

VET Student Loans Tuition Fee, Recredit and Refund Procedure

Approved by: Chief Student and Community Officer

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Section 1. Purpose

- 1.1 TAFE NSW is required to comply with the [VET Student Loans Act \(2016\) \(Cth\)](#) and associated legislative instruments in offering the Australian Government VET Student Loans program.
- 1.2 The purpose of the VET Student Loans Tuition Fee, Recredit and Refund Procedure is to support the administrative processes of managing tuition fees, recredits and refunds for VET Student Loan students, in accordance with the legislative requirements under the VET Student Loans Act (2016) (Cth).

Section 2. Scope

- 2.1 The VET Student Loans Tuition Fee, Recredit and Refund Procedure applies to all eligible students enrolled in a VET Student Loan approved course. This procedure outlines the processes relating to VET Student Loans, including tuition fee loans, gap payments, self-payments, withdrawals, refunds and remittances (recredits) associated with the delivery of VET Student Loans (VSL) in TAFE NSW.
- 2.2 This procedure should be read in conjunction with the VET Student Loans Policy, VET Student Loans Procedure and the VET Student Loans Tuition Fee, Recredit and Refund Policy which together, provide the overarching policy framework and the related administrative processes.

Section 3. Procedure

VSL student entry & loan application

- 3.1 VET Student Loans are available to eligible students (commercial & NSW Government subsidised) who are enrolled in Australian Government approved VET Student Loans courses.
- 3.2 All students wishing to apply for a loan must be assessed for eligibility, including citizenship and residency requirements and for academic suitability prior to applying for a loan. Refer to the [StudyAssist website](#).
- 3.3 Students who elect to access a VET Student Loan must complete the electronic Commonwealth Assistance Form (eCAF). Eligible and academically suitable students will be given access to the Commonwealth Government eCAF system. Students must submit the eCAF before the first census day for the course, or any subsequent Unit of Study (UoS). A minimum of two business days is required between enrolment and applying for a loan. Students under 18 years of age must obtain [parental consent](#) prior to applying for a loan.

VSL Units of Study & key dates

- 3.4 Tuition fees are charged by Unit of Study (UoS) also referred to as Parts of a Course. The timing of payments and refunds for the VET Student Loans program is structured around key dates:
 - a. **UoS Start date:** the point at which the delivery of a UoS commences.
 - b. **Census day:** set at 20% minimum into the duration of the UoS and the date after which a student incurs a VETSL debt or must self-pay the UoS tuition fees.
 - c. **UoS End date:** the point at which a UoS concludes.

- 3.5 In TAFE NSW, UoS and Units of Competence (UoC) do not have a direct one to one relationship. A UoS can consist of many UoC (subjects) that are delivered throughout the UoS / Part of a Course.

VSL course loan cap & gap payments

- 3.6 The Australian Government sets a course loan cap on the amount that can be borrowed for each VET Student Loans Approved course. Where the course loan cap is less than the course tuition fees, the difference (the gap) must be self-paid by the student on or before the census day for the relevant UoS.

VSL tuition fees

- 3.7 The VSL course tuition fee is the total charge for the delivery and assessment of a course (including any gap fee) and applies to all students who enrol in a VET Student Loans approved course. These are published to the [TAFE NSW website](https://www.tafensw.edu.au). At TAFE NSW, VET Student Loans course tuition fees are charged by UoS over the duration of the course (see clause 3.9).
- 3.8 TAFE NSW Commercial pricing policy determines the course tuition fees for commercial (fee-for-service) courses. NSW Government subsidised training places are subject to the published Smart and Skilled course tuition fees.
- 3.9 Tuition fees must be charged over a minimum of three sequential fee periods spread evenly and proportionately across the full course duration, with a minimum of one census day in each fee period. Fees may only be incurred in line with delivery of the course and the student's progression through the course. [VET Student Loans Rules s122–124].
- 3.10 All students must be charged the same course fee regardless of their payment method (VSL loan or self-paid). Discounts for early payments or deposits are not permitted.
- 3.11 All eligible students must be offered a VET Student Loan. Only students who take out a loan or use a mix of loan and self-payment to pay for their tuition fees, will be reported to the Australian Government Tertiary Collection Student Information (TCSI) system. Students who self-pay their tuition fees in full are not reported to TCSI.
- 3.12 Students cannot be charged a course fee that is greater than the advertised fee for the course. An additional fee may be added for a 'repeat attempt' of a failed unit of competence. Students may be offered a loan for a repeat fee, providing they have not reached the course loan cap.
- 3.13 Fee reductions apply for credit transfer and recognition of prior learning. For commercial enrolments, fees may be charged for assessing an application for recognition of prior learning.

