

# Fees and Charges Regulations 2013

## Part 1 - Preliminary

### 1. Objective

The objective of these Regulations is to provide for the fixing of fees and charges.

### 2. Authorising provision

These Regulations are made under the [Governance, Academic and Student Affairs Statute 2013](#) and sections 28, 29 and 30 of the [Victoria University Act 2010](#).

### 3. Commencement

These Regulations come into operation on 1 February 2014.

Note

Section 26 of the [Interpretation of Legislation Act 1984](#) provides for the exercise of powers between the making and commencement of a subordinate instrument.

### 4. Definitions

In these Regulations-

- a. "annual review" means a formal review of fees and charges conducted yearly in accordance with University policies and procedures.
- b. "local full fees" means the fee payable with respect to a unit or course by an Australian resident who is enrolling in the unit or course other than as Commonwealth supported student;
- c. "international full fees" means the fee payable with respect to a unit or course by a non-resident of Australia who is enrolling in the unit or course other than as Commonwealth supported student;
- d. "government funded course" fees means the fee payable with respect to an eligible Higher Education or Vocational Education student undertaking studies where the Commonwealth or State Government assists the student with a loan or a financial contribution towards the cost of his or her course of studies;
- e. "commercial course fees" means a fee for a course on a fee for service basis, for the delivery of an education program to an external organisation on a commercial arrangement;
- f. "ancillary and material fees" means a fee associated with the provision of services and/or goods retained by the student for use during their course;
- g. "other fees and charges" means any other non-course related fee or charge e.g. parking fees;
- h. "student connect fees and charges" means a fee or charge for any student administrative services, including late fees and charges;
- i. "student services and amenities fees" means a fee charged to support services and amenities to students subject to Government legislation e.g. sport, recreation, counselling and childcare
- j. "study abroad fees" means the fee charged to students enrolled at an overseas university who enrol in a program of study at Victoria University whereby units studied can be credited towards the degree of their overseas home institution;

## **Part 2 - Determination of Fees and Charges**

### **Division 1-Power to impose fees and charges**

#### **5. Fixing of fees and charges**

(1) The University may, in accordance with these Regulations, fix fees and charges.

Notes

Section 6 of the [Act](#) provides that the University may do all acts and things that a body corporate may do, including fixing fees and charges.

Section 48 of the [Governance, Academic and Student Affairs Statute 2013](#) provides that the University may impose or charge fees and charges on persons who are on University premises, using University facilities and services or engaged in University activities, including prescribed fees and charges.

(2) Fees and charges which are fixed by the University are payable by the persons specified in the instrument under which they are fixed by the due date for payment.

(3) The instrument fixing the fees and charges will be signed by the chief financial officer.

(4) Fees and charges will be subject to an annual review.

(5) These Regulations do not limit the power of the University to fix or impose other fees and charges or to change the fees at any time.

#### **6. Fees and charges which may be fixed**

The fees and charges which may be fixed by the University are-

- a. local full fees;
- b. international full fees;
- c. government funded course fees;
- d. commercial course fees;
- e. ancillary and material fees;
- f. other fees and charges
- g. student connect fees and charges;
- h. student services and amenities fees;
- i. study abroad fees; and
- j. any other fees fixed under this Regulation

#### **7. Variation of fees and charges**

(1) Fees and charges may be varied or revoked.

(2) The provisions of these Regulations apply to the variation or revocation of fees and charges.

#### **8. Commencement date**

(1) At the time of fixing fees or charges, the University may specify a date on which the fees and charges come into effect.

(2) If a commencement date is not specified, fees and charges come into effect on the day on which they are fixed.

(3) If the University specifies the date on which fees or charges come into effect-

- a. the fees or charges come into effect on that date;
- b. the Interpretation of Legislation Act 1984 applies to the determination.

Notes

Section 24 of the [Interpretation of Legislation Act 1984](#) provides that a subordinate instrument comes into effect at the beginning of the day on which it is expressed to come into operation.

## **Division 2-Publication of fees and charges**

### **9. Publication of fees and charges**

(1) The University must ensure that-

- a. notification is given on the University website of the fixing of fees and charges; and
- b. information is available on the University website of current fees and charges, including the dates on which those fees and charges come into effect.

(2) Failure to comply with this Regulation does not affect the validity of a decision to fix a fee or charge or the obligation of a person to pay a fee or charge which has been fixed by the University.

## **Part 3 - Reimbursement of Fees and Charges**

### **10. Reimbursement of fees and charges**

(1) In accordance with the terms, conditions and policies applicable to the subject matter of any fees and charges, a person may apply for the refund of all or any part of the fees and other charges paid by that person if he or she has -

- a. withdrawn from a course; or
- b. changed from being a full-time student to a part-time student; or
- c. ceases to use, or access, the goods, amenities, services, facilities or equipment provided by the University.

(2) Notwithstanding the provisions of sub-section (1) if, in the opinion of the Vice- Chancellor, special circumstances have caused a student to cancel his or her enrolment during the year, the Vice-Chancellor may remit or reimburse all or part of any fee owed or paid by the student for that year.

## **Part 4 - Non-Payment of Fees and Charges**

### **11. Non-payment of fees and charges**

Unless the Vice-Chancellor decides otherwise, where a person who has not paid all fees or charges owing by the person to the University, the University may:

- a. refuse to enrol the student;
- b. suspend or cancel an existing enrolment; or
- c. take the action described at section 42 of the [Governance, Academic and Student Affairs Statute 2013](#).

## **Part 5 - Revocation of Regulations**

### **12. Revocation of regulations**

The Fees and Charges Interim Regulations 2013 are revoked.

(For historical purposes, a copy of this interim regulation can be found under the 'Supporting Documents and Information' tab.)

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	10th September 2014
<b>Review Date</b>	10th May 2019
<b>Approval Authority</b>	University Council
<b>Approval Date</b>	10th September 2014
<b>Expiry Date</b>	17th December 2019
<b>Accountable Officer</b>	Adam Shoemaker Vice-Chancellor +61 3 9919 4011
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