



## University Rules: Amenities and Services Fee Rules

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### 1. Purpose

These Rules are made to give effect, as required, to the provisions of Statute 29 Amenities and Services Fee.

### 2. Definitions

“**Act**” means the *Edith Cowan University Act 1984*, as may be amended from time to time.

“**Census Date**” means the date or dates specified by the relevant Minister for the purposes of the Higher Education Contribution Scheme, pursuant to the provisions of the *Higher Education Funding Act 1988*.

“**Committee**” means the Fees Allocation Committee established pursuant to the Statute.

“**Director**” means the officer holding the position of Director, Student Service Centre, from time to time or the successor to that position or a person acting in that position.

“**EFTSU**” means an equivalent full-time student unit.

“**eligible students**” means students other than those exempted from payment of the Fee under the Statute.

“**Entity**” means a Unit or a student organisation recognised as an entity eligible to receive an allocation of a portion of the Fees by the Council pursuant to Rule 7(2)(a).

“**external student**” means a student other than a full-time student or a part-time student who is enrolled in at least one unit of study as an external student in the relevant year.

“**Fee**” or “**Fees**” means the annual amenities and services fee payable by students pursuant to section 41A of the Act.

“**full-time student**” means a student with an annual load of at least 0.75 EFTSU who is enrolled for on-campus study in at least one unit of study.

“**part-time student**” means a student with an annual load of no more than 0.74 EFTSU who is enrolled for on-campus study in at least one unit of study.

“**Statute**” means Statute 29 Amenities and Services Fee.

“**Units**” means those administrative units of the University nominated as “Units” for the purposes of these Rules by the Vice Chancellor from time to time and “**Unit**” has a corresponding meaning.

### **3. Classes of Students and Fees Payable**

The level of Fees payable by eligible students is as follows:

- (a) full-time students – 100%;
- (b) part-time students – 50%; and
- (c) external students – 30%.

### **4. Payment of Amenities and Services Fee**

- (1) The Fee liability of each student in accordance with this Statute shall be determined with effect from the Census Date in each semester.
- (2) Subject to sub-section 4(3), a student may pay the Fee for the relevant year:
  - (a) in full prior to the Census Date in the first semester; or
  - (b) in two instalments of equal amounts, each instalment being payable no later than the Census Date in each semester.
- (3) Following the Census Date, any variation to the Fee liability of a student who has already paid the Fee shall be notified to the student and any additional payment shall be due by the date specified in that notice.
- (4) A student enrolling for one semester only in any year shall pay an amount equal to half of the Fee otherwise payable by the student no later than the Census Date in that semester.

### **5. Deferment of Payment of Amenities and Services Fees**

- (1) The Director, or a nominee of the Director, may determine that the financial circumstances of an individual student are such that the student's liability to pay the Fee, or an instalment of the Fee, may be deferred until a date no later than the final day of the year or semester in respect of which the Fee or instalment of the Fee is payable.
- (2) The Director shall determine, from time to time, the form of application to be submitted by a student requesting deferment of his or her liability to pay all or part of the Fee, or an instalment of the Fee, under the provisions of sub-section 5(a) ("**Application**").
- (3) Unless otherwise agreed by the Director, an Application must be submitted by a student no later than the last date on which the student is required to enrol for the relevant semester.
- (4) The Director or nominee may impose such conditions as he or she considers reasonable on any approved deferment of the payment of the Fee, including a condition that the Fee be paid by instalments on specified dates prior to the final day of the relevant semester.

