



THE
MANAGEMENT SCHOOL SYDNEY
"Beyond the dream we fly together"

TERMS AND CONDITIONS

1. Payment of Fees

The payment for the enrolment fee, course tuition fee and overseas health cover must be made prior to commencement of study. Course fees do not include the cost of materials, for which students can expect to pay \$50 per six months (\$100 per year) for business courses. The Material Fee covers the course handouts, assignments and exam papers for the whole course. Places cannot be held for students until fees are paid. Fees can be forwarded to The Management School Sydney by cheque, bank draft or telegraphic transfer to the following bank account:

Account name: The Management School Sydney, Bank Name: Commonwealth, Bank Address: 431 – 439 Sussex Street, Sydney 2000 NSW, BSB No: 062010, Account No: 10966854, Swift Code: CTBAAU2S

For ongoing students, instalment fees must be paid before the due date. Payments made on or after the due date will incur a late fee of \$100 - \$200 and the student will be given a further 48 hours to make the payment, which will include the late fee. Should fees remain overdue after this, TMSS reserves the right to cancel the student's enrolment and notify the Department of Home Affairs.

All international students are required to pay Overseas Student Health Cover (OSHC). It is the student's responsibility to check the conditions of this health cover. We can arrange the cover for you should you apply for it in the student application form.

2. Contact details

Students must provide the TMSS with his or her correct contact details, including postal address, phone number and email address. Any personal details provided to TMSS may be made available to Commonwealth and State Agencies without a student's prior approval as per the ESOS act 2000 and the National Code of Conduct. Change in a student's contact details should be notified to the TMSS within seven days according to immigration requirements.

3. Change of Student Contact Details

A student must advise TMSS of any changes in his/her contact details including the student's current residential address, mobile number (if any), email address (if any) and who to contact in emergency situations, within 7 days of the change

4. Course entry requirements

To ensure that overseas students are afforded the right to successfully complete course as well as meet their student visa entry requirements, the College has established the following minimum academic and English language entry requirements:

1. Academic entry requirements (Year 12 or its equivalent and above); and
2. English language entry requirements (Certificate IV – IELTS 5.0 or equivalent; Diploma/Advanced Diploma - IELTS 5.5 or equivalent); or
3. Any AQF qualification at Certificate III level or above in any discipline area delivered and assessed in English only meets both academic and English language entry requirements

5. Conditions of Offer:

Final confirmation of a place in the offered course(s) is subject to availability at the time of payment and to meeting the following entry requirements:

1. Be 18 years of age or over;

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2. Academic entry requirements for all vocational courses requires satisfactory completion of Australian Year 12 or overseas equivalent school qualifications;
3. English language entry requirements for Certificate IV level qualifications is evidence of IELTS 5.0 (no band less than 4.5) or its equivalence
4. English language entry requirements for Diploma and Advanced Diploma level qualifications is evidence of IELTS 5.5 (no band less than 5.0) or its equivalence
5. In the event you are studying with another Registered Training Organisation and have not yet completed six months of your principle course of study, you must obtain a release from your previous provider

6. Student visa requirements

Every international student in Australia must have a valid visa. In most of the cases the applicant has to apply for a student visa prior coming to Australia. TMSS is not responsible for the student visa application nor the result of the application. Detailed information on student visa are on the Department of Home Affairs website at <http://www.homeaffairs.gov.au>

7. Simplified Student Visa Framework

From 1.7.2016 all student visa applicants must comply with new student visa conditions. In accordance with this new regulation students from countries with higher risk (Assessment Level 3 countries) must also be pre-screened by TMSS. Please contact us for details on marketing@tmss.edu.au. Detailed information about SSVF are on the Department of Home Affairs website at: <https://www.homeaffairs.gov.au/Busi/Educ/simplified-student-visa>. TMSS SSVF Form is available from www.tmss.edu.au.

8. Documents

Every applicant has to provide us with these documents:

1. Student Application – download it from our website www.tmss.edu.au
2. Passport copy – bio data page
3. Academic documents – either from their own country and/or from Australia
4. Proof of English level – either certificate from ELICOS provider or test result (IELTS, TOEFL, TOIC, FCE, CAE etc.)
5. Current student visa (copy of any other visa), OSHC membership card/number/certificate, Cancelled CoEs, Release Letter, academic transcript – for onshore applicants who are transferring from different provider
6. SSVF form – assessment level 3 only
7. Any other relevant documents

All documents have to be in the English language and be certified copies of the original documents. If documents are not written in the English language, certified translations must accompany the certificates. Originals need to be sighted on Orientation Day.

