



WITHDRAWAL, REFUND AND FEE PROTECTION POLICY AND PROCEDURES (A6, B1, G1)

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1 DOCUMENT MANAGEMENT

Version control	Effective date	Created/reviewed	Reason for review
Version 3	2023	Soon Yin	Update
Version 4	2024 (Replace Student Fee Refund and Protection Policy V3)	Ricky Versteeg	Annual Review

2 PURPOSE

The purpose of this policy is to ensure students have sufficient information and a clear understanding of their rights and the obligations Kiwi College of New Zealand (Kiwi College) has in terms of course/programme cancellations, student withdrawal and refunds and the protection of student fees. The policy is to ensure that students are treated fairly when this policy is being applied. The Withdrawal, Refund and Fee Protection Policy and Procedures has been developed and written to meet, among others, the requirements of the following laws to ensure that it is reasonable and in accordance with legal requirements:



- Education and Training Act 2022 section 356 (Trust account) and 529 (Refund entitlements of International students)
- NZQA’s Refund Requirements for International Students Notice 2012
- NZQA Student Fee Protection Rules 2022 ([Student Fee Protection Rules 2022 :: NZQA](#))
- Consumer Guarantees Act 1993
- Fair Trading Act 1986
- Human Rights Act 1993

Kiwi College follows the rules and guidelines in NZQA’s Student Fee Protection Rules 2022, under section 452 of the Education and Training Act 2022 and uses the Static Trust account option with Public Trust for Student Fee protection. The following is an extract from those rules:

Static trust – specific requirements (applying before or after the Refund Period, or in respect of Courses under three months where no Refund Period applies)

1.14	<i>The trust must hold an amount that covers the maximum liability required to reimburse Students that the provider could experience should it close. The maximum liability is defined as the highest amount of Student Fees that could be paid out at any one time, including in relation to Students anticipated to pay fees within the next quarter.</i>
1.15	<i>The maximum liability calculations must be externally reviewed by an independent chartered accountant as required by Rule 13.2.</i>
1.16	<i>A static trust may be used to provide protection for homestay or accommodation payments and for living expenses and may be used as a trust supplementary to another Mechanism if approved by NZQA.</i>

Glossary

Contract of Enrolment	Contractual agreement between student and Kiwi College for the full duration of their study at Kiwi College
Course Cessation	The delivery of a course is cancelled.
Course Commencement	Start date of course or programme
Refund	Return of student fees if student withdraws or Kiwi College ceases to offer a course or programme
Refund period	Period that begins when the student’s fees are paid into the Public Trust Account of Kiwi College and ends on the date as specified under withdrawal regulations.



Static Trust	Account that holds and protects student fees
Withdrawal Application	Application to stop attending a course/programme before or after the start of the course/programme.

3 POLICY

Kiwi College ensures that fees paid are secure and protected in the event of a student withdrawal or the ending of educational instruction. Students should note that the Contract of Enrolment is a contractual agreement for the full duration of their study at Kiwi College. Payments indicate an acceptance of this contractual agreement.

Each request for a refund is decided on its individual merits. There is no automatic right to a refund of fees if a student changes their mind about studying at Kiwi College.

4 STUDENT REFUNDS

Note: Fees to be refunded do not include the Registration Fee, Airport Pick-up Fee, Homestay Placement Fee, Insurance Fee, Bank Transaction Fee, and any other fees that had been paid or spent to a third party or individual.

4.1 Cancellation Prior to Course Commencement

A student who withdraws prior to their programme's commencement will be entitled to a refund less a deduction of 20% or NZ\$500 of the fees paid, whichever is lesser.

4.2 Decline of Student Visa or Other Eligible Visa

All tuition and resource fees received will be refunded if a student has had his/her student or other eligible visa application declined. The visa decline letter must be submitted as evidence to qualify for the refund. The refund will be made within five working days from the date of receipt of the completed Student Withdrawal and/or Refund Application Form and the Visa Decline Letter.

4.3 Termination of enrolment

If the student, for health reasons, is unable to continue his/her studies, enrolment will be terminated, and all appropriate fees will be refunded. This termination is at the discretion of the Academic Director. Kiwi College will be guided by NZQA specified withdrawal periods and refund amounts.

If a student is expelled from a course or programme, he or she will not be entitled to a refund.



4.4 Voluntary closure or Course Cessation

Kiwi College reserves the right to cancel courses due to insufficient demand, unavailability of suitable facilities or other substantial reasons. In all cases the student will be offered alternative start dates or will receive a full refund within five working days of the closure or cessation.

