receipt of the relevant forms and any supporting documentary evidence necessary to complete an assessment of the request.

* if the email is received outside of business hours (after 5:30pm) then the receipt date will be deemed as the next business day;
* if the form is considered incomplete (for example missing signatures, details, or essential supporting documentation) then the date will be when the missing content is received.

TasTAFE International will notify the student of the status of the refund request.

Approved refund payments will be processed within 21 days from the date TasTAFE confirms receipt of a complete request. Refunds will be issued in Australian dollars via Electronic Funds Transfer (EFT) to the nominated payee specified in the agreement who made the payment for the student fees unless alternative arrangements are explicitly provided by the student.

Refunds exceeding the specified policy amounts are subject to the discretion of the Manager International Business Development and TasTAFE Financial Delegation Schedule and may be considered on a case-by-case basis if exceptional circumstances warrant, as determined by the CEO of TasTAFE.

If a student is dissatisfied with the outcome of the refund request, they may lodge a request to review within 20 business days of being informed of the status. Students who wish to challenge a decision made on a refund request may refer to the TasTAFE Complaints Policy available on TasTAFE website.

TasTAFE encourages international students to seek support from an TasTAFE International Student Advisor if they are considering a refund request.

| **Circumstance of the Refund Request** | **Refund Payable by TasTAFE (AUD)** |
| --- | --- |
| TasTAFE is unable to deliver the agreed course in full leading to a provider default | 100% refund |
| Visa application unsuccessful (evidence required) – non commencement | 100% refund less Application Fee |
| Visa refusal (evidence required) – student has already commenced studies | Pro-rata refund of unspent tuition fees less Application Fee. Calculated based on weeks of attendance since the commencement date listed on the Letter of Offer. |
| Student does not meet the Course Admissions Requirement, or the conditions set out in the Letter of Offer | 100% refund less Administration Fee |
| Withdrawal from course more than 28 days before the course commencement date. | 80% refund less Administration Fee |
| Withdrawal from course less than 28 days before course commencement date. Withdrawal within 14 days after course commencement date. | 50% refund less Administration Fee |
| Withdrawal after course commencement date | No refund for current or previous semesters (or study periods for ELICOS courses)  Full Tuition Fee refund for future study semester (or study periods for ELICOS courses) less Administration Fee |
| Course change after commencement | Upsent funds may be transferred towards the new course if approved. No refund payable to student, including should there be a difference between the current and future course tuitions fees. |
| Breach of visa conditions or rules of the provider and the student’s enrolment is terminated | No refund |
| Change of visa subclass to temporary resident | No refund for current or previous semester |
| Change of visa subclass to permanent resident | No refund for current or previous semester |
| Late arrival of student or non-attendance | No refund for missed classes |

## Tuition Protection Service

The Tuition Protection Service (TPS) assists international students whose education providers are unable to fully deliver their course of study.

The TPS may assist students either continue their studies through another course or different provider, or by being provided a refund or loan re-credit for education and training they paid for but did not receive.

Please go to: <https://www.education.gov.au/tps>

## Deferment, Suspension, and Cancellation of Enrolment

International students (or education agents acting on their behalf) may apply to defer, suspend, cancel or transfer an enrolment. This can be initiated either before starting or upon commencement of studies at TasTAFE. For students already enrolled, absences of less than two weeks are classified as a leave of absence and can be sanctioned by the relevant program area Education Manager. However, absences of more than two weeks are considered a suspension and required approval by both the program area and the TasTAFE International. TasTAFE will not issue deferments or suspensions exceeding 12-months in total duration. International students will need to contact the Department of Home Affairs to seek advice on whether a new visa is required.

### Deferment Request

An international student (or education agent on their behalf) may request a Deferment prior to the commencement of studies in the following but not limited situations:

* + Compelling and compassionate circumstances, e.g. Medical illness supported by a medical certificate;
  + A delay in the grant of a Student Visa.