9. Course commencement

All students MUST attend a compulsory Orientation program as specified in the Letter of Offer and be inducted into TMSS and courses within the first week of classes. Student visa holders who do not

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commence their course or make arrangements for an alternative start date within 2 weeks of their CoE start date will have be reported on PRISMS for “non-commencement”

10. Course hours

Vocational course are made up of 20 hours per week and may be scheduled in the day or evening, Monday to Sunday (between 8.30am – 9.00pm) as per allocated timetable. The Management School Sydney reserves the right to change the timetable without prior notice.

11. Mode of Study

All courses offered by The Management School Sydney are delivered on campus full time with face to face classes for 15 hours per week integrated with self-directed learning for 5 hours per week during term time to meet the requirements for international students to study full time load of 20 hours per week. An additional 3 hours per week for project work must be completed on top of the scheduled 20 hours per week in the student’s own time.

12. Unique Student Identifier

The Management School Sydney students are not permitted to commence training and assessment until they have provided The Management School Sydney with their Unique Student Identifier. In cases where there the student experiences difficulty obtaining a student identifier, The Management School Sydney will allow training and assessment to commence and follow the procedure for ascertaining a correct student identifier from The Registrar. Please ensure that you obtain your USI number before commencing your course and email it to enrol@tmss.edu.au. TMSS will not issue a qualification if you do not submit your USI number to TMSS

13. Academic Progress

TMSS is registered for Academic Progress. Students are required to pass every subject in a course to gain the full qualification. Academic progress is reviewed at the end of every subject and every term. Support is offered to students having difficulty with studies and balancing study and work and living in Australia. However, if the student is breaching course progress conditions and there are no compelling or compassionate reasons, the student may be reported for a breach of visa regulations.

14. Credit Transfer

Credit for previous studies may be available on provision and verification of documents at the beginning of a course. Successful recognition of past qualifications may reduce the full course duration and tuition fees, and TMSS will adjust the confirmation of enrolment (COE) accordingly. All students applying for Credit Transfer must provide original transcripts and subject descriptions and fill out a Credit Transfer Form before course commencement. Credit Transfer will not be granted if students submit any of the documents after the first two weeks of course starting date. This process allows participants to be exempt from a particular unit. Students interested in Credit Transfer must contact TMSS prior to enrolment. Applicants will be notified of the outcome of their application within 28 working days of its submission.

In the case where The Management School Sydney grants credit transfer, The Management School Sydney will:

1. Provide the overseas student with a written record of the decision to the overseas student to accept
2. Retain the written record of acceptance for a period of two years after the overseas student ceases to be an accepted student

In the event that The Management School Sydney grants the overseas student credit transfer that reduces the overseas student’s course duration, The Management School Sydney will:

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1. Inform the student of the reduced course duration following the granting of course credit and ensure the Confirmation of Enrolment (CoE) is issued only for the reduced duration of the course prior to the student visa being granted, or
2. Report any change in PRISMS of course credit which is granted after the overseas student's visa is granted

15. Requests for deferment, suspension or withdrawal from a course

Overseas students may apply to defer their studies if they are unable to commence their course on the scheduled commencement date or for voluntary suspension of their studies if they are unable to commence or attend the course for a specified period of time under compassionate or compelling circumstances.

Compassionate or compelling circumstances include situations beyond the student's control and which are likely to have an impact upon the student's course progress or well-being and includes but is not limited to the following:

1. Serious illness or injury, where a medical certificate states that the student will be unable to attend classes;
2. Death or illness of close family member such as parents, or grandparents (where possible a doctor's or death certificate) The college will also recognise the death of siblings, children, spouses, uncles and aunts but requests documentary proof of both the death and relationship
3. A major political upheaval or natural disaster in home country requiring emergency travel
4. A critical incident
5. A traumatic experience (supported by police or psychologists reports) such as:
 - Involvement in or witnessing a serious accident
 - Witnessing or being the victim of a serious crime
6. Delays in gaining a student visa

If a student defers or suspends their studies for any other ground not stated above, the student must provide compelling documentary evidence to support their request.

