

Rijeka, 12. listopada 2023.

N/p: gđa. Tihana Banko, ravnatelj

INSTITUT PRVI KORAK - USTANOVA ZA OBRAZOVANJE ODRASLIH
Ulica Pavla Hatza 21
10 000 Zagreb

Email: info@stepfirstinstitute.com

Poštovana gđa Banko,

Predmet: - Amir Hassan Afridi c/a INSTITUT PRVI KORAK, radi: povrata isplaćene školarine u vrijednosti Eur 2.850,00, opomena pred tužbu

Obraćamo Vam se kao punomoćnici i po uputi g. Amira Hassana Afridia, Post office, Bara Qambarabad, Dist Bara Khyber, Pakistan.

1. G. Afridi bio je student Instituta Prvi korak, reg. br. studenta SFI 21 166 na studiju *OTHM LEVEL 4 Diploma in Tourism*. Za pohađanje studija g. Mohammad Yasir, brat g. Afridia uplatio je godišnju školarinu u ukupnom iznosu od 2.850,00 Eur na način kako slijedi:

- (i) Dana 17. siječnja 2022 iznos od 1.250,00 Eura
- (ii) Dana 4. veljače 2022 iznos od 500,00 Eura
- (iii) Dana 20. travnja 2022 iznos od 1.100,00 Eura

Dakle, uplatom ukupnom iznosa školarine g. Afridi ispunio je svoju obvezu prema Institutu Prvi Korak.

2. Nakon izvršenih uplata, g. Afridi je obaviješten da je uslijed priprema za ulazak Republike Hrvatske u Schengensko područje obustavljeno izdavanje viza te da zbog izvanrednih vanjskih događaja nebi bio u mogućnosti boraviti na području Republike Hrvatske, a posljedično i nastaviti svoje školovanje.

Sukladno dogovoru i uputi Instituta Prvi korak, g. Afridi podnio je zahtjev za povrat uplaćenog iznosa školarine te potpisao „*Learner refund policy*“ dana 18. svibnja 2022.

U „*Learner refund policy*“ pod *Immigration authorities* notification jasno je naznačeno da Institut priznaje nepredviđene okolnosti u kojima studenti mogu odustati od školovanja i zaprimiti povrat uplaćenog iznosa školarine.

3. G. Yasir, brat g. Afridia Vas je u nekoliko navrata kontaktirao, međutim, do današnjeg dana nije izvršen povrat uplaćene školarine iako je g. Afridi postupio sukladno Vašoj uputi i uputi navedenoj u „*Learner refund policy*“.

Od podnesenog zahtjeva za povrat uplaćene školarine prošlo je gotovo 1 godina i 6 mjeseci, a da g. Afridi nije zaprimio uplaćeni iznos.

Posljedično, g. Afridi izgubio je godinu dana studija za što je bio i predviđen uplaćeni iznos.

4. S obzirom da je ponuda Instituta Prvi korak prihvaćena izvršenim uplatama, postojao je ugovorni odnos između Instituta i g. Afridia no isti je prestao uslijed izvanrednih vanjskih događaja, odnosno nemogućnosti pohađanja školovanja na koju nije mogla utjecati niti jedna ugovorna strana.

5. Sukladno čl. 373. Zakona o obveznim odnosima (NN br. 35/2005, 41/2008, 125/2011, 78/2015, 29/2018, 126/2021, 114/2022, 156/2022; dalje u tekstu: ZOO) „kad je ispunjenje obveze jedne strane u dvostranoobveznom ugovoru postalo nemoguće zbog izvanrednih vanjskih događaja nastalih nakon sklapanja ugovora... te za koje nije odgovorna ni jedna ni druga strana, gasi se i obveza druge strane, a ako je ova nešto ispunila od svoje obveze, može zahtijevati vraćanje po pravilima o vraćanju stečenog bez osnove“.

Budući da se uslijed nastanka izvanrednih vanjskih događaja na koje ne utječe niti jedna ugovorna strana gase obveze iz ugovora, a g. Afridi je već izvršio svoju obvezu plaćanja školarine, iznos uplaćene školarine stečen je bez osnove. Stoga proizlazi obveza vraćanja uplaćenog iznosa od strane Instituta (čl. 1111. ZOO).