### Suspension Request

An international student may request a Suspension (seeking leave for a period longer than two weeks) after the commencement of studies in the following but not limited situations:

* Traumatic experience – for example, being involved in or witnessing an accident or a crime and this has had a negative impact on studies, in these cases, Police or Psychologist’s reports are required.
* Compelling or compassionate circumstances, e.g. Medical illness supported by a medical certificate.
* TasTAFE is not able to deliver a unit(s) and this results in a students’ inability to continue studying in their course.
* Bereavement – the death of close family members, such as parents or grandparents, where possible a death certificate should be supplied.

Upon returning from suspension due to medical reasons, international students may be requested by the TasTAFE International team to provide medical clearance from their healthcare provider, confirming their suitability to resume full-time studies.

TasTAFE International staff will notify the student of the outcome of an application for transfer within 10 working days of the date of receipt of a complete application (including all required documents). International students have a right to request an independent review of the decision and should refer to the supporting information on the TasTAFE website.

<https://www.tastafe.tas.edu.au/students/learning/feedback-and-complaints>

### TasTAFE initiated suspensions and cancellation of enrolment

TasTAFE may suspend or cancel an international student’s enrolment under the following circumstances:

* A breach of course attendance and progress requirements;
* Absence from their course, without approval for more than two consecutive weeks in a semester;
* Failure to pay the required amount to undertake or continue the course, as stated in the written agreement (Letter of Offer) between TasTAFE and the international student;
* Breach of TasTAFE’s Student Code of Conduct;
* Commit Academic Misconduct with a recommendation to be excluded from the Head of Centre.

TasTAFE will make every effort to inform students of their intention to cancel their enrolment through an Intention to Suspend or Cancel Enrolment Letter (via email). International students are informed of their right to request an independent review of the decision. They are referred to the supporting information on the TasTAFE website and is given 20 working days to do so.

## Transfer of Enrolment

International students must seek permission to transfer to another education provider before completing six months of their principal course. A Release Request Form along with the necessary documentation as specified on the form must be submitted for consideration. Requests for release will only be assessed in cases of unforeseen, extraordinary circumstances causing substantial personal difficulty.

Please be aware that if your course is part of a packaged course with other courses, your current course may not be considered the principal course of study. If you have enrolled in a packaged course that includes a course offered by a university partner, you are obligated to complete six months of the university course.

## Requesting a Release

TasTAFE reserves the right to approve a release for an international student to transfer to another in circumstances including, but not limited to

* The student has been reported due to unable to achieve satisfactory course progress, despite participating in a TasTAFE intervention strategy as per Standard 8 of the National Code (Overseas student visa requirements).
* TasTAFE fails to deliver the course outlined in the written agreement.
* There is evidence indicating that the student's reasonable expectations regarding their current course are not being met.
* Evidence suggests that the student was misled by TasTAFE or an education/migration agent regarding TasTAFE or its courses, providing the course unsuitable for their needs and/or study objectives.
* An appeal, whether internal or external, results in a decision or recommendation to release the student.
* A notification of intention to report to the Department of Home Affairs (DHA) has been issued to the student.
* The course the student wishes to transfer to better aligns with their study capabilities or long-term goals.
* The transfer is supported by the relevant education unit, typically due to academic progress or student behaviour.
* The student fails to successfully complete a prerequisite course as part of a package of programs.
* It is in the student's welfare interests, such as when a relative relocates and leaving the student alone in Tasmania is not feasible.
* Evidence of other compassionate and/or compelling circumstances.

TasTAFE may refuse a request for release and transfer in circumstances including, but not limited to:

* Outstanding fees owed by the student.
* The student being involved in a complaints process due to unsatisfactory progress or failure to meet course attendance requirements.
* Lack of genuine engagement by the international student in their studies or with any intervention strategy.
* Breach of student visa condition(s) resulting in a report on PRISMS.
* The transfer posing a risk to the student's progression through a package of courses.
* TasTAFE has not received a valid Letter of Offer from another provider.
* TasTAFE considers the transfer to be detrimental to the student.
* The request for transfer being based on a change of course that is also available at TasTAFE.
* The commencement date specified in Letter of Offer from the transferring provider having passed.
* The student has simply changed their mind.
* The student lives a long distance away from the school.
* Failure of the student to use TasTAFE’s support services or academic resources.
* Suspicions by TasTAFE that the student is attempting to avoid being reported to the Australian Government for non-compliance with the pathway provider’s academic progression rules.
* The student encountering difficulties in adjusting to life in Tasmania and the academic demands at TasTAFE without fully exploring all available student support services.
* The student being under investigation by law enforcement.

