



Policy and Procedure for VET Student Loan Tuition Fee Review, Refund and Recredit (SA015P)

Issue: 1.1

Date Approved/Endorsed: 11/03/2022

Next Review: 11/03/2025

1 Objective

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](#) and [VET Student Loans Rules 2016](#).

2 Policy

- 2.1 To be eligible for a VET Student Loan, a person must meet the Commonwealth's citizenship and academic eligibility requirements as outlined in the [VET Student Loans Information Booklet](#).
- 2.2 Central Regional TAFE (the College) will repay to a student who is, or would be, entitled to a VET Student Loan 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.
- 2.3 Students must advise in writing on or before the relevant census date of their intention to withdraw.
- 2.4 No charges are applied to applications for withdrawal.
- 2.5 If a student withdraws after the relevant census date, they will not be entitled to a fee refund and will be liable for a VET Student Loan (VETSL) debt.
- 2.6 A student may apply to the College for their VETSL debt to be re-credited under section 68 of the Act because of special circumstances.
- 2.7 Applications for re-crediting 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.
- 2.8 A Student may also apply to the Secretary for their FEE-HELP balance to be recredited under section 71 of the Act because:
 - a) The College, or a person acting on behalf of the College, engaged in unacceptable conduct in relation to the student's application for the VET student loan, or,
 - b) The College has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.
- 2.9 The application for re-crediting under section 71 of the Act must be made within 5 years after the census day of the course, or part of the course concerned, or within that period as extended by the Secretary.
- 2.10 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.

2.11 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 re-crediting of their Fee-HELP balance.

3 Procedures

3.1 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 ([SA013F1](#)) and submitting it to Student Administration at their local campus.

3.1.1 Withdrawal Form submitted on or before census date:

- Student will receive 100% refund for tuition fees paid up front.
- Student will not incur a VETSL debt.

3.1.2 Withdrawal Form submitted after census date:

- No refund of fees is applicable unless special conditions apply.
- Student may still be liable for a VETSL debt.

3.1.3 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 VETSL 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 re-crediting a HELP balance" of the [VET Student Loans Manual for Providers](#).

3.1.4 Applications for re-crediting under Section 68 of the Act should be submitted by the student to the VET Student Loan Officer at their local campus.

3.2 Application for Recredit – Special Circumstances

3.2.1 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/Re-credit of VET Student Loan form ([SA015F1](#)). 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.

3.2.2 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.

- 3.2.3 A student cannot apply for a re-credit of the VETSL debt if they have successfully completed the course or part of the course.
- 3.2.4 Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim. The VET Student Loan Officer will document their assessment of the claim by completing the form "Special Circumstances Application for Remission/Re-credit of VET Student Loan Assessment ([SA015F2](#)).
- 3.2.5 The VET Student Loan officer will forward the completed assessment form to the Manager Client Services for Review. The Manager will then make a recommendation to the Director Organisational Services and the Managing Director.
- 3.2.6 The College will recredit the VET Student Loan balance if it is satisfied that special circumstances apply to the student. The situation would generally be expected to be unusual, uncommon, or abnormal.
- 3.2.7 The Manager Client and Administration 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.
- 3.2.8 If the application is successful, the College will arrange for appropriate refund of paid tuition fees and recredit of the applicable VETSL debt. If the application is unsuccessful the student will be advised that they can apply for a 'Review of a Decision'.
- 3.2.9 The Secretary may-recredit a student's FEE-HELP balance in relation to special circumstances if the College:
- is unable to act, is being up or has been dissolved.
 - Has failed to act and the Secretary is satisfied that the failure is unreasonable.

3.3 Reconsideration or Review of Decisions

- 3.3.1 There is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal (AAT).
- 3.3.2 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.
- 3.3.3 The review will be carried out by the Review Officer, who is senior to any person involved in making the original decision. The Review Officer will document the review using the form Special Circumstances Application for Remission/Recredit of VET Student Loan – Review of Assessment ([SA015F3](#))
- 3.3.4 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.
- 3.3.5 If the application is successful, the College will arrange for appropriate refund of

paid tuition fees and recredit of the applicable VETSL debt.

- 3.3.6 If the application is unsuccessful, the student will be advised they have the right to apply to the Administrative Appeal Tribunal (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

- 3.3.7 The Secretary of the Commonwealth of Australia represented by the department that has responsibility for administering the [VET Student Loans Act 2016](#) (the Department) or the Secretary's delegate, will be the respondent for cases that are brought before the AAT.

Upon the Department's receipt of a notification from the AAT, the Department will notify the College that an appeal has been lodged. Upon receipt of this notification from the Department, the Review Officer will provide the Department with copies of all the documents they are holding that are relevant to the appeal within five (5) business days by courier or express post.

Once the documents are received, the Department 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 department 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 re-crediting 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 VET Student Loan received from the Commonwealth on the person's behalf through subsequent reconciliations, unless the department decides to issue a separate invoice

4 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.

Central Regional TAFE or The College – refers to Central 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.

Secretary – Commonwealth Government Department of Education.

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.

VET Student Loan (VETSL) – an income contingent loan scheme for the vocational Education and Training (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.

5 References

[Administrative Appeals Tribunal Act 1975](#)

[VET Student Loans Act 2016](#)

[VET Student Loans Rules 2016](#)

[VET Student Loans Manual for Providers](#)

[VET Student Loans Information Booklet.](#)

6 Documentation

Application for Withdrawal or Refund ([SA013F1](#))

Student Application for Special Circumstances Remission/Recredit of VET Student Loan ([SA015F1](#))

Special Circumstances Application for Remission/Recredit of VET Student Loan – Assessment ([SA015F2](#))

Special Circumstances Application for Remission/Recredit of VET Student Loan – Review of Assessment ([SA015F3](#))

7 Responsibilities

Responsible Director	Director Organisational Services
Responsible Officer for implementation and monitoring	Manager Client and Administration Services
Approved by	Director Organisational Services
Endorsed by	N/A

8 Revision History *(Planning and Quality Use Only)*

Issue number	Review date	Amendment details
1.1	11/03/2022	Changes to wording including more detail to comply with VET Student Loans Act 2016 and VET Student Loans Rules 2016. No change to the intent of the Policy or Procedure. Three new forms developed.