6. Slijedom svega navedenog, budući da unatoč brojnim pozivima i e-mailovima za izvršenje povrata sukladno „Learner refund policy“ do danas nije izvršen povrat plaćenog iznosa školarine, pozivamo Vas da se izvrši povrat uplaćenog iznosa od 2.850,00 Eur u roku od **8 dana** od dana slanja ove opomene na službenu email adresu INSTITUT PRVI KORAK - USTANOVA ZA OBRAZOVANJE ODRASLIH: info@stepfirstinstitute.com. s osnova stečenog bez osnove (čl 1111. ZOO) te plaćanje troškova ove opomene u iznosu od Eur 124,43 Eur/ 937,50 kn*, odnosno sveukupnog iznosa od 2.974,43 Eur na sljedeći račun:

Korisnik: Yasir Mohammad
Banka: Intesa Sanpaolo
Adresa banke: Via Roma 3, 33085 Maniago, Italy
IBAN: IT12B0306964899100000004315

U protivnom, g. Afridi će biti prisiljen ostvariti svoje pravo sudskim putem, što će nepotrebno uzrokovati dodatne troškove.

U očekivanju vašeg hitnog odgovora.

S poštovanjem,

Anita Krizmanić

MAČEŠIĆ | Anita
PARTNERI | Krizmanić
odvjetničko društvo d.o.o. | ODVJETNICA
Pod Kaštelom 4, Rijeka

Prilozi:

1. Punomoć
2. Potvrda o uplati od 17. siječnja 2022 u iznosu od 1.250,00 Eura
3. Potvrda o uplati od 4. veljače 2022 u iznosu od 500,00 Eura
4. Potvrda o uplati od 20. travnja 2022 u iznosu od 1.100,00 Eura
5. Learner refund policy od 18. svibnja 2022.
6. Vaš e-mail od 4. ožujka 2023.

* fiksni tečaj konverzije 1 EUR = 7,53450

Troškovnik:

- sastav opomene pred tužbu (Tbr. 33 t. 1, Tbr. 42)	99,54 Eur/ 750,00 kn
+ PDV 25%	24,89 Eur/ 187,50 kn
<hr/>	
SVEUKUPNO	124,43 Eur/ 937,50 kn

MAČEŠKI
PARTNERI
KAPITAL
POSREDOVANJE
D.O.O.

PUNOMOĆ

Ovim se opunomoćuje
hereby appoint

POWER OF ATTORNEY

We, the undersigned,

**MIROLJUB MAČEŠIĆ
ANITA KRIZMANIĆ
TONI ŠTIFANIĆ
ZRINKA BUZATOVIĆ**

odvjetnici u MAČEŠIĆ I PARTNERI d.o.o. Rijeka/
attorneys at law at MACESIC & PARTNERS LLC Rijeka

da nas zastupa

to be attorney for us in proceedings

Pred: Općinskim građanskim sudom u Zagrebu, Trgovačkim sudom u Zagrebu,
FINA-om i drugim nadležnim tijelima

Before: Municipal Civil court in Zagreb, Commercial court in Zagreb, Financial Agency,
other competent authorities

Radi: pokretanja i zastupanja u parničnom postupku radi isplate, pokretanja
izvanparničnog postupka radi osiguranja tražbine, pokretanja postupka
naplate

For: initiation and representation in the litigation proceeding for the repayment and
initiation of the non-contentious proceeding for the securing the claim, initiation
of the enforcement proceeding

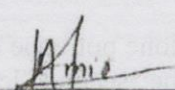
Protiv/versus: INSTITUT PRVI KORAK - USTANOVA ZA OBRAZOVANJE ODRASLIH
Zagreb, Ulica Pavla Hatza 21, OIB: 36188074618

Ovlašćujemo ih da nas zastupaju u svim našim pravnim poslovima na sudu i izvan suda i kod svih drugih organa, te da radi zaštite i ostvarenja naših na zakonu osnovanih prava, poduzimaju sve pravne radnje i upotrijebe sva u zakonu predviđena sredstva, a naročito da podnose tužbe i ostale podneske, da sklapaju poravnanja, ugovore te da primaju novac i novčane vrijednosti i o tome izdaju potvrde, ali jedino u svezi gornjeg postupka.

We authorize them to represent us in all legal matters at Court as well as with all state authorities with aim to safeguard and establish our legal rights, to act in all legal proceedings and to use all remedies provided by Law, especially to file Plaints and other Briefs, to conclude settlements and contracts, to receive moneys and other values and to issue receipts, but all only in above matter.