Apply in writing to the student service manager, stating name, student number, contact details, program, commencement date and reason for withdrawal. The deferment, suspension or cancellation of the enrolment may affect the student visa as the changes are reported to Department of Home Affairs. For full details see: <http://www.homeaffairs.gov.au/>

16. Complaints and Appeals Procedure

If the student has any complaint(s) about the services provided by TMSS or the relevant fees, attempts should be made to resolve the problem with the relevant staff before lodging the complaint. Full details of the complaints procedure is available at the campus and on the TMSS website

(<http://www.tmss.edu.au>).

Students are entitled to have a personal representative present at any stage during the complaints handling procedure. If the student's problem cannot be resolved by The Management School Sydney published complaints handling process, students can seek external assistance for appeal.

External options available to students include

1. ASQA (<http://www.asqa.gov.au/complaints/making-a-complaint.html>)
2. Department of Fair Trading (<http://www.fairtrading.nsw.gov.au>)
3. Administrative Appeals Tribunal (<http://www.aat.gov.au>)
4. Overseas Students Ombudsman (<http://www.oso.gov.au/making-a-complaint>)

17. ESOS Framework

Further information on the ESOS Framework can be accessed at:

<https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx>

This information includes:

1. Confirmation that the RTO is responsible for the quality of the training and assessment in compliance with the Standards, and for the issuance of the AQF certification documentation.
2. Requirement for the RTO to give details of its complaints and appeals processes (Standard 6).
3. The learner's rights if the RTO or a third party closes or ceases to deliver the agreed training and/or assessment.

18. Payment of Fees

The Management School Sydney only accepts tuition or non-tuition fees where the student has signed the Letter of Offer and Acceptance of Offer and Written Agreement together with the first payment, which must be returned to The Management School Sydney (TMSS).

1. Payment may be made by Cash, Bank cheque, Bank Draft or Credit card (cash to Accounts department).
2. 1.5 - 3.5 % surcharge applies to credit card payments. We do not accept American Express.
3. Please make Bank Cheque and Bank Draft payable to "MSS EDUCATION PTY.LTD. TAS THE MANAGEMENT SCHOOL SYDNEY – CLIENT ACCOUNT"
4. Please provide student number or name for EFT direct bank deposit.
5. Please include \$25 bank charges for International Money Transfers.
6. The payment for the enrolment fee, course tuition fee and overseas health cover must be made prior to commencement of study.
7. Tuition fees do not include the cost of materials, for which students can expect to pay \$25 per term (\$100 per year) for business courses
8. The Material Fee covers the course handouts, assignments and exam papers for the whole course.
9. Places cannot be held for students until fees are paid. Fees can be forwarded to The Management School Sydney by cheque, bank draft or telegraphic transfer to the following bank account: Account name: The Management School Sydney, Bank Name: Commonwealth, Bank Address: 431 – 439 Sussex Street, Sydney 2000 NSW, BSB No: 062010, Account No: 10966854, Swift Code: CTBAU2S
10. For ongoing students, instalment fees must be paid before the due date.
11. Payments made after the due date will incur a late fee of \$100 - \$200 and the student will be given a further 48 hours to make the payment, which will include the late fee. Should fees remain overdue after this, TMSS reserves the right to cancel the student's enrolment and notify the Department of Home Affairs.
12. All international students are required to pay Overseas Student Health Cover (OSHC). It is the student's responsibility to check the conditions of this health cover. We can arrange the cover for you should you apply for it in the student application form.

19. Fees:

1. On accepting the Offer, the student must pay the first payment instalment of the tuition fee listed in the Payment Instalment Schedule in the Letter of Offer.
2. Fees must be paid in order to obtain an electronic Confirmation of Enrolment (eCOE) and to secure a place prior to the course commencement date.
3. The remaining tuition fees must be paid by the due date as listed in the Payment Instalment Schedule (Letter of Offer)

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4. TMSS will not be responsible for any monies paid to an agent or third party.