### **6. Carry Forward or Refund of Amenities and Services Fees to Students**

- (1) A student who has paid the Fee in full prior to the commencement of the first semester of the relevant year and who:
  - (a) prior to the Census Date in the first semester, withdraws from the University, has his or her enrolment cancelled for any reason or completes the requirements for graduation in the course of study in respect of which the Fee has been levied under section 3 shall, following written application by that student to the Director, receive a full refund of the Fee paid; or

- (b) after the Census Date in the first semester but prior to the Census Date in the second semester, withdraws from the University, has his or her enrolment cancelled for any reason or completes the requirements for graduation in the course of study in respect of which the Fee has been levied under section 3 shall, following written application by that student to the Director, receive a refund of the amount equivalent to the instalment of the Fee otherwise payable by that student for the second semester.
- (2) A student who has paid the relevant instalment of the Fee owing in respect of any semester and who, prior to the Census Date in that semester, withdraws from the University, has his or her enrolment cancelled for any reason or completes the requirements for graduation in the course of study in respect of which the Fee has been levied under section 3 shall, following written application by that student to the Director, receive a full refund of the Fee paid for that semester.
  - (3) Subject to sub-section 6(4), a student, other than a student referred to in sub-sections 6(1) and (2) who, as a consequence of any change to his or her enrolment prior to the Census Date in any semester, has paid an amount in excess of his or her Fee liability for that semester shall have such excess offset against his or her Fee liability for the subsequent semester of his or her enrolment.
  - (4) A student referred to in sub-section 6(3) who, prior to the excess payment being offset against a subsequent Fee liability, withdraws from the University, has his or her enrolment cancelled for any reason or completes the requirements for graduation in the course of study in respect of which the Fee has been levied under section 3 shall, following written application by that student to the Director, receive a refund of the excess amount paid.

## **7. Entities**

- (1) In order to be eligible for recognition as an Entity, an organisation, other than a Unit, shall provide written evidence in a form satisfactory to the Committee that the organisation:
  - (a) is an incorporated body;
  - (b) has been in existence for at least 12 months and has a reasonable expectation that the Entity will continue to operate on an ongoing basis;
  - (c) has members drawn from all Faculties and campuses of the University; and
  - (d) provides, or has been incorporated with the objective of providing, amenities and services to students.
- (2)
  - (a) After considering the evidence provided by the organisation pursuant to sub-section 7(1), the Committee may make a recommendation to the Council that the organisation be recognised as an Entity.
  - (b) The Council may impose such conditions as it considers appropriate and reasonable on the recognition of an organisation as an Entity pursuant to sub-section 7(2)(a).
  - (c) The Council may review and revoke an organisation's status as an Entity from time to time in its absolute discretion, however, any such review and/or revocation shall not affect any previous allocation of the Fees to the Entity prior to such review and/or revocation.
- (3) Subject to their compliance with the provisions of sub-section 7(1) (unless exempted from such compliance under that sub-section), the following organisations shall be recognised by the Council as Entities:
  - (a) a Unit;
  - (b) the Student Guild; and

- (c) the Postgraduate and Honours Student Association.

## **8. Allocation of Fees to Entities**

- (1) Unless otherwise required by the Act or the Statute, an Entity shall:
  - (a) on applying for an allocation of a portion of the Fees, present to the Committee a budget detailing the Entity's proposed expenditure of any allocated Fees;
  - (b) undertake to provide to the Committee, if the Entity receives an allocation of a portion of the Fees:
    - (i) an audit report on the annual financial statements of the Entity prepared by an external, independent auditor whose appointment has been approved by the Committee; and
    - (ii) a detailed, written report explaining the reasons for and the nature of any variation from the budget referred to in sub-section 8(1)(a),  
  
by the date specified by the Committee; and
  - (c) provide to the Committee, by the date specified by the Committee, such financial and other reports as may be required by the Committee from time to time provided however that such reporting requirements shall not be more onerous or frequent than those imposed upon the Student Guild under Statute 11.
- (2) Without limiting the provisions of section 7(2)(c), if an Entity fails to provide the Committee with one or more reports required under sub-section 8(1)(b) or (c) by the required date, the Committee may recommend to the Council that the organisation no longer be recognised as an Entity until the outstanding report(s) are provided to the Committee and/or that certain conditions be imposed on any further allocation of Fees to that Entity.

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