4.6 Withdrawal and/or refund application

- All students must apply in writing for a withdrawal and/or refund by completing the Student Withdrawal and/or Refund Application Form.
- Students are required to supply a verified copy of their passport and student visa (if applicable), and a copy of their Kiwi College receipt(s) with their application for a refund.
- All documents need to be submitted to the Admin office or e-mailed to admin.kiwi@ac.nz.
- Where a student wishes to attend another institution in New Zealand, Kiwi College will transfer the pre-paid tuition fees to that institution, upon written confirmation from that institution of the student's intention to study. This should be in the form of a formal letter of offer or invoice which confirms the student's acceptance into a programme/course. If the student has already paid their tuition fees at the other institution, Kiwi College will refund the pre-paid tuition fees to the student, upon written confirmation from the other institution that the fees have been paid. It is the student's responsibility to provide the necessary documentation from the other institution.
- Where a student will be returning to their home country, the funds will be refunded in one of two ways:
 - an overseas bank draft sent to the overseas address or the student's personal New Zealand bank account provided by the student or
 - if it is known that the pre-paid tuition fees have been paid by a third party, the refund may be paid back to that third party.
- Where a student is wishing to remain in New Zealand without enrolling at an educational institution, Kiwi College will refund these funds either:
 - upon evidence of a valid INZ visa to remain in New Zealand, or
 - confirmation that INZ has discharged Kiwi College's duty under the original student visa.

4.6.1 Domestic Students Refund Entitlements

Domestic students are entitled to a refund if they withdraw from a course or programme as follows:

Course length	Withdrawal period	Refund amount
For courses of two days or less	None	1. No refund once the course has started on the scheduled start date.



For courses of more than two days but less than five weeks	Up to the end of the 2 nd working day after the course start date	<ol style="list-style-type: none"> 1. Kiwi College will deduct 50% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs. 2. No refund for withdrawals after the 2nd working day.
For courses of five weeks or more, but less than three months	Up to the end of the 5 th working day after the course start date	<ol style="list-style-type: none"> 1. Kiwi College will deduct up to 25% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs. 2. No refund for withdrawals after the 5th working day.
For courses/programmes of three months or longer	Up to the end of the 10 th working day after the course/programme start date	<ol style="list-style-type: none"> 1. Kiwi College will deduct up to 25% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs. <p>The percentage deducted and the precise deduction for each expense item will be detailed in a statement and presented to the student.</p> <ol style="list-style-type: none"> 2. No refund for withdrawals after the 10th working day.

4.6.2 International Students Refund Entitlements

International students are entitled to a refund if they withdraw from a course or programme as follows:

Course length	Withdrawal period	Refund amount
For courses of two days or less	None	<ol style="list-style-type: none"> 1. No refund once the course has started on the scheduled start date.
For courses of more than two days but less than five weeks	Up to the end of the 2 nd working day after the course start date	<ol style="list-style-type: none"> 1. Kiwi College will deduct 50% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs. 2. No refund for withdrawals after the 2nd working day.
For courses of five weeks or more, but less than three months	Up to the end of the 5 th working day after the course start date	<ol style="list-style-type: none"> 1. Kiwi College will deduct up to 25% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs. 2. No refund for withdrawals after the 5th working day.



For courses/ programmes of three months or longer	Up to the end of the 10 th working day after the course/ programme start date	<p>1. Kiwi College will deduct up to 25% of the fees paid, to cover student recruitment agent fees, marketing, promotional and administration costs.</p> <p>The percentage deducted and the precise deduction for each expense item will be detailed in a statement and presented to the student.</p> <p>2. No refund for withdrawals after the 10th working day.</p>
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5 REFUND PAYMENTS

All fees are converted to NZ\$ on the day of receipt of the completed Student Withdrawal and/or Refund Application Form and supporting documents. The refund is the equivalent of the NZ\$ value on the day of receipt. All applications for refunds must be accompanied by the original documents issued by Kiwi College, along with evidence that the documents were not used to obtain a visa to come to New Zealand. All refunded monies must go to the person from whom Kiwi College received the monies. Students will be notified of the result of their Refund Application within 7 working days of receipt and refunds will be paid within 15 working days for all approved refund applications.

6 PROTECTION OF STUDENT FEES

Kiwi College has appointed Public Trust as trustee and all students' fees enrolled on courses/programmes with fees of \$500 and more, are held by Public Trust in a trust account for each student. The fees under the student's trust account will be paid to Kiwi College in installments over the duration of student's course/programme. The balance of the fee in the trust account is protected by Public Trust.

Students should contact the Trustee for all unused portions of fees paid by calling 0800 494 733 and/or e-mail feeprotect@publictrust.co.nz.

Where students have enrolled on courses with fees less than \$500 Kiwi College places all such student fees received in its company's bank account and retain the amount until and after the students have completed their studies with the College.

7 ASSOCIATED POLICIES AND PROCEDURES

Concerns, Complaints and Academic Appeals Policy (G2, H1)

Student Withdrawal and/or Refund Application Form.