The Private Career Colleges Act, 2005 and Ontario Regulation 415/06 prescribe in detail the Fee Refund Policy that governs Private Career Colleges. These directions apply to your Commercial Pilot Aeroplane Licence Training.

1. Global Flight Training Solutions (GFTS) Interpretation of these regulations as they apply to its Refund Policy follows:
	1. **Flight training** is pay as you go according to the GFTS Charge Rates and Payment of Fees Schedule. Therefore, there is no residual advance payment held by GFTS that would result in a refund;
	2. **Ground School training** is conducted on line (including video conferencing with an instructor if applicable) and is provided through a subscription with a Canadian third-party vendor. Therefore, any refund would be subject to the contract entered between the student and the third-party vendor. There is no residual advance payment held by GFTS that would result in a refund. Ground school supplemental training assistance provided by GFTS instructors is pay as you go and there is no residual advance payment held by GFTS that would result in a refund after the assistance is provided;
	3. **Books and equipment** required for training are purchased directly by the student through third-party vendors. Refunds are as determined by these vendors.
	4. **Non-continuous programme.** GFTS provides Commercial Pilot Licence – Aeroplane Training as a non-continuous programme. Partial refunds will be governed by the policy laid out in section 29 of the Regulation and subject to the pay as you go policy used by GFTS as outlined above.
	5. **Instructors qualifications.** GFTS instructors hold valid Instructor Rating qualifications endorsed by Transport Canada – Civil Aviation. This qualification makes them qualified instructors.
	6. **Signed contract.** A copy of the signed contract is provided to the student on signing of this contract
	7. **Charge Rates and Fees.** An itemized list of charge rates and fees including fees for books, equipment and on-line ground school subscriptions is provided as part of the contract. Fees for books, equipment and on-line ground school subscriptions reflect the latest prices on the third-party vendors’ web sites. It is the student’s responsibility to acquire the ground school on-line subscription, books and equipment listed, through the vendor(s) indicated, or through other sources of their choosing. Charger rates for GFTS aircraft and instructors are payable immediately after the service has been rendered. Once the service has been rendered there is no refund available.
	8. **Expulsion Policy** Students are provided a copy of the Expulsion Policy prior to signing the contract for training
	9. **Demands for refunds and partial refunds** are to be submitted in writing to the Global Flight Training Solutions Administrator. Valid refunds or partial refunds are payable within 30 days.

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An extract of Ontario Regulation 415/06 sections 24 through 33 which govern Refund Policy is provided below. Sections referred to in Section 24 through 33 are appended after section 33 in numerical order for ease of reference by the student. A complete copy of Ontario Regulation 415/06 is provided to the student on the signing of the contract for training.

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Fee refund policy

 **24.**The provisions set out in sections 25 to 33 are prescribed for vocational programs as provisions of every fee refund policy adopted by a private career college under section 29 of the Act. O. Reg. 415/06, s. 24.

Full refunds

 **25.**(1)  A private career college shall refund all of the fees paid by a student under a contract for the provision of a vocational program in the following circumstances:

 1. The contract is rescinded by a person within two days of receiving a copy of the contract in accordance with section 36 of the Act.

 2. The private career college discontinues the vocational program before the student completes the program, subject to subsection (2).

 3. The private career college charges or collects the fees,

 i. before the registration was issued for the college under the Act or before the vocational program was approved by the Superintendent, or

 ii. before entering into a contract for the provision of the vocational program with the student, unless the fee is collected under subsection 44 (3).

 4. The private career college expels the student from the college in a manner or for reasons that are contrary to the college’s expulsion policy.

 5. The private career college employs an instructor who is not qualified to teach all or part of the program under section 41.

 6. The contract is rendered void under subsection 18 (2) or under section 22.

 7. If a private career college fails to, or does not accurately, provide in the itemized list provided to the Superintendent under section 43 a fee item corresponding to a fee paid by a student for the provision of a vocational program, the college shall pay the student,

 i. in the case of an item not provided by the college, the full amount of the fee for the item, and

 ii. in the case of a fee in excess of the amount of the fee provided for the item, the difference between the amount of the fee for the item provided to the Superintendent and the fee collected. O. Reg. 415/06, s. 25 (1).

 (2)  A full refund is not payable in the circumstances described in paragraph 2 of subsection (1) if the discontinuance of the vocational program coincides with the private career college ceasing to operate. O. Reg. 415/06, s. 25 (2).