U_/datum
At_/date

20/09/23


Amir Hassan Afridi

**Eseguito Bonifico Europeo Unico in data 14.01.2022
17.01.2022 13:22**

Internet Banking

Vi confermiamo il Vostro ordine di Bonifico Europeo Unico in data 14.01.2022

Numero ordine
INTER20220113BOSBE824707291
N. C/C
1000/00004315

Ordinante
Yasir Mohammad
Filiale
MANIAGO VIA ROMA

Dati dell'operazione

Beneficiario
Institute PRVI KORAK ZAGREB

Località
-

IBAN
HR0623860021119034648

Debitore Effettivo
-

Identificativo bonifico

Banca
**PODRAVSKA BANKA D.D. KOPRIVNICA CROATIA
OPATICKA 3**

Importo
1250.00 Euro

Commissioni
1.00 Euro

Totale operazione
1251.00 Euro

Indirizzo

Paese
-

BIC
PKDCHR2XXXX

Creditore Effettivo
-

Tipologia
-

Descrizione
**Students registration Fee,
nam
e Amir Hassan afridi registrat
ion No. SFI 21 166**

TRN
BS2002320138247062308534G

Data contabile ordinante
17.01.2022

Data valuta ordinante
14.01.2022

L'operazione potrebbe essere conteggiata e assoggettata al pagamento del "Costo unitario per operazione" secondo le modalita' concordate in sede di stipula del contratto di conto corrente e/o di successive variazioni concordate, nel quale potra' trovare ogni dettaglio in proposito. In sede di liquidazione periodica di queste spese potra' verificare il dettaglio dei conteggi, che viene esposto all'interno del Suo estratto conto di conto corrente, alla voce "Spese" della sezione "Dettaglio competenze di chiusura".

Eseguito Bonifico Europeo Unico in data 03.02.2022
04.02.2022 14:40

Internet Banking

Vi confermiamo il Vostro ordine di Bonifico Europeo Unico in data 03.02.2022

Numero ordine

INTER20220203BOSBE459963169

N. C/C

1000/00004315

Ordinante

Yasir Mohammad

Filiale

MANIAGO VIA ROMA

Dati dell'operazione

Beneficiario

Institute Prvi Korak Zagreb

Località

-

IBAN

HR0623860021119034648

Debitore Effettivo

-

Indirizzo

Paese

-

BIC

PDKCHR2XXXX

Creditore Effettivo

-

Tipologia

-

Descrizione

Students registration Fee, nam

e Amir Hassan afridi registration No. SFI 21 166

TRN

BS2002320344599622251604V

Data contabile ordinante

04.02.2022

Data valuta ordinante

03.02.2022

Identificativo bonifico

Banca

**PODRAVSKA BANKA D.D. KOPRIVNICA CROATIA
OPATICKA 3**

Importo

500.00 Euro

Commissioni

1.00 Euro

Totale operazione

501.00 Euro

L'operazione potrebbe essere conteggiata e assoggettata al pagamento del "Costo unitario per operazione" secondo le modalita' concordate in sede di stipula del contratto di conto corrente e/o di successive variazioni concordate, nel quale potra' trovare ogni dettaglio in proposito. In sede di liquidazione periodica di queste spese potra' verificare il dettaglio dei conteggi, che viene esposto all'interno del Suo estratto conto di conto corrente, alla voce "Spese" della sezione "Dettaglio competenze di chiusura".

**Eseguito Bonifico Europeo Unico in data 19.04.2022
20.04.2022 18:20**

Internet Banking

Vi confermiamo il Vostro ordine di Bonifico Europeo Unico in data 19.04.2022

Numero ordine

INTER20220414BOSBE638232471

N. C/C

1000/00004315

Ordinante

Yasir Mohammad

Filiale

MANIAGO VIA ROMA

Dati dell'operazione

Beneficiario

Institute Prvi Korak Zagreb

Località

-

IBAN

HR0623860021119034648

Debitore Effettivo

-

Identificativo bonifico

Indirizzo

Paese

-

BIC

PKDCHR2XXXX

Creditore Effettivo

-

Tipologia

-

Descrizione

**Students registration Fee,
nam**

**e Amir Hassan afridi
registrat**

ion No. SFI 21 166

TRN

BS200232104638232465912IR

Data contabile ordinante

20.04.2022

Data valuta ordinante

19.04.2022

Importo

1100.00 Euro

Commissioni

1.00 Euro

Totale operazione

1101.00 Euro

L'operazione potrebbe essere conteggiata e assoggettata al pagamento del "Costo unitario per operazione" secondo le modalita' concordate in sede di stipula del contratto di conto corrente e/o di successive variazioni concordate, nel quale potra' trovare ogni dettaglio in proposito. In sede di liquidazione periodica di queste spese potra' verificare il dettaglio dei conteggi, che viene esposto all'interno del Suo estratto conto di conto corrente, alla voce "Spese" della sezione "Dettaglio competenze di chiusura".