Tuition fees DO NOT include the following non-tuition fees:

Fees at the time of application:

Non-tuition Fees	
Non-Refundable fees	
Enrolment fees	\$200
Accommodation Placement fee	\$250
COE issue fee	\$50 per COE
Airport pick-up	\$200

Other Fees	
Late payment penalty per instalment	\$100 - \$200
Issuance of replacement certificate	\$100
Amendment of Confirmation Enrolment (COE)	\$50 per COE
Attendance certificate re-issue	\$100
Certificate re-issue	\$100
Statement of attainment re-issue	\$100
Confirmation letter	\$20
Subject / Exam reassessment	\$50 per unit
Late enrolment fee	\$50
Class change request	\$30
Change of course request	\$100
Replacement / Renew student card	\$20
Photocopying / Printing / Scanning	\$0.20 per page

20. Cancellation & Refund Policy – Student Default

The table below illustrates the refund reasons and refund amounts explaining how the college applies refunds to international students in compliance with the Education Services for Overseas Students Act (ESOS Act) and the requirements of Standard 3 of the National Code. In relation to refund request, this written agreement, and the right to make complaints and seek appeals on decisions and actions under various processes, does not affect the right of the student to take action under Australian Consumer Law where Australian Consumer Law applies". Our full refund policy is also available online (<http://www.tmss.edu.au>).

Reason for refund of fees paid	Refund Payable
If your visa application is rejected by the Australian Department of Home Affairs, you will need to attach	100% of the tuition fee and material fee are refundable and payable to you within 28 days.

proof of this in the form of the letter of rejection and contact the institute.	A \$250 administration fee will be charged.
Withdrawal from the course prior to commencement (28 days or more prior to the starting date of the course)	70% of the tuition fee and 100% of material fee are refundable and payable to you within 28 days. A \$250 administration fee will be charged.
Withdrawal from the course prior to commencement (less than 28 days prior to the starting date of the course)	50% of the tuition fee and 100% of material fee are refundable and payable within 28 days. A \$250 administration fee will be charged.
Withdrawal on or after the course start date where visa is granted to the student	No refund
If you start a Course on the Course Start Date and your student visa is rejected, you will need to attach proof of this in the form of the letter of rejection and contact the institute.	Refund on a pro rata basis, the tuition fee for the weeks from when you withdrew from the course until the end of the period that the tuition fee have been paid to (that is, on a pro rata basis) apply to and payable to you within 28 days.
Student provides misleading or false information	No refund
Breach of student visa conditions, visa cancellation or failure to comply with enrolment conditions	No refund for courses undertaken
Special circumstances where the student is not able to travel to Australia, not due to a visa rejection, but due to compelling or compassionate reasons outside the control of the student, supported by written evidence and as determined by the college	100% of the fees are refundable and payable to you within 28 days. A \$250 administration fee will be charged.
Late arrival to a course and student has been granted a visa	No refund
Change of visa sub-class to permanent resident	Pro-rata refund based on number of weeks studied
Student expelled from the college for breaching college policies and has started and is completing a course	No refund

21. Homestay and Airport Pick-up Fees

1. The Homestay Placement Fee is non-refundable.
2. If you cancel your homestay or wish to leave your homestay early, you must give TMSS two weeks' notice or pay two weeks rent in lieu of notice.

3. If you cancel your airport pick-up with less than 24 hours' notice, there will be no refund payable. If your flight details change, you must notify TMSS at least four hours before the original arrival time or pay an additional airport pick-up fee.
4. If your application for an Australian visa is refused, TMSS will refund all homestay rent and airport pick – up fees after receiving evidence from the relevant Australian authority that your visa application was refused.

22. Refund in case of TMSS default

1. This applies when TMSS fails to provide the course to the student on the agreed starting date; or the course ceases to be provided to the student at any time after it starts but before it is completed; and the student has not withdrawn from the course before TMSS's default.
2. TMSS may arrange for a suitable alternative placement within 14 days after the default day. If the student accepts this offer of a placement, student will need to sign an acceptance document.
3. Alternatively, if TMSS is unable to offer a suitable alternative placement or student does not accept the alternative suitable placement chosen by TMSS, then TMSS will pay the refund to the student, as determined by Education Services for Overseas Students (Calculation of Refund) Specification 2014 (<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/ESOS-Regulations/Pages/default.aspx>)
4. The refund will be paid within 14 days after the default day.
5. In the event that TMSS does not satisfy its obligation to an affected student, TPS (Tuition Protection Service) Director will facilitate access for the student to course placement or refunds.
6. Refunds (if any) will be deposited into the authorised account notified by the student on refund form.

23. Applying For a Refund

All requests for a refund must be submitted in writing using the Refund Application Form and submitted to Student Services with attached official documentary evidence to support the grounds for request.