 (3)  A refund is not payable under paragraphs 1 to 6 of subsection (1) unless the student gives the private career college a written demand for the refund. O. Reg. 415/06, s. 25 (3).

 (4)  A refund under subsection (1) is payable by the private career college within 30 days of the day the student delivers to the college,

 (a) in the case of a rescission under section 36 of the Act, notice of the rescission; or

 (b) in the case of a refund under paragraphs 2 to 6 of subsection (1), a written demand for the refund. O. Reg. 415/06, s. 25 (4).

Partial refund where student does not commence program

 **26.**(1)  If a student is admitted to a vocational program, pays fees to the private career college in respect of the program and subsequently does not commence the program, the college shall refund part of the fees paid by the student in the following circumstances:

 1. The student gives the college notice that he or she is withdrawing from the program before the day the vocational program commences.

 2. In the case of a student who is admitted to a vocational program on the condition that the student meet specified admission requirements before the day the program commences, the student fails to meet the requirements before that day.

 3. The student does not attend the program during the first 14 days that follow the day the program commenced and the college gives written notice to the student that it is cancelling the contract no later than 45 days after the day the program has commenced. O. Reg. 415/06, s. 26 (1).

 (2)  The amount of a refund under subsection (1) shall be an amount that is equal to the full amount paid by the student for the vocational program, less an amount equal to the lesser of 20 per cent of the full amount of the fee and $500. O. Reg. 415/06, s. 26 (2).

 (3)  A refund under subsection (1) is payable,

 (a) in the case of a refund under paragraph 1 of subsection (1), within 30 days of the day the student gives notice of withdrawing from the program;

 (b) in the case of a refund under paragraph 2 of subsection (1), within 30 days of the day the vocational program commences; and

 (c) in the case of a refund under paragraph 3 of subsection (1), within 45 days of the day the vocational program commences. O. Reg. 415/06, s. 26 (3).

 (4)  For the purposes of paragraph 3 of subsection (1), it is a condition of a contract for the provision of a vocational program that the private career college may cancel the contract within 45 days of the day the vocational program commences if the person who entered the contract with the college fails to attend the program during the 14 days that follow the day the vocational program commences. O. Reg. 415/06, s. 26 (4).

 (5)  A private career college that wishes to cancel a contract in accordance with subsection (4) shall give written notice of the cancellation to the other party to the contract within 45 days of the day the vocational program commences. O. Reg. 415/06, s. 26 (5).

Partial refunds: withdrawals and expulsions after program commenced

 **27.**(1)  A private career college shall give a student who commences a vocational program a refund of part of the fees paid in respect of the program if, at a time during the program determined under subsection (3),

 (a) the student withdraws from the program after the program has commenced; or

 (b) the student is expelled from the program in circumstances where the expulsion is permitted under the private career college’s expulsion policy. O. Reg. 415/06, s. 27 (1).

 (2)  This section does not apply to vocational programs described in sections 28 and 29. O. Reg. 415/06, s. 27 (2).

 (3)  A private career college shall pay a partial refund under this section only if the withdrawal or expulsion from the vocational program occurs at a time during the program determined in accordance with the following rules:

 1. In the case of a vocational program that is less than 12 months in duration, the withdrawal or expulsion occurs during the first half of the program.

 2. In the case of a vocational program that is 12 months or more in duration,

 i. for the first 12 months in the duration of the program and for every subsequent full 12 months in the program, the withdrawal or expulsion occurs during the first six months of that 12-month period, and

 ii. for any period in the duration of the vocational program remaining after the last 12-month period referred to in subparagraph i has elapsed, the withdrawal or expulsion occurs in the first half of the period. O. Reg. 415/06, s. 27 (3).

 (4)  If the student withdraws or is expelled from a vocational program within the first half of a period referred to in subsection (3), the amount of the refund that the private career college shall pay the student shall be equal to the full amount of the fees paid in respect of the program less,

 (a) an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500; and

 (b) the portion of the fees in respect of the portion of the period that had elapsed at the time of the withdrawal or expulsion. O. Reg. 415/06, s. 27 (4).

 (5)  If the student withdraws or is expelled from a vocational program during the second half of a period referred to in subsection (3), the private career college is not required to pay the student any refund in respect of that period. O. Reg. 415/06, s. 27 (5).

