

# Refund Policy

**Private vocational institutions are legislated by The Private Vocational Institutions Act (C.C.S.M. c. P137), and Private Vocational Institutions Regulations 142/2023. These sections relating to refunding fees to students are as follows:**

## Refunds to students

**26** A private vocational institution must refund all money received or realized in respect of a student being enrolled in a program of instruction it provides if

- (a) The registration of the registrant to operate the institution is cancelled; or
- (b) The institution
  - (i) Ceases to provide instruction in the program while the student is still enrolled, or
  - (ii) Expels the student without cause.

## Providing training without registration

**27** A person who provides a program of instruction before being registered as a registrant must refund all fees that have been paid in respect of the vocational training.

## Refunds re actions of students

**28(1)** Subject to section 16 of the Act, the private vocational institution must refund the following fees:

- (a) if the student ceases to be enrolled before the start date of the program, all money received or realized in respect of the program except any non-refundable fees specified as required under sub clause 11(1)(d)(iv);
- (b) if the student ceases to be enrolled after the start date of the program, the percentage of paid tuition fees set out in first column of the following table based on the percentage of the program completed by the student at the time the student ceases to be enrolled as set out opposite in the second column:

Percentage of paid tuition fees refunded	Percentage of program completed at time the student ceases to be enrolled
75% of paid tuition fees refunded	Up to 20.99%
50% of paid tuition fees refunded	21% to 50.99%
No tuition fees refunded	51% or more

**28(2)** in determining the percentage of the program completed at the time the student ceases to be enrolled,

- (a) Each assignment and each hour or class in a program of instruction is of equal value; and
- (b) A student is deemed to have attended every regularly scheduled hour of instruction or, in the case of a program provided by correspondence or other means, to have submitted each regularly scheduled assignment until the day immediately before the date the student ceases to be enrolled.

## Refund of materials fee

**29(1)** Subject to subsection (2), a private vocational institution must refund any materials fee when a student rescinds their contract under section 16 of the Act or when a student ceases to be enrolled in the program of instruction if the student returns the materials to the institution

- (a) Within 10 days after ceasing to be enrolled in the program; and
- (b) In substantially the same condition as the materials were in when they were received by the student.

**29(2)** a materials fee is not refundable for materials that (a) are personal use items; or (b) have been removed from their packaging.

**29(3)** for certainty, a digital version of a book or text is eligible for a refund if the code used to access its contents has not been used.

#### **Non-refundable fees**

**30** except as provided under section 16 of the Act, a student is not entitled to a refund of

- (a) a registration fee; or
- (b) In the case of an international student, the international student administration fee under subclause 11(1)(d)(v) of their student contract.

#### **When student ceases to be enrolled**

**31** under this regulation, a student ceases to be enrolled in a program of instruction on the earliest of the date that

- (a) The private vocational institution
  - (i) Receives the student's written notice of withdrawal from the program of instruction,
  - (ii) Cancels the student's enrolment under section 32, or
  - (iii) expels the student from their program of instruction; or (b) the student (i) exceeds the number of absences allowed under the private vocational institution's attendance policy, or (ii) graduates from the institution.

#### **Cancellation of enrolment of international students**

**32** A private vocational institution that receives written notice that a prospective international student is unable to obtain entry into Canada

- (a) Must
  - (i) Not enroll the student in a program of instruction, or
  - (ii) If the student is enrolled, cancel the student's enrolment within five days after receiving the notice; and
- (b) Must refund any money received from or on behalf of the student.

#### **1. Payment of refunds**

Cited from THE PRIVATE VOCATIONAL INSTITUTIONS ACT (C.C.S.M. c. P137), Private Vocational Institutions Regulation 142/2023.

**33(1)** Subject to subsection (2), if a student is entitled to a refund from a private vocational institution, the refund must be paid directly to the student.

**33(2)** if a student is entitled to a refund and the institution received any payment of the student's fees from a government program, an agency or a person other than the student, the institution must pay the refund, on the student's behalf, to the government, agency or other person.

**33(3)** the institution must issue a refund payment within 30 days after the refund becomes payable.