VSL STUDENT TUITION FEE, RECREDIT AND REFUND INFORMATION

Key dates

Payments, withdrawals and refunds for VET Student Loans enabled courses are based on advertised Units of Study/Parts of a Course and are managed according to key dates:

Start date: this is the date on which your Unit of Study begins

Census day: this is a minimum of 20% of the way through a Unit of Study/Part of a Course. If you are taking out a loan, it is the date by which your enrolment in the Unit of Study is confirmed and you incur a debt

End date: this is the date on which your Unit of Study finishes.

Withdrawing

All students who withdraw from a Unit of Study/Part of a Course or the whole course need to advise the college in writing using the VET Student Loans Withdrawal & Deferral Application form.

Withdrawing on or before the Census day

If you withdraw on or before the Census day, this means that you:

- are entitled to a refund if you have paid upfront; or
- do not incur a debt if you have taken out a VET Student Loan.

Withdrawing after the Census day

If you withdraw *after* the Census day has passed, this will mean that you:

- receive no refund if you have paid upfront; or
- are liable for the full debt if you have taken out a VET Student Loan.

Applying to re-credit a HELP Balance

If you withdraw *after* the census day and can demonstrate 'special circumstances' you will be eligible for either a refund, if you have paid up-front, or a re-credit of your HELP balance if you have taken out a VET Student Loan.

Special circumstances* are outlined below and in the VSL Student Manual which you are required to read prior to enrolment. You will need to complete the VET Student Loan Application to Re-credit a HELP Balance form. The application must be submitted within 12 months of the census day of the Unit of Study/Part of a Course and include any independent documentation to support your claim, for example, a letter from your doctor or counsellor.

You will be notified in writing about the outcome of your application.

If your VETSL balance for a Unit of Study/Part of a Course is re-credited, any HELP debt you have incurred for that unit will also be removed including any indexation which may have been applied.

You are not eligible to apply for a re-credit if you have successfully completed the VET Unit of Study/Part of a Course.

Review and appeals

If your application for a re-credit is not successful, you can request a review of the decision. See the VSL Student Review Information. Further information regarding relevant procedures is available in the *VET Student Loan Tuition Fee, Recredit & Refund Policy* and the *VET Student Loan Tuition Fee, Recredit & Refund Procedure* on the TAFE NSW website.

If your review request is unsuccessful, you may lodge an appeal to the Administrative Review Tribunal (ART). A fee for this service applies. You can contact the ART online, by email, phone, via a contact form or visit an ART office in person. Go to https://www.art.gov.au.

*There is no charge for reconsideration or review of decisions, other than review by the ART.

Students may also apply to the [Commonwealth] Secretary for their HELP balance to be re-credited in the event of unacceptable conduct by a provider. More information is available on the StudyAssist website. The [Commonwealth] Secretary may re-credit a student's HELP balance if satisfied that the course provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for a loan, or the provider has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.

Applications for re-credit under unacceptable conduct must be made within 5 years after the census day for the course, or part of the course concerned or within that period as extended by the Secretary. The [Commonwealth] Secretary may re-credit a student's HELP balance in relation to special circumstances if a course provider is unable to act or is being wound up or has been dissolved, or has failed to act and the Secretary is satisfied that the failure is unreasonable.

If TAFE NSW ceases to deliver a course and a suitable replacement course is not available, TAFE NSW will re-credit the loan amount or refund any upfront payment made for any affected UoS that has not been completed.

For more information, go to the VET Student Loans page of the TAFE NSW website.

* Special Circumstances Criteria

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 ***and***

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 ***and***

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 of 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.

A student is unable to complete the requirements for a course or part of a course, for example, if the student is unable to:
- undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
- complete the required assessable work to the required standard; or
- sit the required examinations and obtain a required mark; or
- complete any other course requirements because of their inability to meet the above.

Note: 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 inability for study are not fully realised until after the census day.