 (6)  A private career college shall refund the full amount of fees paid in respect of a period that had not yet commenced at the time of the withdrawal or expulsion. O. Reg. 415/06, s. 27 (6).

Partial refunds: distance education programs

 **28.**(1)  This section applies to a vocational program that is offered by mail, on the internet or by other similar means. O. Reg. 415/06, s. 28 (1).

 (2)  A private career college shall give a student who commences a vocational program referred to in subsection (1) a refund of part of the fees paid in respect of the program if,

 (a) the student withdraws from the program or the student is expelled from the program in circumstances where the expulsion is permitted under the private career college’s expulsion policy; and

 (b) at the time of the withdrawal or expulsion, the student has not submitted to the private career college all examinations that are required in order to complete the program. O. Reg. 415/06, s. 28 (2).

 (3)  The amount of the refund that a private career college shall give a student under subsection (1) shall be determined in accordance with the following rules:

 1. Determine the total number of segments in the vocational program for which an evaluation is required.

 2. Of the total number of program segments determined under paragraph 1, determine the number of segments in respect of which an evaluation has been returned to the student.

 3. The amount of the refund that the private career college shall pay the student shall be equal to the full amount of the fees paid in respect of the program less,

 i. an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500, and

 ii. the portion of the fees in respect of the number of segments determined under paragraph 2. O. Reg. 415/06, s. 28 (3).

 (4)  A private career college is not required to give a student any refund if the student, at the time of withdrawal or expulsion, has been evaluated in respect of more than half of the total number of segments in the program. O. Reg. 415/06, s. 28 (4).

Partial refunds: non-continuous programs

**29.**(1)  This section applies to a vocational program approved by the Superintendent to be provided through a fixed number of hours of instruction over an indeterminate period of time. O. Reg. 415/06, s. 29 (1).

 (2)  A private career college shall give a student who commences a vocational program referred to in subsection (1) a refund of part of the fees paid in respect of the program if, before completing the required number of hours of instruction,

 (a) the student has given the college notice that he or she is withdrawing from the program; or

 (b) the student is expelled from the program in circumstances where the expulsion is permitted under the private career college’s expulsion policy. O. Reg. 415/06, s. 29 (2).

 (3)  The amount of the refund that a private career college shall give a student under subsection (1) shall be equal to the full amount of the fees paid in respect of the program less,

 (a) an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500; and

 (b) a portion of the fees in respect of the program that is proportional to the number of hours of instruction that have elapsed at the time of the withdrawal or expulsion. O. Reg. 415/06, s. 29 (3).

 (4)  A private career college is not required to give a student any refund if the student, at the time of withdrawal or expulsion, has completed more than half of the required number of hours of instruction in a program. O. Reg. 415/06, s. 29 (4).

No retention of refund

 **30.**A private career college shall not retain, by way of deduction or set-off, any refund of fees payable to a student under sections 25 to 29 in order to recover an amount owed by the student in respect of any service or program other than a vocational program offered by the private career college. O. Reg. 415/06, s. 30.

Treatment of books and equipment

 **31.**In calculating a refund under sections 25 to 29, a private career college may retain the retail cost of books or equipment that the private career college supplied to the student if the student,

 (a) fails to return the books or equipment to the private career college within 10 days of the student’s withdrawal or expulsion from the program; or

 (b) returns the books or equipment to the private career college within the 10-day period referred to in clause (a), but fails to return it unopened or in the same state it was in when supplied. O. Reg. 415/06, s. 31.

Refund for international students

 **32.**A notice to a private career college that is provided by or on behalf of an international student or of a prospective international student and that states that the student has not been issued a temporary resident visa as a member of the student class under the Immigration and Refugee Protection Act (Canada) is deemed to be,

 (a) notice of a rescission of the contract for the purposes of section 36 of the Act if the notice is given within two days of receiving a copy of the contract; and

 (b) notice that the student is withdrawing from the program for the purposes of paragraph 1 of subsection 26 (1) or clause 29 (2) (a) if the notice is received on or before half of the duration of the program has elapsed. O. Reg. 415/06, s. 32.

Currency

 **33.**Any refund of fees that a private career college is required to pay under the Act shall be paid in Canadian dollars. O. Reg. 415/06, s. 33.