Fees other than tuition fees

- 3.14 An approved course provider must not charge fees other than tuition fees unless the provider has processes and procedures for ensuring that students understand the following:
- that the fees are not for tuition
 - the purpose of the fees
 - the student's total liability for the fees
 - when and how the fees are to be paid
- 3.15 An approved course must not require fees to be paid for the following:

- a. assessments to determine whether a student is academically suited to undertake a course
- b. applying for enrolment, or enrolling in, an approved course. [VSL Rules (2016) part 7; Division 1; Section 94].

Fees other than tuition fees may include:

- 3.16 A charge for goods or services that are not essential to the course of study. For example:
- a. access to internet and computer facilities (except where these are required as part of a course)
 - b. printing of notes from the internet or disks and
 - c. graduation ceremonies in cases where students are not required to attend the ceremony in order to obtain their award.
- 3.17 A charge for an alternative form of access to goods or services essential to the course but is otherwise made readily available at no additional cost by the provider. For example:
- a. lecture notes/ or recordings, provided lectures are made available to students free of charge
 - b. electronic provision of essential information if the information is also made readily available free of charge in another form (e.g. in the TAFE library)
 - c. reading material, such as anthologies of required readings, provided that these texts are also made readily available free of charge.
- 3.18 A charge for essential goods or services that the student has the choice of acquiring from a supplier other than the provider and is for:
- a. equipment or items that become the student's physical property and are not consumed in the course such as artwork supplies, fabric for sewing class, musical instruments, protective clothing or footwear, tool kits, stethoscopes, dance shoes and reference texts; or
 - b. food, transport and accommodation costs associated with the provision of field trips that form part of the course such as bus tickets or airfare and hotels or camping fees paid directly to the hotel or transport provider.
- 3.19 A fine or a penalty imposed principally as a disincentive and not to raise revenue or cover administrative costs. For example, review of grade if a student has already passed the subject but is seeking to improve their grade [VET Student Loans Rules Part 7; Division 6; Section 118].

Goods and services for which the provider should not charge separate fees

- 3.20 Goods and services for which the provider should not charge separate fees include:
- a. course materials, such as subject outlines, reading lists, tutorial or seminar topics, assignment and essay questions and requirements or guidelines for the presentation of work
 - b. access to library books, periodicals and guides
 - c. clinic, laboratory or workshop materials such as anaesthetics, chemicals, filters, fuel, fertilisers, animal feed or crops used in practical sessions or research
 - d. access to computers or other on-line resources
 - e. admissions services including application fees (except for special admissions tests)

- f. equipment and manuals which a professional in the field would not be required to own, such as fixtures in a clinic, laboratory or workshop; or large items of equipment and relevant workshop manuals required for their use
- g. examinations or assessments including practical assessment, for example, which requires the services of musical accompanists
- h. reassessment of results where a student has failed an assessment and thereby failed a subject or VET unit of study
- i. mailing charges associated with distance education
- j. course notes provided as part of distance education.

VSL student payments

- 3.21 Students have until the census day (of a UoS) to apply for a VET Student Loan.
- 3.22 Students not intending to take a VET Student Loan are required to pay their UoS tuition fees (in full or in part) on or before the census day of each UoS.
- 3.23 Students must pay any mandatory gap fee (if applicable) on or before the census day for the relevant UoS.
- 3.24 Students who access a VET Student Loan repay their loan, including any applicable loan fees, through the Australian Taxation Office (ATO). Repayments begin once the student's income meets or exceeds the minimum repayment threshold. This threshold is indexed annually in line with the Consumer Price Index (CPI). Information is available on the [StudyAssist website](#).
- 3.25 A VET Student Loan is a debt that is incurred by the student personally. Payments of that debt to the Australian Government remains the student's responsibility, regardless of course completion or withdrawal.