24. Refunds Procedures

1. A student must make an application for a refund by completing a 'Request for Student Refund' form including any relevant documentary evidence and submitting it to Student Services. Refund applications will be reviewed and are subject to the college approval.
2. Approved refunds will be processed for students within four (4) weeks of the 'Request for Student Refund' form being received.
3. Refunds can be processed directly into a nominated bank account through Electronic Funds Transfer (EFT) taking into account bank processing times. Refunds cannot be made in cash. The College may request further information or evidence to confirm that you are the person entitled to receive the refund or give a direction to pay the refund.
4. Where a third party such as an agency pays the student fees, refunds will be paid to the specified persons other than the overseas student who can receive a refund in respect of the overseas student identified in the written agreement consistent with the ESOS Act. All refund considerations will be strictly limited to the monies paid, which the College has received from the student as tuition fee only i.e. exclusive of all non-refundable fees.

25. Withdrawal on or After Your Schedule Course or Package Commencement Date

1. No refund of tuition fees will be made after your scheduled course or package commencement date.
2. In case of withdrawal from a commenced course or package, you must give TMSS four weeks' written notice prior to your next instalment due date or pay four weeks in lieu of notice. The

total number of academic weeks delivered to you will form part of the withdrawal fee calculation.

3. Any amount that is due prior to your withdrawal being submitted must be paid in full at the time your withdrawal is processed. For example, if a tuition payment or late fee is due, this must be paid in full at the time you submit your withdrawal.
4. You must complete a minimum of six months of your principal course (being the highest qualification level in a package of courses) before you will be able to change to another provider. If the student wants to transfer before completing six months of their principal course, the student needs to comply with the following conditions:
 - 4.1 The course in which the overseas student is enrolled has ceased to be registered
 - 4.2 TMSS has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course.
 - 4.3 TMSS has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
 - 4.4 Any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.

26. Protection of Fees paid in advance

TMSS adheres to the rules and regulations set under the ESOS Act 2000 and associated legislation, in particular, the ESOS Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012. More information can be obtained from <http://tps.gov.au/>. Where a refund is approved by the Chief Executive Officer, The Management School Sydney (TMSS) will make payment of refunds within 28 days of receipt of application for refund.

27. Provider Default

TMSS will have transfer arrangements put in place through the Tuition Protection Scheme (TPS) and full refund will be issued (minus processing fees and non-refundable fees) should the institute default due to the following:

- a. The institute ceasing operations
- b. The course enrolled in does not begin on the agreed commencement date
- c. The course enrolled in ceases to be provided at any time after it commences but before it is completed

In the unlikely event that TMSS is unable to deliver your course in full, you will be offered a refund of all course money you have paid to date. The refund will be paid to you within 14 days of the day on which the course ceased being provided.

Alternatively, you may be offered enrolment in an alternative course by TMSS at no extra cost to you. You have the right to choose whether you would prefer a full refund of course fees, or to accept a place in another course.

If you choose a placement in another course, we will ask you to sign a document to indicate that you accept the placement. If TMSS is unable to provide a refund or place you in an alternative course under the ESOS Act, Tuition Protection Scheme (TPS) will place you in a suitable alternative course at no extra cost to you. Students can choose to have a full refund or to choose to pay more and go to an alternative provider. You will be advised of the default situation in advance, and will have a letter explaining how any refunds would be calculated. Such situations are covered by the provision of the Commonwealth Government ESOS Act 2000 and the ESOS Regulations 2001.

28. Visa Conditions

Every international student in Australia must have a valid visa. In most of the cases the applicant has to

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apply for a student visa prior coming to Australia. TMSS is not responsible for the student visa application nor the result of the application. Detailed information on student visa are on the Department of Home Affairs website at <http://www.homeaffairs.gov.au>

It is the responsibility of the student to remain aware of the conditions of their visa and visa subclass relating to their course after the student has taken their Confirmation of Enrolment to Department of Home Affairs for application for a student visa

29. Services

TMSS reserves the right to change the particulars of the services, including changes to fees, courses, facilities and dates of programs where circumstances beyond TMSS's control necessitate such changes or where the level of enrolments do not reach the minimum numbers required to operate a course viably.

30. Protection of Fees paid in advance

TMSS adheres to the rules and regulations set under the ESOS Act 2000 and associated legislation, in particular, the ESOS Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012. More information can be obtained from <http://tps.gov.au/>. Where a refund is approved by the Chief Executive Officer, The Management School Sydney (TMSS) will make payment of refunds within 28 days of receipt of application for refund.