STEP FIRST INSTITUTE
Further Education College

One Destination Many Paths

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LEARNER REFUND POLICY

www.stepfirstinstitute.com

Step First Institute – Further Education College

(Institut Prvi korak – ustanova za obrazovanje odraslih)

Ul. Pavla Hatza 21

10 000 Zagreb

Croatia (EU)

E: refunds@stepfirstinstitute.com

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Introduction

This policy is provided for Step First Institute stakeholders, including education agents and consultants, management, learners and staff members who are using or delivering the courses and qualifications we offer.

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Location of the policy

This policy is available for viewing on the college website for all education agents, students and staff members to access as required.

Communication of the policy

It is important that all staff involved in the recruitment, management, delivery, assessment and quality assurance of qualifications and learners undertaking a course are aware of this policy.

Effective date of the policy

This policy is in effect since 01.04.2022. as per Internal Acts of SFI and the Management Board decision.

Review of the policy

Step First Institute will review the policy annually and revise as and when required in response to feedback, changes in legislation, practices or actions required by any of the affiliated awarding bodies. Our review will ensure that our procedures remain consistent with the regulatory criteria and are applied properly and fairly in arriving at judgements.

Overview and Purpose of the Policy

This policy applies to refunding tuition fees to students by Step First Institute programmes and covers all reasons for refund request.

The purpose of this policy is to provide policy information to enquirers, applicants, parents and advisors about refund policy at the University. It is the policy framework for all staff who are involved in recruitment, selection and admissions activity.

Scope of Policy

This policy covers the internal refund process of Step First Institute.

Recruitment, selection and admission/refund policies, practices and procedures for validated programmes run by partner institutions are the responsibility of the partner institution. Croatian Ministry of Education is in no way involved or has any jurisdiction in the internal processes of private colleges and universities. All partner institutions are required to have separate and appropriate policies, procedures and practices in place.



Immigration authorities notification

Students who have been admitted to Step First Institute (SFI) and who have received a Study Permit are expected to register and attend classes in the program to which they were admitted and complete the semester for which they have paid tuition.

However, the College recognizes that there are some unforeseen circumstances in which a student may be allowed to withdraw and leave SFI and receive a refund of their tuition fees. Page | 4

International students who withdraw, give up their admission and status as students at SFI. Information about students who withdraw will be reported to Immigration authorities in the Ministry of Interior of Croatia.

A student who withdraws and who later wishes to return to SFI must re-apply for admission. Immigration authorities will be informed of the same.

Withdrawal/Refund Deadline

The refund application deadline is **May 20, 2022 at 12 pm EST**. Refund requests dated after this date will not be eligible for a refund of fees in the current academic year and can be initiated in the following academic year (2023) as per revised policy.

All refunds must be initiated by Day 10 of the semester as indicated on the [Academic Calendar](#). A complete refund request **must be received by 12 EST**. If you submit an incomplete package or miss the deadline for withdrawal (date and time), you are **NOT** eligible to receive a refund.

Refunds must be initiated by **May 20, 2022 at 12 pm EST**. No exceptions will be made for students who register or apply late.

Refunds take approximately six months from date of processing at the College for funds to arrive as requested. Funds may take longer depending on the activity at the College or depending on the country to which funds are returned.

Withdrawal/Refund Important Information

- Refunds must be initiated by **May 20, 2022 at 12 pm EST**
- It is the responsibility of the student to follow all instructions to submit a complete application package by the stated refund deadline.
- If you miss this deadline for withdrawal, you are **NOT** eligible to receive a refund.
- After receiving a complete and accurate Refund Application, refunds take approximately 6 months at the College from date of processing for funds to arrive as requested. Funds **may take longer** depending on the activity at the College or dependent on the country funds are returned. Providing incorrect information on a refund application will delay refund of fees.
- Providing incorrect information on a refund application may result in additional bank charges that will be deducted from the refund in addition to outlined fees.
- Notification is not provided when the refund process has been completed at the College. Students can check with their bank in their home country regarding receipt of funds.
- Be advised of the following foreign bank conditions



Location

India, Pakistan and some other countries in Asia and Africa

After processing at the College, the payment can be delayed significantly due to interbank settlement within destination country and/or currency exchange.