VSL student progression

- 3.26 Students are required to confirm with the Australian Government at least three times per year that they are a genuine student and still progressing through their course. If students do not comply with this requirement, they may not be eligible for a loan to continue with their study.
- 3.27 Debt can only be incurred in line with progression through a course. Additional fees cannot be added if a student is not participating and progressing through a course. Any fees charged to a non-genuine student must be reversed as an administrative error.

VSL student withdrawal

- 3.28 Students who intend to withdraw from a course (or UoS) must notify TAFE NSW in writing using the [TAFE NSW VET Student Loans Withdrawal & Deferral Application](#) form.
- 3.29 Students must withdraw or defer on or before census day to avoid incurring additional tuition fees. After the census day the student incurs liability for their tuition fees for the UoS.
- 3.30 Students may notify TAFE NSW of their intention to withdraw verbally and by email. Initial withdrawal requests will be accepted in any form; however, students should subsequently submit the formal [TAFE NSW VET Student Loans Withdrawal & Deferral Application](#).

VSL tuition fee refunds

- 3.31 Students who withdraw on or before a census day will receive a full refund of their tuition fees if they have self-paid (for that UoS). If they have applied for a VET Student Loan, they will not incur the debt (for that UoS).
- 3.32 Students who withdraw after the census day will:
- not receive a refund for any self-paid tuition fees;
 - incur the full VET Student Loan (VETSL) debt for the relevant unit of study (UoS), where a loan has been accessed; and
 - only be eligible for a refund in special circumstances (see VSL Recredits for Special Circumstances below).

VSL re-credits and remittances

- 3.33 Students who take a loan and withdraw from their UoS after census day, may be eligible to have their HELP balance re-credited under special circumstances. Students who have self-paid may be eligible for a refund of their tuition fees under special circumstances (see section 3.10).
- 3.34 Students must submit an application to TAFE NSW to request a recredit of their HELP balance by completing the [VSL Application to recredit 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. The application form provides information regarding the special circumstances criteria that may apply when requesting a recredit of a HELP loan balance under the VET Student Loans Act (2016).
- 3.35 TAFE NSW has the discretion to waive the 12 months requirement, if satisfied that the application could not be made within the time limit due to circumstances which prevented the student from applying. [VET Student Loans Act (2016) Part 6; Division 2; Section 68].
- 3.36 If a student submits a re-credit application after the 12-month period and the application is not accepted, the student will be notified in writing and advised of their right to appeal the decision.
- 3.37 A TAFE NSW delegated officer should consider the student's application as soon as practicable.
- 3.38 Students must be notified of the outcome and provided with the reasons for the decision.
- 3.39 Students must be advised of their rights for a review of the decision if a student is dissatisfied with the outcome. Decisions regarding re-crediting a student's HELP balance are reviewable.
- 3.40 Students must be advised that they have 28 days from the date they first received notice of the decision, to apply for a review of that decision (see VSL Review procedures below).
- 3.41 Students who have self-paid, whose application is not successful, cannot apply for a review of a decision not to re-credit a HELP balance.
- 3.42 Students who have successfully completed the course cannot apply for a re-credit or refund due to special circumstances.
- 3.43 There is no fee to apply for a re-credit, and students will not be charged a cancellation fee if their debt is remitted or a refund is approved due to special circumstances.

- 3.44 TAFE NSW will re-credit a VETSL debt or provide a refund if the special circumstances criteria are met. A VETSL debt for a UoS is remitted once the student's HELP balance has been re-credited. Approvals for recredits and refunds are made in line with the TAFE NSW Delegations Manual.
- 3.45 All successfully approved re-credit outcomes must be forwarded to the TAFE NSW Student Loans Unit for processing with the Australian Government (see VSL Recredits by the Australian Government below).
- 3.46 Staff involved in the VET Student Loans program must complete appropriate training. For further information and document templates, refer to the VET Student Loans SharePoint.

