

MINISTERIAL ORDER NO. 819

EDUCATION AND TRAINING REFORM ACT 2006

FEES FOR OVERSEAS STUDENTS IN GOVERNMENT SCHOOLS

*(Version incorporating amendments made by Ministerial Order 947, 970, 1042, 1128, 1235, 1318, 1338, 1392 and 1443 made under the **Education and Training Reform Act 2006** as at 16 November 2023)*

The Minister for Education, under the powers contained in sections 2.2.9 and 5.10.4 of the **Education and Training Reform Act 2006**, makes the following Order:

PART 1 — PRELIMINARY

1. Title

This Order may be cited as Ministerial Order No. 819 – Fees for Overseas Students in Government Schools.

2. Purposes

This Order specifies —

- (a) the fees to be paid by or on behalf of Overseas Students to be enrolled or seeking to be enrolled at a Government School for the instruction and education and related services provided to the Overseas Student by the school and the Department;
- (b) how the fees are to be distributed between the Secretary and the Government School; and
- (c) the way in which Government Schools are to make arrangements for student accommodation.

3. Operation of Order

This Order takes effect on the day that it is published in the Government Gazette.

4. Application

- (1) This Order applies to Overseas Students enrolled at Government Schools or seeking enrolment at Government Schools.
- (2) The fees specified in this Order are payable by an Overseas Student or by his or her parent, legal guardian or other person or body acting on behalf of an Overseas Student.
- (3) This Order applies to all Overseas Students continuing or commencing study on or after the day this Order takes effect.

- (4) Ministerial Order No. 704 and Ministerial Order No. 770 made under sections 2.2.9 and 5.10.4 of the **Education and Training Reform Act 2006** on 13 November 2013 and 29 October 2014 respectively are **revoked**. This revocation does not affect a right, liability, or privilege accrued or incurred under those Orders.

5. Definitions

In this Order –

bridging visa means a bridging visa as defined in the *Migration Act 1958* (Cth);

CHES means the registered school known as the Centre for Higher Education Studies;

Commencement means the course commencement date as specified in the confirmation of enrolment issued by the registered provider to intending Overseas Students;

Note: The confirmation of enrolment must accompany an application for a student visa, confirming the Overseas Student's eligibility to enrol in the particular course of the registered provider, in accordance with the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Default Administration Fee means the fee, expressed in Australian Dollars, payable pursuant to clause 36(2) of this Order;

Department means the Department of Education;

Note: Under section 38AAA of the Interpretation of Legislation Act 1984, if the name of the Department is changed under the Public Administration Act 2004, any reference to the Department in this Order from the date of that name change is taken to be a reference to the Department by its new name.

Dependant means a person named as a dependant on a visa issued to an overseas person which provides them with the entitlement to study in Victoria under regulations made under the *Migration Act 1958* (Cth);

ELC means an English Language Centre or an English Language School, whether or not it shares a physical campus with a Standard Government School;

English Language Studies means an intensive English language program that may generally be undertaken over a period of 20 to 22 weeks;

Enrolment for the purposes of this Order occurs when the earliest of the following occurs—

- (a) an Overseas Student or his or her parent or legal guardian accepts an offer of enrolment or offer of placement in a Government School from the Secretary or a person authorised by the Secretary and pays the first invoice of the annual tuition fee specified in the Order;
- (b) an Overseas Student attends a Government School, other than a Study Tour in a Government School;
- (c) an agreement is signed between a Study Tour Operator and the Secretary or a person

authorised by the Secretary for the Overseas Student to participate in the instruction, educational and other related services of a Government School and pays the relevant fees specified in this Order;

ESOS Act means the *Education Services for Overseas Students Act 2000* (Cth), and includes any subordinate or delegated instruments made under that Act;

Note: The National Code of Practice for Providers of Education and Training to Overseas Students 2018 is a subordinate instrument made under the ESOS Act.

fees means the fees, expressed in Australian Dollars, payable pursuant to this Order;

Government School means any school established under the *Education and Training Reform Act 2006*;

IED means the International Education Division of the Department;

International Student Visa means any '*student visa*' as that term is defined by regulation 1.03 of the *Migration Regulations 1994* (Cth);

Notice of Default means a notice issued by the IED pursuant to clause 36(1) of this Order;

Overseas Student means a person holding a visa under the *Migration Act 1958* (Cth) which allows a person, whether expressly or otherwise, to study at a Government School in Victoria;

Refund Administration Fee means the fee, expressed in Australian Dollars, payable pursuant to clause 37(2) of this Order;

Secretary means the Secretary of the Department or his or her delegate;

senior secondary course has the same meaning as in Chapter 4 of the *Education and Training Reform Act 2006*; -

Study Tour in a Victorian School means a short term study program organised by a Study Tour Operator;

Standard Government School means any Government School that is not the CHES, the VVLN, the VSV, an ELC, the VCASS, or the VSL;

Study Tour Operator means a person, association (incorporated or unincorporated), company or any other organisation which organises study tours for Overseas Students on a commercial basis;

VCASS means the Victorian College of the Arts Secondary School;

VET certificate means a certificate awarded upon the successful completion of a vocational education and training program of study in which a student at a government school has enrolled as part of undertaking a senior secondary course;

VSL means the Victorian School of Languages;

VSV means Virtual School Victoria;

VVLN means the remote learning program known as the Victorian Virtual Learning Network developed and administered by the registered school known as Bendigo Senior Secondary College.

