

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

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Students who withdraw from a VET Unit of Study or VET Course on or before the end of the census date will be withdrawn without financial or academic penalty and shall have their FEE-HELP balance re-credited and will not incur a VET Student Loans debt.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

Special circumstances are specified under the VET Student Loans Act 2016. All decisions to re-credit a HELP balance can only be made in accordance with the requirements of the Act. Requests for re-crediting a HELP balance should be made within 12 months of the census day of the Unit of Study/Part of a Course (unless the provider is satisfied your application could not be made within the time frame because of special circumstances).

Students cannot apply for a re-credit if they have successfully completed the course. Students who have not completed the course can apply for a re-credit for a Unit of Study where the 'Special Circumstances' criteria apply.

### Process to Apply for Recredit a Help Balance

Please send an email to [service@sydneyartschool.com.au](mailto:service@sydneyartschool.com.au) with the title "Application to Recredit a Help Balance – [Your Full Name]"

In the body of the email please provide the following information

1. Your Full Name:
2. Date of Application:
3. The Unit of Study you wish to receive special consideration:
4. Details of the Special Circumstances
5. A declaration statement as follows;

*"I wish to apply for a re-credit of the detailed help balance. I declare that the information that I have provided is true and accurate"*

Attach **certified** copies of any evidence in support of your application.

## Notification of Decision

SAS's nominated officer will review applications promptly and will notify the student of the decision in writing within one month of receiving the application. SAS 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 Principal.

SAS 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 SAS (including the SAS reviewer).

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

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>

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.

## Special circumstances for re-crediting a student's HELP balance

### Special Circumstances

A provider must re-credit if satisfied that special circumstances prevented, or will prevent the student from completing the requirements for the course, or part of the course and that:

- are beyond the student's control; and
- do not make their full impact on the student until on or after the census day for the course or the part of the course; and
- made it impracticable for the student to complete the requirements for the course, or the part of the course during the student's enrolment in the course, or the part of the course. [VET Student Loans Act (2016) Part 6; Division 2; Section 68]

1. Beyond the student's control - Circumstances could be considered beyond the student's control if a situation occurs that a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible. This situation would generally be expected to be unusual, uncommon or abnormal.

2. Do not make full impact until on or after the census day - Circumstances could be considered not to make their full impact on the student until on or after the census day for the course or the part of the course if the student's circumstances occurred:

- before the census day, but worsen after that day
- before the census day, but the full effect or magnitude does not become apparent until after that day; or
- on or after the census day.

Students do not need to demonstrate they were unable to withdraw from the unit of study prior to the census day.

**Pre-existing conditions** – A circumstance that first occurred before the census day may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day. For example, a student may have an illness or other underlying, pre-existing condition or incapacity prior to the census day for the course or the part of the course, but that condition may worsen, or that student may suffer from an aggravation, deterioration or episode, after the census day.

Alternatively, the full implications of a student's condition may not have been apparent until after the census day. This may be because recovery does not go to plan, or the degree of disability or incapacity for study are not fully realised until after the census day.

3. Impracticable for the student to complete the requirements for the course, or the part of the course during the student's enrolment - Circumstances that make it impracticable for the student to complete the requirements for their course or part of the course may include:

- medical circumstances, for example, where a student's medical condition has changed to such an extent that he or she is unable to continue studying.
- family/student circumstances, for example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies.
- employment related circumstances, for example, where a student's employment status or arrangements have changed so the student is unable to continue their studies, and this change is beyond the student's control; or
- course related circumstances, for example, where the provider has changed the course or parts of a course it had offered and the student is disadvantaged by either not being able to complete the course or parts of a course, or not being given credit towards other or courses or parts of a course.

**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