VSL re-credits for special circumstances

- 3.47 Students must apply for a re-credit by completing the [VSL Application to recredit a HELP Balance](#) form within 12 months of the census day of the Unit of Study/Part of a Course.
- 3.48 A student's application must include independent supporting documentation, such as a letter from a doctor or counsellor that substantiates the circumstances described.
- 3.49 Each application will be assessed on its individual merits. The delegated TAFE NSW officer will consider the students statements along with the supporting evidence provided.
- 3.50 Student must demonstrate that they meet the 'Special Circumstances' criteria as per below:
- a. **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.
 - b. **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 course prior to the census day.*
 - c. **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 or 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 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.
- d. **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 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 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.

Considerations should include whether the student's circumstances changed on or after the census day and when the full effect or magnitude of the circumstances became apparent, considering any additional circumstances, including continuation of a pre-existing condition that may have affected the student on or after the census day.

VSL review procedures

- 3.51 The Student Services Finance team has a delegated Review Officer as per the TAFE NSW Delegations Manual to reconsider decisions not to re-credit a student's HELP balance.
- 3.52 Review Officers will not be the same officer who made the original decision and must hold a position that **is at a senior level** to the person who made the original decision.
- 3.53 The Student Services Finance team will:
 - a. Provide the student with the *VSL Application to review a decision not to re-credit a HELP Balance* form and explain the requirements involved in submitting a valid review request.
 - applications for a review of a decision must be made 28 days from the day the student first received notice of the decision not to re-credit
 - reasons must be provided as to why the student is applying for a review.
 - b. Acknowledge receipt of an application in writing and inform the applicant that a response will be provided within 45 days of receiving the application for review.
 - c. Forward the application to the Review Officer who will:
 - confirm the original decision
 - vary the decision, or
 - set the decision aside and substitute a new decision.
- 3.54 All successfully approved review outcomes must be forwarded to the TAFE NSW Student Loans Unit for processing with the Australian Government.

- 3.55 The student must be notified in writing of the outcome of the review, including the reasons for the decision within the available options. A copy of the notification and all supporting documentation must be provided to the TAFE NSW Student Loans Unit.
- 3.56 Students whose application was unsuccessful must be advised in writing, that they have the right to apply to the Administrative Review Tribunal (ART) for a review of the decision.
- 3.57 Students must be advised in writing, of the contact details and address of the nearest ART registry and the approximate costs of lodging an appeal:
- Administrative Review Tribunal (ART)** – <http://www.art.gov.au> - Phone: 1800 225 333
 NSW Sydney Registry – Administrative Review Tribunal (ART) Level 6
 83 Clarence Street SYDNEY NSW 2000
- 3.58 The TAFE NSW Student Loans Unit Manager is the designated contact for appeals lodged through the Administrative Review Tribunal. The Manager will provide the Australian Government with all relevant documentation held by TAFE NSW within five business days of receiving a request. The Australian Government will assess the appeal and advise TAFE NSW of the outcome. The Manager will retain all original documents and copies in accordance with TAFE NSW's standard record management procedures and applicable legislative requirements.

VSL decision notifications to the Australian Government

- 3.59 The Student Finance Team must notify the TAFE NSW Student Loans Unit of successful recredit or review applications to commence the revisions process of recrediting the students HELP Balance.
- 3.60 The TAFE NSW Student Loans Reporting team will notify the Australian Government of successful recredits or refunds, via the Tertiary Collection of Student Information System (TCSI).