PART 2— OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL ON AN INTERNATIONAL STUDENT VISA

6. Application of Part

- (1) Part 2 applies to fees payable in respect of any Overseas Student—
 - (a) who is enrolled, or seeking to be enrolled, at a Standard Government School; and
 - (b) who holds, or proposes to hold, an International Student Visa while enrolled at that school.
- (2) All references to Overseas Student in this Part must be read accordingly.

7. Fees

(1) Overseas Students other than Dependants

- (a) The fees in items 1, 2 and 3 of the fee schedule are payable in respect of each Overseas Student (other than a Dependant) who applies for enrolment at a Standard Government School, or who is enrolled at a Standard Government School and applies for a change of Government School or a change of welfare provisions before commencement, or who is enrolled at a Standard Government School and applies to transfer to a different Government School after commencement (as relevant).
- (b) The relevant annual tuition fee in item 4 of the fee schedule is payable in respect of each Overseas Student (other than a Dependant) for each year which the Overseas Student is enrolled at a Standard Government School.
- (c) The fees in item 16 of the fee schedule are payable in respect of each VET certificate that each Overseas Student (other than a Dependant) elects to undertake.

(2) Dependants

- (a) The fees in items 1, 2 and 3 of the fee schedule are payable in respect of each Dependant who—
 - (i) applies for enrolment at a Standard Government School;
 - (ii) is enrolled at a Standard Government School and applies for a change of Government School or a change of welfare provisions before commencement; or
 - (iii) is enrolled at a Standard Government School and applies to transfer to a different Government School after commencement (as relevant).

- (b) The relevant annual tuition fee in item 5 of the fee schedule is payable in respect of each Dependant for each year which the Dependant is enrolled at a Standard Government School.
- (c) The fees in item 16 of the fee schedule are payable in respect of each VET certificate that each Dependant elects to undertake.

8. Instruction and Educational and Other Related Services

Subject to the conditions of the visa held by the Overseas Student, upon enrolment the Overseas Student is entitled to the same instruction, educational and other related services provided by the school as other students of the Standard Government School in the same year level.

9. Date for Payment of Fees

(1) Application, Enrolment Amendment and Transfer Fees

- (a) The application fee in item 1 of the fee schedule is payable in respect of an Overseas Student following receipt by the Department of a completed application for enrolment in a Standard Government School.
- (b) The enrolment amendment fee in item 2 of the fee schedule is payable in respect of an Overseas Student at the time of applying for a change of Government School or a change to welfare provision once the student is first enrolled but before commencement.
- (c) The transfer fee in item 3 of the fee schedule is payable in respect of an Overseas Student at the time of making an application for transfer after commencement.

(2) Annual Tuition Fees

- (a) The annual tuition fee payable in respect of an Overseas Student is to be paid as directed by the IED.
- (b) Without limiting clause 9(2)(a), the IED may, after taking into account the length of study of an Overseas Student, direct that payment of the annual tuition fee be made in any manner that it deems fit including, but not limited to, payment made:
 - (i) in instalments;
 - (ii) on a particular date or dates;
 - (iii) on a pro-rata basis; and
 - (iv) in advance of tuition.
- (c) The IED must provide an invoice for any fees to be paid in respect of an Overseas Student.
- (d) Where an Overseas Student is studying for a period shorter than the annual tuition fee period, the IED must require payment for the pro-rata period of study only.

- (e) The IED must inform Overseas Students in the Terms and Conditions contained in the letter of offer that the fees specified in this Order are subject to change and an Overseas Student is responsible for payment of any difference in fees charged from year to year.

10. Distribution of Fees between the School and the Secretary

- (1) The application fee, and the enrolment amendment fee (as applicable), set out in items 1 and 2 of the fee schedule are to be retained by the Secretary.
- (2) The transfer fee set out in item 3 of the fee schedule must be distributed to the Standard Government School from which the Overseas Student is seeking a transfer.
- (3) The distribution of annual tuition fees between the Government School(s) and the Secretary is to be in accordance with the distribution schedule.
- (4) The distributions specified in the distribution schedule are based on the full annual tuition fee and are to be reduced in accordance with any adjustment for the length of study of the Overseas Student, other than the distribution to the CHES, the VVLN, the VSV or the VSL.

PART 3— OVERSEAS STUDENTS WHO ARE NOT OTHERWISE ENROLLED IN A GOVERNMENT SCHOOL STUDYING AT THE VSV OR THE VSL

11. Application of this Part

- (1) Part 3 applies to fees payable in respect of any Overseas Student who—
 - (a) is not otherwise enrolled in a Government School;
 - (b) is enrolled, or seeking to be enrolled, at the VSV or the VSL; and
 - (c) holds, or proposes to hold, an International Student Visa while enrolled at that school.
- (2) All references to Overseas Student in this Part must be read accordingly.

12. Fees

- (1) The fee in item 6 of the fee schedule is payable for each subject per annum in respect of an Overseas Student at the VSV or the VSL who is not otherwise enrolled in a Government School.
- (2) If the Overseas Student is enrolled at both the VSV and the VSL, the fee in item 6 of the fee schedule is payable to both the VSV and the VSL.