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Misleading statements

 **18.**(1)  No person, operator, officer, director, employee or agent acting on behalf of a private career college shall make or disseminate any of the following for the purpose of inducing a student or prospective student to enrol in a program or to enter into a contract with a private career college:

 1. A false or misleading written or oral statement.

 2. A false or misleading image or video.

 3. A statement described in paragraph 2 of subsection 16 (1). O. Reg. 466/16, s. 7.

 (2)  If a person referred to in subsection (1) makes or disseminates a statement, image or video contrary to that subsection and the statement, image or video constitutes a fundamental breach of a contract between the student and the college, the contract is voidable by the student. O. Reg. 466/16, s. 7.

 (3)  If the contract is rendered void by the student, no money is payable by the student under the contract. O. Reg. 415/06, s. 18 (3).

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Copy of contract

 **20.1**For the purposes of subsection 28 (2) of the Act, a private career college that enters into a contract with a student for the provision of a vocational program shall give the student a copy of the signed contract immediately after it is signed. O. Reg. 466/16, s. 9.

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Other contracts

**21.**A private career college shall ensure that in a contract for the provision of a program that is not a vocational program,

 (a) the terms referred to in paragraphs 8, 10 and 12 of subsection 20 (1) are not included; and

 (b) a statement that the Private Career Colleges Act, 2005 does not apply to the program is included in bold face type. O. Reg. 466/16, s. 10.

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Void contracts

 **22.**A contract for the provision of a vocational program between a private career college and a student that does not contain all of the terms required under section 20 is voidable by the student. O. Reg. 415/06, s. 22.

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Qualifications of instructional staff

 **41.**(1)  A private career college shall not employ a person to provide instruction in a vocational program unless,

 (a) the person has one of the following qualifications:

 (i) the person has at least 48 months of experience, acquired within the preceding 10 years, working in the vocation or teaching a program to prepare students for employment in the vocation, or a combination of the two,

 (ii) the person has at least 24 months of experience, acquired within the preceding 10 years, working in the vocation or teaching a program to prepare students for employment in the vocation, or a combination of the two, and one of the educational qualifications described in subsection (2); and

 (b) in the case of a vocation that is governed by a regulatory body that has prescribed qualifications for persons instructing students, the qualifications prescribed by the body. O. Reg. 415/06, s. 41 (1); O. Reg. 466/16, s. 14.

 (2)  A person referred to in subclause (1) (a) (ii) must have one of the following educational qualifications:

 (a) The person holds a Bachelor degree from a university in Ontario or another post-secondary institution authorized to grant the degree under the Post-secondary Education Choice and Excellence Act, 2000 or under a special Act of the Assembly that establishes or governs the institution;

 (b) The person holds a Bachelor degree from a university or other post-secondary institution in another province or territory of Canada or a degree from a university or post-secondary institution outside Canada that is equivalent to a Bachelor degree described in clause (a);

 (c) The person is a graduate of a college of applied arts and technology established under an Act of the Assembly or of an equivalent institution outside Ontario;

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Itemized List of Fees

 **43.**(1)  Upon application for approval of a vocational program, a private career college shall provide the Superintendent with an itemized list of all fees, expressed in Canadian dollars that will be charged by the college to a prospective student or a student who enrols in the program, including tuition fees, cost of books, and any administrative charges and other compulsory or optional fees, whether or not such fees are charged in relation to the vocational program. O. Reg. 415/06, s. 43 (1); O. Reg. 377/08, s. 6; O. Reg. 466/16, s. 15 (1).

 (2)  The Superintendent shall publish on a website of the Government of Ontario the fees charged in relation to a vocational program, except optional fees, provided by a private career college under subsection (1). O. Reg. 415/06, s. 43 (2); O. Reg. 466/16, s. 15 (2).

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**44.** (3)  Before entering into a written contract for the provision of a vocational program, a private career college may charge and collect a fee of $500 or 20 per cent of the total fees payable with respect to the program, whichever is less, for processing an application for the program or conducting admission tests or assessments. O. Reg. 415/06, s. 44 (3).

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1. Amendment Procedure
	1. Global Flight Training Solutions willfile a copy of any changes to the Fee Refund Policy with the Superintendent. No change to Global Flight Training Solutions Fee Refund Policy shall take effect prior to approval by the Superintendent.
	2. The changes shall be highlighted and submitted to the Superintendent.
	3. Once approved, the Amendment will be inserted into the Policy.
	4. The Campus Administrator will then enter the revision into the Revision Log.
2. **Revision Log**

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| Date | Summary of Changes | Revision No |
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