

Overseas Student Ombudsman

Media Statement – 31 Jan 2025

Complaints increase about education providers delaying refunds after student visa refusals

As the Overseas Student Ombudsman (OSO) we have seen a significant increase in complaints about education providers delaying or refusing to refund students who have had their student visa applications refused.

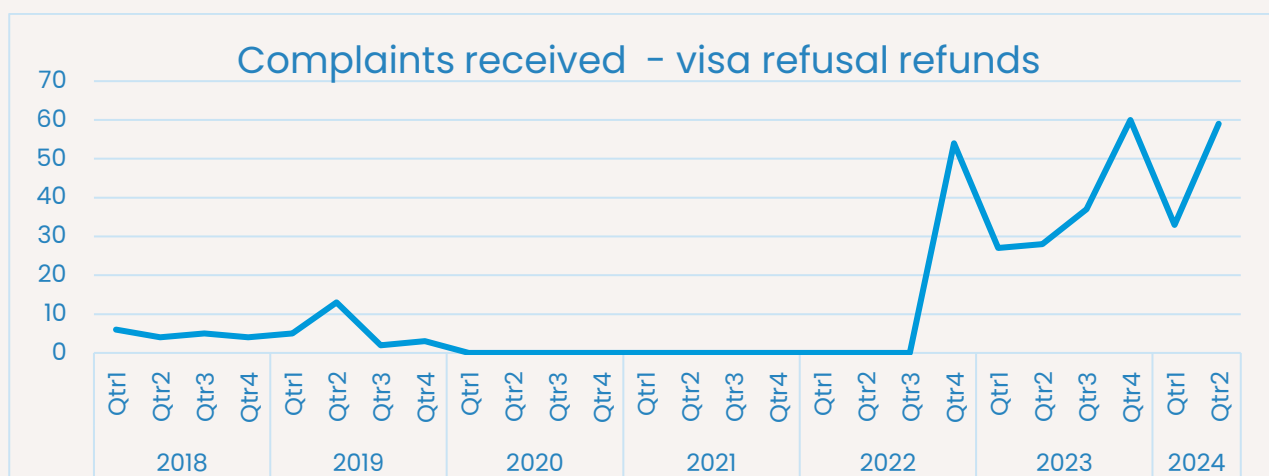
Statement attributed to the Overseas Students Ombudsman, Mr Iain Anderson:

“Over the past 2 years, following the removal of COVID-19 travel restrictions, we have seen an 8-fold increase in complaints about this issue, compared to complaints in the 2 years pre-COVID.”

Prospective international students usually enrol and pre-pay some tuition fees before applying for a student visa.

Statement attributed to the Overseas Students Ombudsman, Mr Iain Anderson:

‘If a student’s visa is refused, the legislation requires their education provider to refund most of their fees within 28 days. The majority of the complaints we receive are because this timeframe is not met’



We also continue to receive other refund-related complaints from students.

These may be where a student has withdrawn from study and expects a refund, but their provider:

- attempts to keep an unreasonable amount of pre-paid fees – far more than expected costs or outlays
- retains additional fees the student paid voluntarily in advance
- charges unreasonable or excessive non-refundable administration fees that are not reflective of actual administrative costs, or
- refuses to refund a student despite the student withdrawing well before course commencement.

In November 2022 we published ['Improving fairness in written agreements between international students and Australian education providers'](#). This issues paper, drawing on the Australian Consumer Law, gives examples of terms (or refusals to refund) that are likely to be unfair or unreasonable.

Statement attributed to the Overseas Students Ombudsman, Mr Iain Anderson:

'We encourage all education providers to understand and fairly apply the legislation when a student's visa is refused.'

In cases where we see significant non-compliance, we may disclose the complaint to industry regulators, including the Australian Skills Quality Authority, the Tertiary Education Quality and Standards Agency, and the Tuition Protection Service.

About the Overseas Students Ombudsman (OSO)

The OSO can receive and consider complaints from international students about private education providers who refuse to pay refunds (including visa refusal cases) and can form views about whether a refund should be payable to the student in individual complaints.

For further media enquiries, please contact us at media@ombudsman.gov.au