TasTAFE international will notify the international student of the outcome in writing within 10 business days of receipt of a complete request:

* The final outcome of the request;
* The international student's entitlement to seek an independent review if they are dissatisfied utilising TasTAFE’s complaints and review process within 20 business days, in accordance with the National Code.
* Suggestion for the international student to contact the Department of Home Affairs (DHA) to seek advice on whether the change in the student’s enrolment:
  + Breaches any visa condition.
  + Requires a new student visa.

## Attendance and Progress Monitoring

### Attendance

It is expected that all international students maintain a minimum attendance rate of 80% in scheduled contact hours throughout their study period. Students should understand that class attendance and active participation are essential factors contributing to academic progress. The attendance of all international students will be monitored and recorded by teaching staff in accordance with TasTAFE procedures. For ELICOS students, failure to meet the 80% attendance requirement may result in the cancellation of their Confirmation of Enrolment (COE) after receiving an Intention to Report Letter.

### Academic Progress

TasTAFE will continuously monitor, document, and evaluate the academic performance of all international students, aiming to provide them with the necessary support to meet the satisfactory academic progress standards for each course unit. If an international student is deemed to have not met the satisfactory course progress criteria, TasTAFE is obligated to report this to the Department of Home Affairs through the Provider Registration and International Students Management System (PRISMS).

### Monitoring

TasTAFE policies and procedures outline supports in place to ensure active monitoring of international student attendance and progress. These include and are not limited to:

* the student’s attendance record;
* class participation;
* late submissions of assessments;
* frequency of assessments resubmissions;
* requests for extension of classwork or assessments;
* feedback from other lecturers;
* grades of 'not yet competent' or fails on assessments;
* proficiency in English or ability to effectively communicate ideas;
* log-in records of TasTAFE student learning system;
* results of assessments and units/subjects;
* progress meetings.

International students are strongly encouraged to promptly reach out to their teachers or International Student Advisors (ISA) if they encounter challenges in their studies. Upon receiving notification of unsatisfactory attendance or course progress or being identified as 'at risk,' students should adhere to the advice in the warning letter and seek assistance by scheduling an appointment with their ISA. International students are afforded two formal warnings to remedy their attendance and progress record.

Following this, and if there is no improvement on attendance and progress, TasTAFE International will notify the student of its intention to report them to the Department of Home Affairs for unsatisfactory attendance and/or progress.

## Visa Conditions

To comply with the conditions of your student visa, you must adhere to the following:

* Maintain enrolment in a course registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), and ensure satisfactory course progress and attendance.
* Students who have been granted a visa to undertake two (2) or more registered courses must remain with the education provider of the Principal Course for at least the first six (6) months or for the duration of the Principal Course if the Principal Course is for less than six (6) months.
* Remain enrolled in a registered course that is either the same level as or higher than the course for which your student visa was granted.
* Continue to meet the eligibility criteria for the grant of your student visa, including maintaining sufficient financial capacity to support your stay in Australia.
* Notify TasTAFE within seven days of any changes to your contact details, including home address, mobile number, and email address.
* Limit work hours to no more than 48 hours per fortnight during course semesters.
* Maintain Overseas Student Health Cover (OSHC) for the duration of your student visa.
* Refrain from engaging in activities that disrupt or pose a threat of violence to the Australian community.

## Use of Personal Information

In accordance with applicable privacy laws and pursuant to obligations under the ESOS Act and National Code, TasTAFE is dedicated to protecting your personal information, including details such as your address, contact numbers, and academic records. This information is not shared with third parties, including parents, sponsors, family members, or friends, without your explicit written consent.