13. Instruction and Educational and Other Related Services

Subject to the conditions of the visa held by the Overseas Student, upon payment of the fee in item 6 of the fee schedule the Overseas Student is entitled to the same instruction, educational and other related services provided by the VSV or the VSL as other students who

are studying the same subjects in the same year level.

14. Date for Payment of Fees

The fee is payable upon acceptance of an offer of placement at the VSV or the VSL or as directed by the IED.

15. Distribution of Fees between the VSV or the VSL and the Secretary

The distribution of fees between the VSV or the VSL and the Secretary is to be in accordance with the distribution schedule.

PART 4—OVERSEAS STUDENTS ENROLLED AT THE VCASS

16. Application of Part

- (1) Part 4 applies to fees payable in respect of any Overseas Student who—
 - (a) is enrolled, or seeking to be enrolled, at the VCASS;
 - (b) holds, or proposes to hold, an International Student Visa while enrolled at the VCASS.
- (2) All references to Overseas Student in this Part must be read accordingly.

17. Fees

- (1) The fees in items 7, 8, and 9 of the fee schedule are payable in respect of each Overseas Student who:
 - (a) applies for enrolment at the VCASS; or
 - (b) is enrolled at the VCASS and applies for a change of Government School or a change of welfare provisions before commencement; or
 - (c) is enrolled at the VCASS and applies to transfer to a different Government School after commencement (as relevant).
- (2) The relevant annual tuition fee in item 10 of the fee schedule is payable in respect of each Overseas Student for each year which the Overseas Student is enrolled at the VCASS.
- (3) The fees in item 16 of the fee schedule are payable in respect of each VET certificate that each Overseas Student elects to undertake.

18. Instruction and Educational and Other Related Services

Subject to the conditions of the visa held by the Overseas Student, upon enrolment the Overseas Student is entitled to the same instruction, educational and other related services provided by the VCASS as other students of the VCASS who are studying the same subjects in the same year level.

19. Date for Payment of Fees

(1) **Application, Enrolment Amendment and Transfer Fees**

- (a) The application fee in item 7 of the fee schedule is payable in respect of an Overseas Student following receipt by the Department of a completed application for enrolment in a Standard Government School.
- (b) The enrolment amendment fee in item 2 of the fee schedule is payable in respect of an Overseas Student at the time of applying for a change of Government School or a change to welfare provision once the student is first enrolled but before commencement.
- (c) The transfer fee in item 9 of the fee schedule is payable in respect of an Overseas Student at the time of making an application for transfer after commencement.

(2) **Annual Tuition Fees**

- (a) The annual tuition fee payable in respect of an Overseas Student is to be paid as directed by the IED.
- (b) Without limiting clause 19(2)(a), the IED may, after taking into account the length of study of an Overseas Student, direct that payment of the annual tuition fee be made in any manner that it deems fit including, but not limited to, payment made:
 - (i) in instalments;
 - (ii) on a particular date or dates;
 - (iii) on a pro-rata basis; and
 - (iv) in advance of tuition.
- (c) The IED must provide an invoice for any fees to be paid in respect of an Overseas Student.
- (d) Where an Overseas Student is studying for a period shorter than the annual tuition fee period, the IED must require payment for the pro-rata period of study only.
- (e) The IED must inform Overseas Students in the Terms and Conditions contained in the Letter of Offer that the fees specified in this Order are subject to change and any difference in fees charged year to year must be paid.

20. Distribution of Fees between the Secretary and the VCASS

- (1) The application fee and enrolment amendment fee (as applicable), set out in items 7 and 8 of the fee schedule, are to be retained by the Secretary.
- (2) The transfer fee set out in item 9 of the fee schedule must be distributed to the VCASS.
- (3) The distribution of annual tuition fees between the VCASS, ELC, the VSV, the VSL, the CHES, the VVLN, and the Secretary is to be in accordance with the distribution schedule.

- (4) The distributions specified in the distribution schedule are based on the full annual tuition fee and are to be reduced in accordance with the length of study of the Overseas Student, other than the distribution to the VSV, the VSL, the CHES or the VVLN.

PART 5—OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL OR AN ELC ON A VISA OTHER THAN AN INTERNATIONAL STUDENT VISA

21. Application of Part

- (1) Part 5 applies to fees payable in respect of any Overseas Student—
 - (a) who is enrolled, or seeking to be enrolled, at a Standard Government School or an ELC;
 - (b) who holds, or proposes to hold, a visa other than an International Student Visa while enrolled at that school; and
 - (c) to whom Part 6 does not apply.
- (2) All references to Overseas Student in this Part must be read accordingly.

22. Fees

- (1) The fees in items 11, 12 and 13 of the fee schedule are payable in respect of each Overseas Student who:
 - (a) applies for enrolment at a Standard Government School or ELC; or
 - (b) is enrolled at a Standard Government School or ELC and applies for a change of Government School or ELC or a change of welfare provisions before commencement; or
 - (c) is enrolled at a Standard Government School and applies to transfer to a different Government School or ELC after commencement (as relevant).
- (2) The relevant annual tuition fee in item 14 of the fee schedule is payable in respect of each Overseas Student for each year which the Overseas Student is enrolled at a Standard Government School or ELC.
- (3) For Overseas Students on a bridging visa who previously met the definition of Dependant in clause 5, the relevant annual tuition fee in item 5 of the fee schedule is payable.
- (4) The fees in item 16 of the fee schedule are payable in respect of each VET certificate that each Overseas Student elects to undertake.