31. Academic progress

Students must maintain satisfactory academic progress at all times as determined by TMSS's, Monitoring Course Progress and Intervention Policies and Procedures. Please note that students will be required to maintain academic progress at all times. Your performance is deemed unsatisfactory when you have failed 50% or more of units in a term across two consecutive terms and classified as 'at risk'. Students deemed 'at risk students' will be monitored by their trainer and reviewed in consultation with the RTO Manager. TMSS is required to report student visa holders for unsatisfactory course progress to the Department of Home Affairs through PRISMS.

32. Leave

Regular holidays are scheduled for vocational students throughout the year. Request for leave outside the set holidays will incur a fee and will only be approved under compassionate or compelling circumstances only upon receipt of a Leave Application form with attached evidence for the reason for applying for leave. Students will need to extend their course at an additional expense to cover all classes missed. Fees continue to be payable whilst on leave. Leave requests must be received in writing at least one full working day prior to the first day of leave requested.

33. ESOS Legislation

The ESOS framework includes the Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2018. All prospective students should be aware of the ESOS framework. For a detailed description please visit the following web site:

<https://internationaleducation.gov.au/RegulatoryInformation/Pages/Regulatoryinformation.aspx>

34. Privacy Policy

There are certain circumstances in which the college is required to share personal information provided by the student. This information may be shared with the Australian Government and/or the State Government, TPS, AVETMISS Data reporting in accordance with the Privacy Act 1988. This information may include personal contact details, course enrolment details and its changes and the circumstances of any suspected breach by the student of a student visa condition.

The college will not disclose any information that we gather about our clients to any third party as per

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the 'Information Privacy Principles' in Section 14 of the Privacy Act 1988 (Commonwealth). This Act imposes obligations on private education providers in the collection, storage, use and disclosure of personal information.

We are obliged to tell the client (Student) the purpose of collecting personal information, who receives this information and where it is held. We must also provide ongoing rights to access this information about the individual and make corrections where necessary. We are also obliged to protect and maintain accurate personal and private information and to not disclose it without the knowledge and approval of the individual concerned. The information the college collects will only be necessary for the purposes of course enrolment, learning and study records.

No client information is shared with another organisation. If client information is required by a third party we will obtain written consent from the relevant individual prior to release of any information or subject to the law.

Should a client seek access to their information we have a documented procedure requiring authorisation before this can occur.

However, a student's personal information provided to the college may be made available to Commonwealth and/or State departments or agencies as required by law, as well as the Tuition Protection Scheme (TPS) Director, pursuant to obligations under the ESOS (Education Services for Overseas Students) Act 2000, the National Code or other regulations as pertinent at the time.

Confidential files of a student may include:

1. Current enrolment status
2. Progress reports
3. Assessment records
4. Outstanding fees

You are able to access your personal files by request to Student Services by showing your student card and filling the Student File Access Request Form.

35. Variations to Services

TMSS reserves the right to change the particulars of the services, including changes to fees, courses, facilities and dates of programs where circumstances beyond TMSS's control necessitate such changes or where the level of enrolments do not reach the minimum numbers required to operate a course viably.

36. Liability

The Management School Sydney and its staff and representatives will not be liable for any loss, damage or injury to persons or property howsoever caused during the period of attendance at TMSS, or participation in any activities conducted by or on behalf of TMSS except where liability is expressly imposed by law. TMSS will not be liable in the event that any service contracted to be supplied by TMSS becomes impossible to supply for any reason or any cause outside the control of TMSS.

37. Overseas Student Health Cover (OSHC)

All international students are required to pay Overseas Student Health Cover (OSHC) and maintain cover for the full length of their visa. OSHC must commence from the actual date of the student's visa/arrival in Australia until he/she is no longer in Australia on a student visa. It is also the student's responsibility to check the conditions of this health cover.

38. Eligibility to Award Qualification

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The Management School Sydney is an approved Registered Training Organisation and is responsible for the quality of training and assessment and the issuance of Australian Qualifications Framework certification on completion or partial completion of a course listed on the National Register and CRICOS. Certification will not be issued to non-financial students

39. Maintaining Records of Enrolment and Payments

Students are responsible for keeping a copy of the signed Letter of Offer and Acceptance of Offer and Written Agreement and all receipts for payment of tuition and non-tuition fees.

40. Discipline and Expulsion

TMSS reserves the right to expel students for serious breaches of discipline following appropriate disciplinary procedures. Department of Home Affairs will be notified. Refunds are subject to the refund policy.

41. Consumer Protection

This written agreement and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies.