Student Debtors Procedure

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') may take action to recover any outstanding student fees for the use of its facilities and the provision of its services. This includes monies owed in respect of tuition, student contributions, amenities fees, library fines, accommodation, and other miscellaneous fees, fines and charges.

(2) Action to enforce settlement of student debt will be taken in respect of all current and former students who have failed to engage with the University to find a solution to any debt, or who have failed to honour agreements to pay.

Section 2 - Purpose

(3) This document outlines the recovery process for debts incurred by students of the University in a timely and efficient manner.

Section 3 - Scope

(4) This procedure applies to all students of the University and Student Finance.

Section 4 - Procedure

(5) The University will at all times seek to be sympathetic to, and understanding of, an individual student's financial circumstances. However, to enable the University to do so, the student must engage in dialogue with officers of the University if financial difficulties are being experienced. A student who is experiencing financial difficulties may seek help and advice from Student Support Services.

Student Debtor

(6) A student will be classed as a student debtor if they fall under one of the following (this list is not exhaustive and individual circumstances may be taken into account):

a. defaults on any due payment of fees;
b. has a library debt, or has not returned materials to a University Library, or any reciprocating library within a reasonable time of completing a unit or course of study;
c. defaults on any due payment to the University for accommodation; and/or
d. fails to make payment of a student misconduct penalty fine by the specified date.

(7) Accommodation and Library debtors are managed by the respective areas. Accommodation and the Library will request Finance to add an encumbrance to a debtor's student record until such time as the debt is repaid.

Terms

(8) Enrolment and Fee Advice are generated in the Student Management System upon enrolment and sent to the

student's official University email address (in the case of continuing students). The Enrolment and Fee Advice outlines the unit/s a student is enrolled in, the amount owing and the due date. Any time a change is made to unit enrolments, a new Enrolment and Fee Advice is generated and sent to the student's official University email addressor, for students who have not activated their computer account, posted to their postal address.

Encumbrance

(9) A student who has not completed payment of their compulsory fees and charges by the fee due date is determined to have an outstanding debt and sanctions may be imposed on their enrolment record or cancelled in accordance with the Charles Darwin University Fees and Charges By-laws. Graduation or re-enrolment may not be permitted, nor will Academic Transcripts be issued until all debts have been paid.

(10) The encumbrance will be removed only when all debts are fully paid. Non-receipt by a student of an invoice, reminder or demand for payment does not change the student's debtor status.

(11) The University may, in exceptional circumstances, waive fees or fines, at its discretion.

Removal of Financial Penalty

(12) A student whose enrolment has been cancelled for non-payment of fees may apply for re-instatement of their enrolment at the discretion of an authorised officer as outlined in the Delegations Register.

(13) Domestic students may apply for the removal of a financial penalty, in special circumstances. To apply, student's must:

a. complete the application for Removal Of Academic and/or Financial Penalty form located at Forms and guides;
b. provide documentation to support their application, which may include a medical certificate, letter from employer or statutory declaration;
c. provide additional evidence if requested;
d. read the additional information on the form; and
e. submit the application within 12 months of the withdrawal date or course end date if not withdrawn.

(14) Applications will be assessed by Student Administration and will usually be processed within 21 working days. During peak times, delays may be expected. Peak times include census dates and grade release dates.

(15) Students will be advised of the outcome of their application via email to their official University email address.

Debt Recovery

(16) The University will maintain an ongoing process of student debt collection for all debts that remain unpaid. The process used varies according to which organisational unit in the University is responsible for the fees, fines or charges.

International Students

(17) A student, who does not make payment in full by the due date, will be advised in writing to their official University email address by CDU Global that immediate payment must be made and that the University may cancel the student's enrolment in accordance with the Enrolment Policy and the Education Services for Overseas Students Act 2000.

(18) CDU Global is responsible for:

a. informing international students of the requirement to pay tuition and other fees on the due date; and

b. follow up actions with international students, including approval of cancellation of enrolment and liaison with the Department of Home Affairs.

Higher Education Students

(19) A student who does not make payment in full by the relevant census date will have their enrolment cancelled and the student will be withdrawn from the units.

(20) A Commonwealth supported student who does not submit the relevant HELP Loan forms and tax file number will not be eligible to use a HECS-HELP loan.

Vocational Education and Training (VET) Students

(21) A student who does not make payment by the applicable due date will have their debt managed by Student Finance in collaboration with Manager TAFE Enrolments and Apprentice Enrolments.

a. The TAFE Enrolment Officers will cancel the enrolment of FEE-HELP students who have not paid their fees by the deadline.

(22) Under the direction of the General Manager VET Business Improvements, the TAFE Enrolment Officers are responsible for all follow up actions with VET students.

(23) Where applicable, the TAFE Enrolment Officers will obtain completed Third Party Authorisation forms and forward them to Accounts Receivable.

(24) Where a student debt remains outstanding after the fee due date, Student Finance will:

a. record the debt in the relevant student management system and place a financial encumbrance on the student's enrolment record;
b. advise the student in writing of their obligation to make payment, payment options and penalties for non-payment; and
c. encourage the student to contact the relevant Enrolment Officer to discuss payment options, which may include a payment plan by instalment if over $100.

Fee Payments by Third Payment Sponsors

(25) The TAFE Enrolment Officers process Third Party Authorisation (TPA) forms and authorise the transfer of debt from a student's University account into a sponsor's account. At the end of each teaching period, the Accounts Receivable team will generate an invoice in the student management system and send it to the sponsor. The sponsor has thirty (30) days from the date of issue to make payment.

(26) The student becomes liable for any Third Party Sponsor account that remains unpaid after the due date, except where the non-payment of fees was due to the Third Party Sponsor's bankruptcy or ceasing operation.

Accommodation Charges

(27) Accommodation charges may vary depending on the campus and the student's length of stay in on-campus accommodation. The Residence Manager is responsible for the management of rent and accommodation fees and fines using the accommodation fees management system.

(28) An encumbrance may be imposed on a student's enrolment and/or eviction from on-campus accommodation may take place in cases of continued non-payment. The decision to apply this sanction will be at the discretion of the Residence Manager in accordance with the Charles Darwin University Student Residences By-laws.

Library Fees and Fines

(29) The University Library is responsible for the management of student borrowing and may impose fines and fees, in accordance with the Charles Darwin University Library By-laws. The Library will advise students in writing of any fees and fines imposed and students are expected to make full payment as they are incurred. The Library may impose borrowing sanctions or encumber the student enrolment when debts exceed $50.00.

Misconduct Penalties

(30) Penalty fines may apply to a student who breaches any of the University's By-laws. Fines that are not paid to the University by the date due may result in a financial encumbrance and the student may not be permitted to re-enrol in a course or unit or be allowed to graduate.

Parking Offences

(31) Parking on University premises is monitored by campus Security and regulated by the Charles Darwin University Site and Traffic By-laws.

External Debt Collection

(32) After all avenues have been exhausted and the University is unable to recover payments, outstanding invoices will be considered for external debt collection by the Chief Financial Officer. Costs associated with the recovery of debt will be borne by the student.

(33) The General Manager VET Business Improvement will make recommendations for the external debt collection of outstanding student invoices to the Chief Financial Officer. External debt collection must be approved by the Chief Financial Officer.

Doubtful Debts Provision and Bad Debt Write-Off

(34) The University will make provisions against bad debt arising from the non-payment of fees, charges or fines or other debts based on the outcome of all of the stages above and will be charged back to the Provision for Bad and Doubtful Debts account.

(35) Outstanding debts will be reviewed annually and the relevant Senior Manager may recommend to the Chief Financial Officer any bad debt write-offs.

(36) At the end of each financial year, the Chief Financial Officer will review any debts that are two (2) years or more old and may recommend they be written off in accordance with the delegations in the Delegations Register.

(37) Upon authorisation the accounts will be written off, costed back and any GST remitted to the Australian Tax Office claimed back.

(38) All debts that have been written-off will be reported to the University's Finance and Infrastructure Development Committee on a monthly/yearly basis.

Section 5 - Non-Compliance

(39) Non-compliance with Governance Documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct - Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct - Students.

(40) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(41) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Current
Effective Date	10th September 2024
Review Date	10th September 2027
Approval Authority	Vice-Chancellor
Approval Date	10th September 2024
Expiry Date	Not Applicable
Responsible Executive	Louise King Provost
Implementation Officer	Sharon Green Manager Student Finance
Enquiries Contact	Sharon Green Manager Student Finance