23. Instruction and Educational and Other Related Services

Subject to the conditions of the visa held by the Overseas Student, upon enrolment the Overseas Student is entitled to the same instruction, educational and other related services provided by

the Standard Government School or ELC to students at the same year level.

24. Date for Payment of Fees

(1) Application, Enrolment Amendment and Transfer Fees

- (a) The application fee in item 11 of the fee schedule is payable in respect of an Overseas Student following receipt by the Department of a completed application for enrolment in a Standard Government School or an ELC.
- (b) The enrolment amendment fee in item 12 of the fee schedule is payable in respect of an Overseas Student at the time of applying for a change of Government School or a change to welfare provision once the student is first enrolled but before commencement.
- (c) The transfer fee in item 13 of the fee schedule is payable in respect of an Overseas Student at the time of making an application for transfer after commencement.

(2) Annual Tuition Fees

- (a) The annual tuition fee payable in respect of an Overseas Student is to be paid as directed by the IED.
- (b) Without limiting clause 24(2)(a), the IED may, after taking into account the length of study of an Overseas Student, direct that payment of the annual tuition fee be made in any manner that it deems fit including, but not limited to, payment made:
 - (i) in instalments;
 - (ii) on a particular date or dates;
 - (iii) on a pro-rata basis; and
 - (iv) in advance of tuition.
- (c) The IED must provide an invoice for any fees to be paid in respect of an Overseas Student.
- (d) Where an Overseas Student is studying for a period shorter than the annual tuition fee period, the IED must require payment for the pro-rata period of study only.
- (e) The IED must inform Overseas Students in the Terms and Conditions contained in the Letter of Offer that the fees specified in this Order are subject to change and difference in fees charged year to year must be paid.

25. Distribution of Fees between the School or ELC and the Secretary

- (1) The application fee and enrolment amendment fee (as applicable), set out in items 11 and 12 of the fee schedule, are to be retained by the Secretary.
- (2) The transfer fee set out in item 13 of the fee schedule must be distributed to the Standard

Government School or ELC from which the Overseas Student is seeking a transfer.

- (3) The distribution of annual tuition fees between the School or ELC and the Secretary is to be in accordance with the distribution schedule.
- (4) The distributions specified in the distribution schedule are based on the full annual tuition fee and are to be reduced in accordance with the length of study of the Overseas Student.

PART 6—OVERSEAS STUDENTS ENROLLED BY STUDY TOUR OPERATORS FOR A STUDY TOUR IN A VICTORIAN SCHOOL AT A STANDARD GOVERNMENT SCHOOL

26. Application of Part

Part 6 applies to fees payable in respect of any Overseas Student—

- (a) who is enrolled, or seeking to be enrolled, at a Standard Government School for a Study Tour in a Victorian School;
- (b) who holds, or proposes to hold, a visa other than an International Student Visa while enrolled at that school; and
- (c) to whom Part 5 does not apply.

27. Fees

- (1) The fees in item 15 of the fee schedule are payable in respect of each Overseas Student who applies for enrolment through a Study Tour Operator to undertake a Study Tour in a Victorian School at a Standard Government School.

28. Instruction and Educational and Other Related Services

An Overseas Student will only be entitled to the specific instruction and educational and other related services for which the Study Tour Operator has enrolled the student and which has been paid for by or on behalf of that Overseas Student.

29. Date for Payment of Fees

All fees are payable in advance and must be paid prior to an Overseas Student undertaking a Study Tour in a Victorian School at the Standard Government School.

30. Distribution of Fees between the School and the Secretary

The Secretary must distribute 79 per cent of the study tour fees paid under clause 27(1) to the Standard Government School.

PART 7— WELFARE SERVICES —ACCOMMODATION PLACEMENT AND ARRIVAL SUPPORT

31. Services to be provided—optional accommodation placement

(1) Accommodation Placement

An Overseas Student may request that the Department arrange an accommodation placement

for the Overseas Student that is to be provided by the Government School at which the Overseas Student is enrolled or to which the Overseas Student has applied to be enrolled.

(2) Fees

The fee in item 17 of the fee schedule is payable in respect of each Overseas Student for the services in clause 31.

(3) Date of Payment of Fee

The fee in item 17 of the fee schedule is payable at the time that the Overseas Student accepts an offer of placement from a Government School.

(4) Distribution of Fee between the School and the Secretary

The accommodation placement fee set out in item 17 of the fee schedule must be distributed to the Government School arranging the accommodation placement.

32. Services to be provided—arrival support

(1) Arrival support

The Government School at which the Overseas Student referred to in clause 31 is enrolled or to which the Overseas Student has applied to be enrolled must ensure that all arrival matters are completed, including arranging for the Overseas Student to be met, collected and welcomed on arrival at the airport.

