

## VET STUDENT LOANS – RE-CREDITING AND REVIEW PROCEDURES

ACMUSE has procedures in place for the re-crediting and review of a student's FEE-HELP balance as outlined below under Part 6 of the Act.

### **Withdrawal on or before the end of the Census date**

Students who withdraw from a VET Unit of Study or VET Course on or before the end of the census date will be withdrawn without financial or academic penalty and shall have their FEE-HELP balance re-credited and will not incur a VET Student Loans debt. Any fees paid for the VET unit of study or VET Course on or before the end of the census date will be refunded.

### **Special Circumstances applying to have FEE-HELP balance re-credited**

If after the census date you become seriously ill or other special circumstances apply you may apply to ACMUSE to have your FEE-HELP balance re-credited. A person cannot apply for a re-credit if they have successfully completed a VET unit of study. You must submit your application in writing with supporting documentation within 12 months of your withdrawal or if you did not withdraw within 12 months of the end of the period of study in which the VET unit of study was to be completed.

### **Special Circumstances that apply are as follows:**

- Beyond a person's control – if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible. This situation must be unusual, uncommon or abnormal, and
- Do not make full impact until on or after the census date –if the person's circumstances occur;
  - before the census date, but worsen after that day
  - before the census date, but the full effect does not become apparent until after that day; or
  - on or after the census date, and
- It is impracticable for the person to complete the unit of study requirements circumstances such as;
  - medical; where a person's medical condition has changed to such an extent that he or she is unable to continue studying;
  - family/personal circumstances. For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a person to continue studies;
  - employment related circumstances. For example, where a person's employment status or arrangements have changed so that the person is unable to continue his or her studies, and this change is beyond the person's control
  - course related circumstances. For example, where ACMUSE has changed the VET unit of study offered and the person is disadvantaged by either not being able to complete the VET unit/s of study or VET courses.
- A person is unable to complete the requirements for a VET unit of study, for example, if the person is unable to:
  - undertake the necessary private study required, or attend sufficient lecturers or tutorials or meet other compulsory attendance requirements on order to meet their compulsory course requirements



- complete the required assessable work
- sit the required examinations
- complete any other course requirements because of their inability to meet the above
- **Special circumstances do not include for example,**
  - lack of knowledge or understanding of how VET Student Loans works
  - a person's incapacity to repay a debt, as repayments are income contingent and the person can apply for a deferral of a compulsory repayment in certain circumstances

### **Notification**

ACMUSE's nominated officer will review applications promptly and will notify the student of the decision in writing within one month of receiving the application. ACMUSE will advise the student of their rights for a review of the decision if the student is unsatisfied with the outcome.

The student will be advised that the time limit for applying for a review is 28 days from the day the applicant first received notice of the decision.

### **Applying for a Review of the Decision**

The student must state the reason why they are applying for a review of a decision. The person responsible for reviewing the decision will be the CEO.

ACMUSE will:

- acknowledge receipt of the request for a review
- notify the student in writing of the reviewer's decision and the reasons for making the decision
- inform the student that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision
- advise the student of their right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision if the applicant is unsatisfied with the outcome; and
- provide the applicant with the contact details and address of the nearest AAT registry

### **Reconsideration of the reviewable decision by AAT**

A person may make an application to the AAT for a reconsideration of a provider's decision to refuse to re-credit or remit, and may supply additional information to the AAT that they did not previously supply to ACMUSE (including the ACMUSE reviewer).

The AAT website is: <http://www.aat.gov.au/>

The closest AAT registry is located at:

Administrative Appeals Tribunal

Level 7, City Centre Tower

55 Market Street

Sydney NSW 2000

Opening hours: Mon-Fri 8.30am-5pm

Telephone:

(02) 9391 2400 (metropolitan area)

1300 366 700 (country areas)



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A map and full contact information are available at:

<http://www.aat.gov.au/ContactUs/NSW.htm>

Details of fees for lodging an appeal with the AAT are outlined at:

<http://www.aat.gov.au/FormsAndFees/Fees.htm>

If a fee is payable, the standard application fee is \$884 (from 1 July 2016). In certain circumstances, this fee can be reduced to \$100. These costs can be subject to change. These fees are the responsibility of the applicant.

Full details of the application process and fees payable are available on the AAT Registry's website: [www.aat.gov.au](http://www.aat.gov.au). Fees are subject to change so please refer to the website for further details. Applications cannot proceed until the fee has been paid or waived.

Applications for fee waiver must be made to the AAT refer to the AAT website for more details. The Secretary of the Department, or the Secretary's delegate, will be the respondent for cases that are brought before the AAT. When the department receives notification of an application to the AAT, the department will notify ACMUSE that an appeal has been lodged. Upon receipt of this notification from the department, the nominated Review Officer will provide the department with copies of all the documents that are relevant to the appeal within five business days.