



# VET Student Loan Tuition Fee Review, Refund and Recredit Policy and Procedure

## Purpose

This policy applies to all students who are entitled to a VET Student Loan, including those who choose not to access it. It describes the process for student withdrawal from a VET course of study and/or VET unit/s of study and application for review, refund of fees or recredit of a VET Student Loan balance in accordance with the [VET Student Loans Act 2016](#) (the Act) and [VET Student Loans Rules 2016](#).

## Definitions

**AAT** – *Administrative Appeals Tribunal*

**Census Date** – *the last day a student may withdraw from a VET Unit of Study in which they are enrolled without incurring a liability for tuition fees or a VET Student Loan debt. Census Date cannot be earlier than 20% of the way through the unit.*

**North Regional TAFE or The College** – *refers to North Regional TAFE, including all its campuses and delivery centres.*

**Fee Refund** – *refund of any up-front payment of tuition fees.*

**Fee Recredit** – *recredit of the applicable VET Student Loan balance.*

**HEIMS** – *Higher Education Information Management System*

**Review Officer** – *A staff member more senior to the original decision maker who will review the original decision.*

**Secretary** – *Commonwealth Government Department of Education.*

**VET** – *Vocational Education and Training*

**VET Course of Study** – *a structured program consisting of a number of units of study that lead to an award of a VET Diploma or above qualification.*

**VSL** - *VET Student Loan. An income contingent loan scheme for the VET sector that is part of the Higher Education Loan Program (HELP). The relevant Commonwealth department for the purposes of a VET Student Loan is the Department of Education.*

## Policy

- To be eligible for a VSL, a person must meet the Commonwealth's citizenship and academic eligibility requirements as outlined in the [VET Student Loans Information Booklet](#).
- North Regional TAFE will repay to a student who is, or would be, entitled to a VSL any VET tuition fees that he or she may have paid up front for a VET unit of study if the student withdraws from that unit on or before the relevant census date.
- This does not apply where VET tuition assurance arrangements have been activated and the student has elected the VET course assurance option for that unit.



- Students must advise in writing on or before the relevant census date of their intention to withdraw.
- No charges are applied to applications for withdrawal.
- If a student withdraws after the relevant census date, they will not be entitled to a fee refund and will be liable for a VSL debt.
- A student may apply to the College for their VSL debt to be re-credited under section 68 of the Act because of special circumstances.
- Applications for recrediting under section 68 of the Act must be made within 12 months after the census day for the course, or the part of the course concerned, or within that period as extended by the College.
- A Student may also apply to the Secretary for their FEE-HELP balance to be recredited under section 71 of the Act because:
  - The College, or a person acting on behalf of the College, engaged in unacceptable conduct in relation to the student's application for the VSL, or,
  - The College has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.
- The application for recrediting under section 71 of the Act must be made within five years after the census day of the course, or part of the course concerned, or within that period as extended by the Secretary.
- If a student's application for a recredit after the census date has passed is unsuccessful, the student is entitled to have that decision reviewed.
- A student will not be victimised or discriminated against for:
  - Seeking a review or reconsideration of a decision, or,
  - Using the College's processes or procedures about dealing with grievances; or
  - Making an application under Part 6 of the Act for recrediting of their Fee-HELP balance.

## Application for Refund/Recredit of Fees

- Students must advise in writing of their intention to withdraw from a course or part of a course by completing the Application for Withdrawal or Refund form available on our [Website](#) or by contacting on 1300 996 573.
- Withdrawal Form submitted on or before census date:
  - Student will receive 100% refund for tuition fees paid up front.
  - Student will not incur a VSL debt.
- Withdrawal Form submitted after census date:
  - No refund of fees is applicable unless special conditions apply.
  - Student may still be liable for a VSL debt.
- Special Circumstances:

Where withdrawals are submitted after the relevant census date, the student may apply for a refund or to have their FEE-HELP balance recredited (and thus their VSL debt remitted) under special circumstances. Under the Act, special circumstances may apply if a student can demonstrate that the circumstances are:

  - Beyond the student's control and,



- Did not make their full impact on the student until on, or after the census date for a course, or the part of the course and,
- Made it impracticable for the student to complete the requirements for the course, or part of the course during the student's enrolment in the course or part of the course.

Further details about special circumstances are explained in Section 4.8. "Processes and procedures relating to recrediting a HELP balance" of the [VET Student Loans Manual for Providers](#).

- Applications for recrediting under Section 68 of the Act should be submitted by the student to Client Services at their local campus.