(2) Fees

The fee in item 18 of the fee schedule is payable in respect of each Overseas Student for the arrival support service.

(3) Date of Payment of Fee

The fee is payable at the time that the Overseas Student accepts an offer of placement from a Government School.

(4) Distribution of Fee between the School and the Secretary

The arrival support fee set out in item 18 of the fee schedule must be distributed to the Government School arranging the arrival support services.

PART 8—EXEMPTIONS AND WAIVERS

33. Waiver of certain fees

- (1) An Overseas Student may have the fees set out in any of the items 1, 2, 3, 7, 8, 9, 11, 12, 13, 17 or 18 of the fee schedule waived if the Secretary considers, in his or her discretion, having regard to the prevailing policy of the Department, that such fees should be waived in full or in part.

- (2) An Overseas Student and an accompanying adult may have the fees set out in item 15 of the fee schedule waived if the Secretary considers, in his or her discretion, having regard to the prevailing policy of the Department, that such fees should be waived in full or in part.
- (3) The Secretary may waive in full or in part any fees that are payable by an Overseas Student in accordance with this Order if the Secretary is satisfied that:
 - (a) an administrative error by the Department or Government School has occurred in relation to the Overseas Student's enrolment or fees; and,
 - (b) as a result of that administrative error, it would be unreasonable in all the circumstances to require the Overseas Student to pay the relevant fees.
- (4) The Secretary may waive any difference in fees that an Overseas Student becomes liable to pay under clause 35(2).
- (5) Any fees waived in accordance with Ministerial Order No. 614 or Ministerial Order No. 704 that cover a period of time also covered by this Order are considered to have been waived under this Order.

34. Exemption from Payment of Annual Fees

- (1) Overseas Students who are approved in writing by the Secretary as meeting the descriptors of overseas persons who are holders of a visa prescribed as fee exempt in the International Students – Visa Fee Table, as made and amended by the Secretary and published on the Department's website from time-to-time, are exempt from the annual tuition fees in items 4, 5, 6, 10, 14 and 16 of the fee schedule.
- (2) The Secretary may exempt an Overseas Student from the fees in items 4, 5, 6, 10, 14 and 16 of the fee schedule if—
 - (a) in the opinion of the Secretary the relevant Overseas Student is experiencing extreme financial hardship; and
 - (b) the Secretary has considered the prevailing policy of the Department regarding the exemption of such payments and written notification is provided.
- (3) Any exemptions issued in accordance with Ministerial Order No. 614 or Ministerial Order No. 704 that cover a period of time also covered by this Order are considered to have been made under this Order.

PART 8A – INTERNAL REVIEW

34A. Secretary may review decisions

The Secretary may review a decision that is a reviewable decision under this Part.

34B. Reviewable decisions

A reviewable decision is a decision:

- (a) regarding a waiver of fees under clause 33(3); or
- (b) regarding an exemption from payment of annual fees under clause 34(2); or
- (c) regarding a refund of fees under clause 37.

34C. Right to apply for review of decisions

- (1) A person affected by a reviewable decision may apply to the Secretary for a review of the decision.
- (2) An application for review of a decision under this Part must:
 - (a) be made to the Secretary within 20 business days of the date of the decision;
 - (b) be in writing; and
 - (c) set out the grounds on which the applicant relies.
- (3) The Secretary may accept a late application for review if he or she is satisfied that exceptional circumstances prevented the applicant from making the application in accordance with clause 34C(2)(a).

34D. Decisions in relation to review

- (1) The Secretary may confirm, reject or vary a reviewable decision.
- (2) The Secretary must give written notice of the Secretary's decision.
- (3) If the application is rejected or varied, the notice must:
 - (a) state the reasons for the decision; and
 - (b) set out the applicant's rights in relation to an external review under clause 34E and the procedures for applying for an external review.

34E. External review of Secretary's decision

An applicant who is dissatisfied with the Secretary's decision in relation to a review may apply to the Secretary to have the decision reviewed by an external party in accordance with the prevailing policy of the Department.

PART 9—GENERAL

35. Fees Subject to Change

- (1) If fees have been paid in respect of an Overseas Student in accordance with Ministerial

Order No. 614 or Ministerial Order No. 704 that cover a period of time also covered by this Order, the IED may invoice for payment of any difference between the fee already paid and the fee prescribed in this Order.

- (2) The fees prescribed in this Order may be amended from time to time. If the amended fees cover a period of time that has already been paid in respect of an Overseas Student, the IED may invoice for payment of any difference between the fee already paid and the new fee.

36. Collection of Unpaid Fees

- (1) If an Overseas Student who is required to pay the fees in items 4, 5, 6, 10, 14 or 16 of the fee schedule does not pay the fees on or before the due date, as determined by the IED, the Secretary may issue a Notice of Default stating the amount owing.
- (2) If the Secretary issues a Notice of Default, the Overseas Student or his or her parent or guardian must pay the Default Administration Fee set out in item 20 of the fee schedule.
- (3) The Secretary may waive all or part of the Default Administration Fee if the Secretary considers, having regard to the prevailing policy of the Department, that the fee or part of the fee should be waived.

37. Refunds

- (1) The Secretary may refund the fees paid by an Overseas Student or a Study Tour Operator, or a portion of those fees, if –
 - (a) the Overseas Student or Study Tour Operator submits a refund request form to the Department; and
 - (b) the Secretary has considered the prevailing policy of the Department regarding the refund of such fees.
- (2) If a refund is paid under clause 37(1) of this Order, the Secretary may charge the Refund Administration Fee set out in items 21 and 22 of the fee schedule, having regard to the prevailing policy of the Department.
- (3) If the Refund Administration Fee is payable under subclause (2), the Secretary may collect the fee by deducting it from the refund amount under subclause (1).

38. Receipt of Fees by the Secretary

All fees received by or distributed by the Secretary pursuant to this Order will be deemed to have been received by the Secretary on behalf of the Department.

39. Distribution of Fees

The Secretary must ensure that the amount paid to the Standard Government School, the CHES,

the VVLN, ELC, the VSV, the VSL, or the VCASS is distributed on a quarterly basis.

39A. Passing on Homestay Fees to Homestay Provider

All homestay fees received by a Government School must be passed on to the relevant homestay provider in accordance with the agreement or arrangement in place between the Government School, Overseas Student and Homestay Provider.

40. Ministerial Order exclusive of GST

All fees and distribution of fees stated in this Ministerial Order are GST exclusive, except Items 17 and 18 in the fee schedule, listed under Welfare Services – Accommodation and Arrival Support.

41. Delegation

The Secretary may delegate to any person employed in the administration or execution of the **Education and Training Reform Act 2006** his or her powers or functions under this Ministerial Order.

Dated this 5th day of May 2015

The Hon. James Merlino, MP
Minister for Education

FEE SCHEDULE

OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL ON AN INTERNATIONAL STUDENT VISA		
1.	A non-refundable application fee for the first application for enrolment by an Overseas Student	\$302
2.	A non-refundable enrolment amendment fee for a change of Government School or a change to welfare provisions once the student is first enrolled but before commencement	\$302
3.	A non-refundable transfer fee in respect of any Overseas Student who is enrolled at a Standard Government School and who applies to transfer to a different Government School after commencement	\$748
Overseas Students other than Dependants		
4.	Annual Tuition Fee Primary Years Preparatory–6	\$13,259
	Annual Tuition Fee Junior Secondary Years 7–10	\$17,607
	Annual Tuition Fee Senior Secondary Years 11–12	\$19,760
Dependants		
5.	Annual Tuition Fee Primary Years Preparatory–6	\$10,676
	Annual Tuition Fee Junior Secondary Years 7–10	\$14,120
	Annual Tuition Fee Senior Secondary Years 11–12	\$15,842
OVERSEAS STUDENTS WHO ARE NOT OTHERWISE ENROLLED IN A STANDARD GOVERNMENT SCHOOL STUDYING AT THE VSV OR THE VSL		
6.	Fee per subject per annum in respect of an Overseas Student enrolled at the VSV or the VSL who is not otherwise enrolled at a Government School*	\$1,507
OVERSEAS STUDENTS ENROLLED AT THE VCASS		
7.	A non-refundable application fee for the first application for enrolment by an Overseas Student	\$302
8.	A non-refundable enrolment amendment fee for a change of Government School or a change to welfare provisions once the student is first enrolled but before commencement	\$302
9.	A non-refundable transfer fee in respect of an Overseas Student who is enrolled at the VCASS and who applies to transfer to a different Government School	\$748
10.	Annual Tuition Fee Junior Secondary Years 7–10	\$23,893
	Annual Tuition Fee Senior Secondary Years 11–12	\$26,820
OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL OR AN ELC ON A VISA OTHER THAN AN INTERNATIONAL STUDENT VISA		
11.	A non-refundable application fee for the first application for enrolment by an Overseas Student	\$302
12.	A non-refundable enrolment amendment fee for a change of Government School or a change to welfare provisions once the student is first enrolled but before commencement	\$302
13.	A non-refundable transfer fee in respect of an Overseas Student who is enrolled at a Standard Government School or an ELC and who applies to transfer to a different Standard Government School or ELC	\$748
14.	Annual Tuition Fee Primary Years Preparatory–6	\$13,259

	Annual Tuition Fee Junior Secondary Years 7–10	\$17,607
	Annual Tuition Fee Senior Secondary Years 11–12	\$19,760
	An ELC only for all year levels	\$19,760
OVERSEAS STUDENTS ENROLLED BY STUDY TOUR OPERATORS FOR A STUDY TOUR IN A VICTORIAN SCHOOL AT A STANDARD GOVERNMENT SCHOOL		
15.	First 3 days (includes one excursion)	\$623
	Second 3 days and any subsequent blocks of 3 days (includes one excursion for every block of 3 days)	\$233
	Additional day (no excursions)	\$43
	Additional day (including one excursion)	\$151
	Single day visit	\$118
OVERSEAS STUDENTS STUDYING VET CERTIFICATES		
16.	Fee for Each Band A Certificate	\$49
	Fee for Each Band B Certificate	\$439
	Fee for Each Band C Certificate	\$719
	Fee for Each Band D Certificate	\$1,049
	Fee for Each Band E Certificate	\$1,379
	Fee for Each Band F Certificate	\$1,739
WELFARE SERVICES – ACCOMMODATION PLACEMENT, ARRIVAL SUPPORT AND HOMESTAY AND OTHER FEES		
17.	Accommodation Placement	\$290
18.	Arrival Support	\$170
19.	Homestay Fee charged by a Standard Government School	\$290 to \$440 per week
DEFAULT ADMINISTRATION FEE		
20.	Default Administration Fee	\$500
VISA REFUSAL REFUND ADMINISTRATION FEE		
21.	Visa Refusal Refund Administration Fee: <ul style="list-style-type: none"> - for the refund of fees for a visa refusal for a student visa within the meaning of the ESOS Act, and - for the refund of fees for a visa refusal for a student visa other than within the meaning of the ESOS Act 	Full refund of all fees paid less 5 per cent of the total fees received (excl. health cover) or \$500 whichever is the lesser amount.
REFUND ADMINISTRATION FEE		
22.	Refund Administration Fee	\$500

* If the overseas Student is enrolled at both the VSV and VSL, fees are payable for both (see clause 12(2))."

DISTRIBUTION SCHEDULE*

OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL ON AN INTERNATIONAL STUDENT VISA					
Item	Status	Education level	Paid to	Amount	
Overseas Students other than Dependants					
1.	Enrolled in a Standard Government School only	Primary Years Preparatory–6	Secretary	\$3,488	
2.			School	\$9,771	
3.		Junior Secondary Years 7–10	Secretary	\$4,657	
4.			School	\$12,950	
5.		Senior Secondary Years 11–12	Secretary	\$5,293	
6.			School	\$14,467	
7.	Attends Standard Government School AND 1 subject at the CHES, VSL, VSV or VVLN	Primary Years Preparatory–6	Secretary	\$3,488	
8.			School	\$8,695 ¹	
9.			VSL	\$1,076 per subject	
10.		Junior Secondary Years 7–10	Secretary	\$ 4,658	
11.			School	\$ 11,873 ¹	
12.			VSL or VSV	\$1,076 per subject	
13.		Senior Secondary Years 11–12	Secretary	\$5,293	
14.			School	\$ 13,391 ¹	
15.			CHES, VSL, VSV or VVLN	\$1,076 per subject	
16.		Attends Standard Government School AND ELC (for purposes of undertaking English Language Studies)	Primary Years Preparatory–6	Secretary	\$3,181
17.				School	\$5,702
18.				ELC	\$4,376
19.			Junior Secondary Years 7–10	Secretary	\$4,226
20.				School	\$7,571
21.				ELC	\$5,810
22.	Senior Secondary Years 11–12		Secretary	\$4,742	
23.			School	\$8,497	
24.			ELC	\$6,521	
25.	Attends Standard Government School AND the ELC AND 1 subject at the CHES, VSL, VSV or VVLN		Primary Years Preparatory–6	Secretary	\$3,182
26.				School	\$4,626 ¹
27.				ELC	\$4,376
28.				VSL	\$1,076 per subject
29.			Junior Secondary Years 7–10	Secretary	\$4,226
30.				School	\$6,495 ¹
31.		ELC		\$5,810	
32.		VSL or VSV		\$1,076 per subject	
33.		Senior Secondary Years 11–12	Secretary	\$4,742	
34.			School	\$7,421 ¹	
35.			ELC	\$6,521	
36.			CHES, VSL, VSV or VVLN	\$1,076 per subject	
Dependants					
37.		Enrolled in a Standard Government School only	Primary Years Preparatory–1	Secretary	\$1,122
38.				School	\$9,554
39.	Primary Year 2		Secretary	\$1,781	
40.			School	\$8,895	
41.	Primary Years 3–6		Secretary	\$2,452	
42.			School	\$8,224	

43.	Attends Standard Government School AND 1 subject at the CHES, VSL, VSV or VVLN	Junior Secondary Years 7–10	Secretary	\$3,377
44.			School	\$10,743
45.		Senior Secondary Years 11–12	Secretary	\$4,266
46.			School	\$11,576
47.		Primary Years Preparatory–1	Secretary	\$1,122
48.			School	\$8,478
49.			VSL	\$1,076 per subject
50.		Primary Year 2	Secretary	\$1,782
51.			School	\$7,818
52.			VSL	\$1,076 per subject
53.		Primary Years 3–6	Secretary	\$2,453
54.			School	\$7,147
55.			VSL	\$1,076 per subject
56.		Junior Secondary Years 7–10	Secretary	\$3,378
57.	School		\$9,666 ¹	
58.	VSL or VSV		\$1,076 per subject	
59.	Senior Secondary Years 11–12	Secretary	\$4,266	
60.		School	\$10,500 ¹	
61.		CHES, VSL, VSV or VVLN	\$1,076 per subject	
62.	Attends Standard Government School AND ELC (for purposes of undertaking English Language Studies)	Primary Years Preparatory–1	Secretary	\$1,068
63.			School	\$5,016
64.			ELC	\$4,592
65.		Primary Year 2	Secretary	\$1,696
66.			School	\$4,670
67.			ELC	\$4,310
68.		Primary Years 3–6	Secretary	\$2,336
69.			School	\$4,317
70.			ELC	\$4,023
71.		Junior Secondary Years 7–10	Secretary	\$3,216
72.			School	\$5,640
73.			ELC	\$5,264
74.		Senior Secondary Years 11–12	Secretary	\$4,062
75.			School	\$6,078
76.	ELC		\$5,702	
77.	Attends Standard Government School AND the ELC AND 1 subject at the CHES, VSL, VSV or VVLN	Primary Years Preparatory–1	Secretary	\$1,069
78.			School	\$3,940
79.			ELC	\$4,592
80.			VSL	\$1,076 per subject
81.		Primary Year 2	Secretary	\$1,697
82.			School	\$3,594
83.			ELC	\$4,310
84.			VSL	\$1,076 per subject
85.		Primary Years 3–6	Secretary	\$2,336
86.			School	\$3,241
87.			ELC	\$4,023

88.			VSL	\$1,076 per subject
89.		Junior Secondary Years 7–10	Secretary	\$3,217
90.			School	\$4,564 ¹
91.			ELC	\$5,264
92.			VSL or VSV	\$1,076 per subject
93.		Senior Secondary Years 11–12	Secretary	\$4,063
94.			School	\$5,002 ¹
95.			ELC	\$5,702
96.			CHES, VSL, VSV or VVLN	\$1,076 per subject
OVERSEAS STUDENTS WHO ARE NOT OTHERWISE ENROLLED IN A STANDARD GOVERNMENT SCHOOL STUDYING AT THE VSV OR THE VSL				
Item	Status	Details	Paid to	Amount
97.	Overseas Student enrolled at VSV and/or VSL who is not otherwise enrolled at a Standard Government School	Each Subject	Secretary	\$431
98.			VSL or VSV	\$1,076 per subject
OVERSEAS STUDENTS ENROLLED AT THE VCASS				
Item	Status	Education level	Paid to	Amount
99.	Enrolled at VCASS only	Junior Secondary Years 7–10	Secretary	\$6,654
100.			VCASS	\$17,239
101.		Senior Secondary Years 11–12	Secretary	\$7,466
102.			VCASS	\$19,354
103.	Attends VCASS AND 1 subject at the CHES, VSL, VSV or VVLN	Junior Secondary Years 7–10	Secretary	\$6,654
104.			VCASS	\$16,163 ¹
105.			VSL or VSV	\$1,076 per subject
106.		Senior Secondary Years 11–12	Secretary	\$7,467
107.			VCASS	\$18,277 ¹
108.			CHES, VSL, VSV or VVLN	\$\$1,076 per subject
109.	Attends VCASS AND ELC (for the purposes of undertaking English Language Studies)	Junior Secondary Years 7–10	Secretary	\$6,654
110.			VCASS	\$10,171
111.			ELC	\$7,068
112.		Senior Secondary Years 11–12	Secretary	\$7,466
113.			VCASS	\$11,419
114.			ELC	\$7,935
115.	Attends VCASS AND the ELC AND 1 subject at the CHES, VSL, VSV or VVLN	Junior Secondary Years 7–10	Secretary	\$6,654
116.			VCASS	\$9,536 ¹
117.			ELC	\$6,627
118.		Senior Secondary Years 11–12	VSL or VSV	\$1,076 per subject
119.			Secretary	\$7,467
120.			VCASS	\$10,784 ¹
121.		ELC	\$7,494	

122.			CHES, VSL, VSV or VVLN	\$1,076 per subject
OVERSEAS STUDENTS STUDYING AT A STANDARD GOVERNMENT SCHOOL OR AN ELC ON A VISA OTHER THAN AN INTERNATIONAL STUDENT VISA				
Item	Status	Education level	Paid to	Amount
123.	Overseas Student enrolled at a Standard Government School only	Primary Years Preparatory–6	Secretary	\$3,488
124.			School	\$9,771
125.		Junior Secondary Years 7–10	Secretary	\$4,658
126.			School	\$12,950
127.		Senior Secondary Years 11–12	Secretary	\$5,293
128.			School	\$14,467
129.	Overseas Student enrolled in ELC only	All Year levels	Secretary	\$5,293
130.			ELC	\$14,467
APPLICATION AND ADMINISTRATION FEES APPLYING TO ALL OVERSEAS STUDENTS				
Item		Fee description	Paid to	Amount
131.		Application Fee	Secretary	\$302
132.		Enrolment Amendment Fee	Secretary	\$302
133.		Default Administration Fee	Secretary	\$500
134.		Refund Administration Fee	Secretary	\$500
135.		Transfer Fee	School	\$748
WELFARE SERVICES – ACCOMMODATION PLACEMENT AND ARRIVAL SUPPORT FEES				
Item		Fee description	Paid to	Amount
136.		Accommodation Placement Fee	School	\$290
137.		Arrival Support Fee	School	\$170

*All distributions are based on the full annual tuition fee specified in the fee schedule and are to be reduced in accordance with the length of study of the Overseas Student, other than the distribution to CHES, VVLN, the VSV or the VSL.

¹Distribution amount if a student studies 1 subject at the VSV, CHES, VSL, or VVLN. If a student studies more than 1 subject at CHES, VSL, VVLN or VSV, the distribution amount to the School or VCASS is decreased by \$1,076 for each additional subject the student studies.”