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Brazil and Argentina

Beneficiary is required to sign for receipt of funds at their bank. If funds are not signed for in due time, the beneficiary bank may return the funds without further notification.

All destinations

Request remitter to ensure beneficiary is checking their account for credit less bank commissions, fees and converted amounts where foreign exchange is involved, or where currency of wire differs from currency of destination country.

Withdrawal/Refund Administration Fees

If a complete refund request is submitted on or before the deadline date at 12 pm EST, a refund will be initiated as per the following:

SITUATION	DETAILS/DOCUMENTATION REQUIRED	APPLICABLE ADMINISTRATIVE FEES (NON-REFUNDABLE)
Denied Temporary Residence Permit	Valid visa/TRP denial letter must be provided.	EUR 250
Unable to Attend	Refers to any reason other than a visa denial such as: return to home country, medical, financial, personal, or family reasons including family medical issues etc. A written letter of explanation is required from the student outlining the reason they are unable to attend.	EUR 1000
Study Permit Processing Delay	If a student has not received a study permit approval within 12 months of TRP application, they are eligible for refund due to DELAY IN VISA PROCESS. A written letter of explanation is required from the student outlining the reason they are no longer willing to wait for TRP.	EUR 500



How to Submit A Complete Refund Request

STEP 1: Fill out a refund form (You must fill and sign our current and updated refund application).

STEP 2: send the Refund application form to refunds@stepfirstinstitute.com, along with the attached documents:

1. If TRP was denied, send a copy of denial letter from Croatian authorities.
2. If TRP was approved, and you are withdrawing, send a written letter of explanation outlining the reason you are unable to attend.
3. If TRP was delayed, send a written letter of explanation outlining the reasons why you are no longer willing to wait for TRP.

STEP 3: you will receive an email acknowledging your refund request from SFI.

NOTE: If you have submitted a Refund Request prior to 01.04.2022. and your request was not solved up to 01.04.2022, please be advised that you should adhere to the updated Refund Policy and RE-SUBMIT YOUR REQUEST as per updated Policy, if you wish to proceed with your refund.



STEP FIRST INSTITUTE - Refund request form

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Student registration number SFI 21 166 _____

Name and surname: Amir Hassan Afridi

Address: Post office ,Bara Qambarabad, Dist Bara Khyber

e-mail: yasirafri958@gmail.com

Agent: _____

Course applied for: OTIIM LEVEL 4 Diploma In Tourism

Date of fee payment: 18/05/2022

Exact amount of fees paid*: (2850 euros)

*Proof of fee payment (please attach the copy of bank transfer you made)

REASON FOR REFUND (please choose one option):

- a) Denied Temporary Residence Permit
- b) Unable to Attend
- c) Study Permit Processing Delay

*Please attach the copy of TRP/ visa refusal for a); or a letter of explanation for b) or c)

Account number (for international transactions): 1000/00004315 (IBAN) IT12B0306964899100000004315

Name of account holder: yasir mohammad

Address of account holder: via Giacomo mateotti 31, Belluno 32100 Italy

Bank name: Intesa san paolo

Bank address: via Roma 3, Maniago, Italy

Branch: _____

SWIFT/BIC: 0000/09000011

Handwritten signature (please sign by hand and send us the scanned document)

Date of submission: 18/05/2022

From Director of Studies tihana@stepfirstinstitute.com

To Mohammad Yasir yasirafridi958@gmail.com

Date 4 Mar 2023 at 2:50 PM



Standard encryption (TLS)

[Learn more](#)

Dear Mohammad Yasir!

Attached is the first part of the refund. The remaining sum you will receive within 30-45 days, as we are waiting to recover our financial losses by working on other projects.

...



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Poštarina plaćena
Hrvatskoj pošti



N/p: gđa TIHANA ŽANJKO, RAVNATELJ
INSTITUT PRVI KORAK - USTANOVA
ZA OBRAZOVANJE ODRASLIH
ULICA PAVLA HAJZA 21
10 000 ZAGREB

VRATITI

NE PRIMA UMRO

NEPOZNAT OTPUTOVAN

ODSELIO NIJE TRAZIO

ADRESA NEDOVOLJNA

NE POSTOJI VIŠE