

## Application to review a decision not to re-credit a FEE-HELP balance or refund tuition fees

Students have the right to apply to the FEE-HELP Review Officer at their Institute to review a decision not to re-credit their FEE-HELP balance and/or refund tuition fees. Students wishing to request a review must apply within 28 days of the notice of the original decision. There is no cost to apply for a review of the original decision. A response will be provided to you within 45 days of receiving an application to review the original decision.

Decisions to recredit a FEE-HELP balance can only be made in special circumstances which are specified under the Higher Education Support Act 2003 [HESA Schedule 1A clause 48]. These circumstances are outlined on the back of this form.

In order for your application for recredit / refund to be **reconsidered**, please complete this form and **provide any additional information** including supporting *original* or *certified copy* documentation **addressing the reasons identified in the notice of the original decision** not to recredit / refund tuition fees. Your application must be submitted to the Institute FEE-HELP Review Officer.

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|---|--|
| Office Use only<br>Document Reference No: |  |
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### Declaration

|   |       |                                   |
|---|-------|-----------------------------------|
| I wish to apply for a review of the decision not to re-credit my FEE-HELP balance <i>and/or</i> |       |                                   |
| I wish to apply for a review of the decision not to grant a refund of my tuition fees paid      |       |                                   |
| I declare that the information I have provided is true and accurate.                            |       |                                   |
| Student Signature:  | Date: | Office Use only<br>Date Received: |

### Contact details

|                  |  |
|------------------|--|
| Family Name:     |  |
| First Name/s:    |  |
| Mailing Address: |  |
| Email:           |  |

You will receive an acknowledgement of your application in writing within a week and a response to your application for review within 45 days of receipt of your application.

If you are not satisfied with the outcome of the review, you may seek a further review of the decision with an independent reviewer from TAFE Directors Australia. You may be required to pay a review application fee. For more information about a further review, you can contact:

TAFE Directors Australia - National Secretariat  
PO Box 707  
Broadway NSW 2007  
Phone: (02) 9217 3180  
Website: [www.tda.edu.au](http://www.tda.edu.au)

## Special circumstances for re-crediting a student's FEE-HELP balance / refunding tuition fees

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### 1. Special Circumstances

A provider must re-credit if the provider is satisfied that **special circumstances** apply to the person that were:

- beyond the person's control; **and**
- did not make their full impact on the person until on, or after, the Census Date; **and**
- made it impracticable for the person to complete the requirements for the unit in the period during which the person undertook, or was to undertake, the unit [HESA Schedule 1A clause 48]

1.1 **Beyond a student's control** - Circumstances could be considered beyond a student's control if a situation occurs that a reasonable student 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. For example, a lack of knowledge of how FEE-HELP works or the requirements regarding Census Dates would not be considered beyond a student's control.

1.2 **Do not make full impact until on or after the Census Date** - Circumstances could be considered not to make their full impact on the student until on or *after* the Census Date for the unit if the student's circumstances occur:

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

1.3 **Impracticable for the student to complete the Unit of Study requirements** - Circumstances that make it impracticable for the student to complete the requirements for their unit 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 that the student is unable to continue his or her studies, and this change is beyond the student's control.
- course related circumstances. For example, where the Institute has changed the unit it had offered and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

### 2. Special circumstances do not include:

- 2.1 lack of knowledge or understanding of requirements for FEE-HELP assistance; or
- 2.2 a student's incapacity to repay a FEE-HELP debt, as repayments are income contingent and the student can apply for a deferral of a compulsory repayment in certain circumstances.

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For full details of FEE-HELP refund and recredit provisions, go to <http://studyassist.gov.au/sites/StudyAssist>

For full details of TAFE NSW Higher Education tuition fees policy, search 'higher education tuition fees' at: <https://online.det.nsw.edu.au/policiesinter/category.do?level=TAFE>