### Application for Recredit – Special Circumstances

- An application for recrediting under section 68 of the Act must be made in writing within 12 months of the census date. The student must complete the [Student Application for Special Circumstances Remission/Recredit of VET Student Loan form](#). This form can be downloaded from the College website. All applications must include independent supporting documentation. This documentation must include enough information to support the application claims.
- The College may waive the 12-month application period from the time of withdrawal on the grounds that it was not possible to apply within that period.
- A student cannot apply for a recredit of the VSL debt if they have successfully completed the course or part of the course.
- Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim. Client Services will document their assessment of the claim by completing the form "Special Circumstances Application for Remission/Recredit of VET Student Loan- Assessment form.
- The Manager Client Services will then make a recommendation to the Director Organisational Services and the Managing Director.
- The College will recredit the VSL balance if it is satisfied that special circumstances apply to the student. The situation would generally be expected to be unusual, uncommon, or abnormal.
- The Manager Client Services, or delegate, will advise the student of the outcome of the application within 28 days for the receipt of the original application stating the reasons for making the decision.
- If the application is successful, the College will arrange for appropriate refund of paid tuition fees and recredit of the applicable VSL debt. If the application is unsuccessful the student will be advised that they can apply for a 'Review of a Decision'.
- The Secretary may recredit a student's FEE-HELP balance in relation to special circumstances if the College:
  - is unable to act, or has been dissolved.
  - Has failed to act and the Secretary is satisfied that the failure is unreasonable.

### Reconsideration or Review of Decisions

- There is no charge for reconsideration or review of decisions, other than review by the AAT.
- The request to review a decision must be made in writing and within 28 days of receipt of the original decision, or a longer period as allowed by the Review Officer.



- The request must specify the reasons for making the request and include any supporting documentation.
- The review will be carried out by the Review Officer, who will document the review using the form Student Application for Special Circumstances Application for Remission/Recredit of VET Student Loan – Review of Assessment form.
- The Review Officer will review the case within two weeks and advise the student of the decision and the reasons in writing. If the Review Officer has not advised the student of a decision in 45 days of receiving the request for review, the Review Officer is taken to have confirmed the original decision.
- If the application is successful, the College will arrange for appropriate refund of paid tuition fees and recredit of the applicable VSL debt.
- If the application is unsuccessful, the student will be advised they have the right to apply to the AAT for a review of the original decision or a decision that has been reviewed.

Please note: The AAT only has jurisdiction to hear appeals in relation to recredits and not refunds. Application to the AAT must be made within 28 days of a decision for a review of the decision. Further information regarding the appeal process including application fees can be found at <http://www.aat.gov.au/applying-for-a-review>.

Contact the AAT at:

*Administrative Appeals Tribunal Level 5 111 St Georges Terrace Perth WA 6000*

*Phone: 1800 228 333*

*Email: [perth.registry@aat.gov.au](mailto:perth.registry@aat.gov.au)*

- The Secretary or the Secretary's delegate, will be the respondent for cases that are brought before the AAT.
- Upon the Secretary's receipt of a notification from the AAT, the Secretary will notify the College that an appeal has been lodged. Upon receipt of this notification from the Secretary, the Review Officer will provide the Secretary with copies of all the documents they are holding that are relevant to the appeal within five business days by courier or express post.
- Once the documents are received, the Secretary may choose to review the original decision. However, until a person withdraws their AAT appeal, or the appeal is dismissed or otherwise dealt with by the AAT, the Secretary is still required to comply with the requirement under section 37 of the *Administrative Appeals Tribunal Act 1975* to lodge the statement, and relevant documents described in the two dot points above, with the AAT. The department will deal with cases from that point and advise the provider of the outcome.
- Where a decision results in the recrediting of a person's FEE-HELP balance, the College will be notified and must report this outcome via submission of a HEIMS revisions file. The College is required to repay to the Commonwealth any amounts of VSL received from the Commonwealth on the person's behalf through subsequent reconciliations, unless the department decides to issue a separate invoice.



## Document owner to complete

Document owner	Manager Client Services	
Responsible committee	Executive Management Team	
Responsible director	Director Organisational Services	
Related policies and documents	<a href="#">Student Application for Special Circumstances Remission/Recredit of VET Student Loans-Form</a> <a href="#">VET Student Loans Act 2016 (Cth)</a> <a href="#">VET Student Loans Manual for Providers</a> <a href="#">VET Student Loans Information Booklet.</a> <a href="#">Special Circumstances Application for Remission/Recredit of VET Student Loans – Assessment form</a> <a href="#">Special Circumstances Application for Remission/Recredit of VET Student Loans – Review of Assessment form</a>	
If applicable	Document number	Document name
Removal required of superseded policy or another document?	N/A	Not applicable

## Executive Officer to complete

Date approved	17 May 2022
Date of next review	17 May 2025

Refer to [Policy Management Framework](#) in order follow approval process for policy including ensuring important areas for consideration are addressed and applicable consultation is undertaken.