However, TasTAFE may be obligated to disclose your personal information to Commonwealth and State Government authorities under the ESOS Act 2000. Additionally, TasTAFE is required to inform the Department of Home Affairs (DHA) and the Department of Education, Employment, and Workplace Relations of any changes to your enrolment status or breaches to your visa conditions concerning attendance and course progress.

## Complaints and Feedback

TasTAFE is committed to providing a supportive and diverse learning environment for international students. In line with this commitment, TasTAFE acknowledges the possibility of student complaints arising occasionally. We recognize that handling these complaints in a respectful, timely, and responsible manner, without imposing any cost on students, is beneficial for all parties involved. This approach not only supports the well-being of students but also contributes to the ongoing enhancement of TasTAFE as a whole.

### Informal Complaints

We encourage you to take positive and direct action to resolve any issues or concerns as they arise, the best way to do this is by speaking with the relevant party. Many concerns can be resolved with a simple conversation about what has occurred and exploring options to resolve the issue.

### Formal Complaints

If, after talking to the relevant party your concern is not resolved or if you do not feel comfortable speaking with the relevant party, you are welcome to submit a complaint.

The easiest way to submit a complaint is by completing our [online complaint form](https://www.tastafe.tas.edu.au/students/learning/feedback-and-complaints/complaint-form) or using our [downloadable form](https://recordsmanager.education.tas.gov.au/linkgeneratorapi/record/5833040/LatestFinalFile) on our website.

Alternatively, you can email your complaint directly to [feedback@tafe.tas.edu.au](mailto:feedback@tafe.tas.edu.au) including the details of your complaint and what you would like to see happen to resolve the issue.

Note: If a complaint is submitted anonymously, an outcome cannot not be provided.

If you have completed TasTAFE's internal review process and find yourself unsatisfied with the outcome, you are welcome to contact the below external organisations for advice on further review options which may be available to you:

[[Equal Opportunity Tasmania](https://www.equalopportunity.tas.gov.au/)](https://www.equalopportunity.tas.gov.au/): phone [1300 305 062](tel:1300305062)

[[[Tasmanian Ombudsman](https://www.ombudsman.tas.gov.au/)](https://www.ombudsman.tas.gov.au/)](https://www.ombudsman.tas.gov.au/): phone [1800 001 170](tel:1800001170)

For more information: <https://www.tastafe.tas.edu.au/students/learning/feedback-and-complaints>

## Student Declaration/Acceptance of Offer

* I declare that all the information I have provided is true and correct.
* I confirm that I have thoroughly read and understand the detailed information regarding course requirements, the refund policy, and TasTAFE's policies and procedures.
* I am obligated to inform TasTAFE of any changes to my residential address and telephone numbers in Australia during my enrolment. Furthermore, I understand that my personal information, including enrolment details and any suspected breaches of my student visa conditions, may be shared between TasTAFE, the Australian Government, designated authorities, and the Tuition Protection Service (TPS).
* I acknowledge that Overseas Student Health Cover (OSHC) is mandatory while I hold a student visa.
* I understand that failure to pay the required tuition fees may result in the cancellation of my enrolment, affecting my student visa status.
* I understand that continuation in the course/s is dependent upon satisfactory academic progress and participation.
* Without TasTAFE’s approval, I am not permitted to transfer to another registered provider until completing at least 6 months of my principal course of study. If I am given approval to transfer or choose to transfer after completing 6 months of my principal course of study, it will be subject to the conditions outlined in the withdrawal and refund policy.
* I must arrive in Australia by the orientation and course commencement dates; late arrival may result in refusal of enrolment unless prior approval for late commencement is obtained from TasTAFE in writing.
* I am aware that this Agreement and the availability of complaint and feedback process does not remove my rights under Australia’s consumer protection laws.
* I understand that I am bound by the policies and procedures of TasTAFE, and the Education Services for Overseas Students (ESOS) Act 2000.
* It is my responsibility to keep a copy of the written agreement as supplied by TasTAFE, as well as receipts of any payments of tuition fees or non-tuition fees.