VSL re-credits by the Australian Government

- 3.61 Students are entitled to apply to the Australian Government for a remittance of their HELP debt under expanded circumstances relating to unacceptable conduct by a provider or its agent that occurred on or after 1 January 2016, including but not limited to the following:
- a. failure to have a responsible parent consent for an under 18 students
 - b. misrepresentation, whether by publication or otherwise, that a VET Student Loan is not a loan or does not have to be repaid
 - c. when marketing through social media, mentioning the availability of a VET Student Loan (however described) for students undertaking a course [VET Student Loans Rules 2016 Part 7; Division 8; Section 143]
 - d. providing a prohibited inducement to enrol
 - e. cold calling another person to market, advertise or promote a course and when doing so, or as a result of doing so, mentioning the possible availability of a VET Student Loan (however described) for students undertaking the course. Cold calling includes making unsolicited contact in person or by telephone, email or other form of communication
 - f. inappropriate use of a third-party contact list
 - g. failure to provide accurate eligibility, fee and other mandatory information
 - h. offering a loan to an ineligible student

- i. accepting a request for VET Student Loans assistance within two business days of the student enrolment
- j. failure to publish fees on the VET provider's website prior to enrolment
- k. failure to comply with the fee-period requirement
- l. failure to provide students with mandatory VET Student Loans notices, including Invoice Notices and Commonwealth Assistance Notices (CANs)
- m. failure to withdraw a student in a timely manner
- n. after a student has withdrawn from a unit of study/part of a course or course, enrolling a student in a further unit of study/part of a course without the student's written permission
- o. having an arrangement (whether written or not) with a broker or agent that provides for another person to do one or more of the following in relation to a VSL approved course:
 - enrol students, or accept applications for enrolment, in the course
 - provide information or advice in relation to VET Student Loans (however described) for the course
 - assist students to complete or submit applications for a VET Student Loan for the course
 - assist, or provide support for, students who could be eligible for a VET student loan for the course to complete any assessments required to show that students are academically suited to undertake the course [VET Student Loans Act 2016 Part 5; Division 1; Section 49]; [VET Student Loans Act (2016) Part8; Division 2; Section 148]

3.62 The [Commonwealth] Secretary (Australian Government) may recredit 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. 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. [VET Student Loans Act (2016) Part 6; Section 148-149]. Refer to the [StudyAssist website](#).

Where to get help

3.63 Staff can seek clarification or assistance on the application of this procedure from the Team Leaders of Student Administrative Services (Student Finance team) and the VET Student Loans Unit.

Section 4. Responsibilities

Position, Branch or Unit	Responsibilities
TAFE NSW Student Loans Unit	Administer the VSL program requirements on behalf of TAFE NSW.
TAFE NSW Employees	Administer the administration functions of the VSL program.

Section 5. Governance information

Governance	Details
Policy, legislation, regulations, and standards	This policy is governed by: VET Student Loans Act 2016 (Cth) VET Student Loans Rules 2016 (Cth) VET Student Loans Tuition Fee, Recredit and Refund Policy
Associated policies and procedures	This policy is to be read together with: Enrolment and Student Administration Policy Customer Complaints and Feedback Policy and Online Feedback Form VET Student Loans Policy VET Student Loans Procedure
Accountable Officer	Chief Student and Community Officer
Responsible Officer	Executive Director Student and Campus Services
Content Manager number	PROJ20/110
Next review date	16 September 2026

Section 6. Document history

No.	Effective	Approved by	Amendment
V3	29 October 2020	Manager Student Loans	2.1 - Addition '2016' to the VET Student Loans Act 3.1 – Italics applied to 'VET Student Loans Tuition Fee and Refund Guidelines' 4.3.1 – Addition 'Commonwealth Government' 4.3.7 – Hyperlink created for 'Parental Consent' Form 4.8.7 – Replaced 'students who receive a fail grade are considered not to have successfully completed the requirements of the UoS' with 'students who have not completed the course can apply for a re-credit for UoS where the special circumstances criteria apply' 4.10.4.1 – swapped the bullet points between 4.10.4.1 and 4.10.4.2 5.2 – addition 'Delegated officers who perform activities relating to the re-credit of student debt (Review Officers)' *updated the links to websites, where required

No.	Effective	Approved by	Amendment
V4	11 June 2021	Manager Student Loans	4.8.8 Updated 'within 12 months of the census day for the course, or part of the course (UoS)' 4.8.9 New Content added 4.8.10 & 4.8.11 – renumbered due to additional point 4.8.9
V5	2 October 2026	Chief Student and Community Officer	Redesigned onto new Document Template. Adjustments made to numbering and content; links updated, & some items moved. Document previously known as 'guidelines'.