

## Re-Crediting a FEE-HELP Balance Policy

### Incurring a VET Student Loans Debt

Students who have requested a VET Student Loan who remain enrolled after the published census date will incur a VET Student Loan debt.

A Student who withdraws from a Unit of Study after the published census date for that Unit will incur a VET Student Loan debt for that Unit of Study.

Under Part 6 of the VET Student Loans Act 2015, a student who is, or would be, eligible for VET Student Loan and has requested a VET Student Loan, withdraws from a Unit of Study on or before the census date will not incur a VET Student Loan debt for the tuition fees for that Unit of Study.

### Re-crediting a FEE-HELP Balance

A student who withdraw from a Unit of Study after the published census date, or fails to complete a Unit of study, may apply to have their FEE-HELP balance re-credited with respect to the Unit of Study if they believe **special circumstances** apply in accordance with the following procedures. This is in accordance with section 68 of the Act.

### Special Circumstances

If a Student withdraws from a Unit of Study after the published census date for that Unit, or has been unable to successfully complete a Unit of Study and believes this was due to special circumstances, the student may apply to have their FEE-HELP balance re-credited for the affected unit/s.

Katrinass School of Hair and Beauty will re-credit the Student's FEE-HELP Balance if it is satisfied that Special Circumstances apply where:

- these circumstances are beyond their control, and
- these circumstances did not make their full impact on the student until on, or after the census date; and
- these circumstances were such that it was impracticable for the Student to complete the requirements for the Unit of Study

For circumstances to be beyond a Student's control, the situation should be that which 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. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Special circumstances do not include:

- lack of knowledge or understanding of requirements for VET Student Loans; or
- a Student's incapacity to repay a VET Student Loan debt (repayments are income contingent and the Student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

### Re-credit of a Student's FEE-HELP balance - The process

Each application for re-credit of a student's FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

Student Administration and the Campus Coordinator of Katrinass School of Hair and Beauty are the designated VET Student Loan officer of Katrinass School of Hair and Beauty. The above officer is responsible for the assessment of a student's request for a re-credit of their FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

1. A Student must apply in writing to 4/12 Leda Boulevard Morayfield 4506 Queensland. Under section 68 of the Act this application must be made within 12 months of the withdrawal date, or if the Student has not withdrawn, within 12 months of the specified completion date of the Unit, in which the student was expected to complete. Katrinass School of Hair and Beauty has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12 month period. Relevant supporting documentation will be required to substantiate the claim.

2. The application for re-crediting a FEE-HELP balance must include details of the:
  - unit(s) for which a Student is seeking to have a FEE-HELP balance re-credited and
  - special circumstances as referred to above, including supporting documentation.
3. Katrinas School of Hair and Beauty will consider each application within 14 working days of receipt of the application. It will consider each request to re-credit a FEE-HELP balance in accordance with the requirements of the Act. Applicants will be notified in writing of the decision within 28 working days.

### **Review of Decision**

4. Where Katrinas School of Hair and Beauty makes a decision NOT to re-credit a student's FEE-HELP balance, which decision may be subject to an appeal.
5. If a Student is not satisfied with the decision made by Katrinas School of Hair and Beauty, the Student may apply, within 28 days of the receipt of the original decision, for a review of the decision. The application for an appeal of the review must:
  - be made within 28 days of receipt of the original decision
  - include the date of the original decision
  - state fully the reasons for applying for the review
  - include any additional relevant evidence
6. Applications should be made in writing to The Principal of Katrinas School of Hair and Beauty, Unit 4/12 Leda Boulevard, Morayfield 4506 as the designated Review Officer of any decisions relating to a request for re-crediting of a FEE-HELP balance.  
Note: The Review Officer is senior to the designated VET Student Loans officer responsible for the original decision and was not involved in making the original decision to be reviewed.
7. The Review Officer will:
  - acknowledge receipt of the application for review of a decision in writing within 10 working days; and
  - inform the Student that if the Review Officer has not advised them of a decision within 45 days of receipt of the application for review, it is taken that the Review Officer has confirmed the original decision.
8. The Review Officer will then:
  - review the information from the original decision and then assess any new evidence provided by the Student
  - provide written notice to the Student of the decision, setting out the reasons for the decision
  - inform the Student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and timelines involved (see below).

### **Reconsideration by the Administration Appeals Tribunal**

At the time of the original decision, and at the time of the subsequent Review decision, the Student will be notified of their review rights and responsibilities. The relevant officer will inform a Student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome and the contact details of the closest AAT office and the approximate costs of lodging an appeal. The Application must be lodged at the AAT within 28 days of receiving written notice of the Review decision. This time limitation can be extended in limited circumstances by order of the AAT.

### **AAT Details and Approximate Costs**

Administrative Appeals Tribunal  
Level 4, Harry Gibbs Building  
Commonwealth Law Courts  
119 North Quay  
Brisbane QLD 4000  
(07) 3361 3000 (metropolitan area)  
1300 366 700 (country areas)

Note: 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). An application fee may have to be paid and payment of this fee is the responsibility of the students. 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 DIISRTE, or the Secretary's delegate, will be the respondent for cases that are brought before the AAT. Upon DIISRTE's receipt of a notification from the AAT, DIISRTE will notify Katrinas School of Hair and Beauty that an appeal has been lodged. Upon receipt of this notification from DIISRTE, the Review Officer will provide DIISRTE with copies of all the documents that are relevant to the appeal within ten (10) business days.

## **9. Application for re-credit of FEE-HELP balance due to provider behaviour**

Under section 71 of the Act a student may apply to the secretary for the student's FEE-HELP balance to be re-credited because:

- the provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET Student 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 under section 71 of the Act must be made within 5 years after the census day for the course, or the part of the course, concerned or within that period as extended by the Secretary.

In addition to the above circumstances in which the Secretary may re-credit a student's FEE-HELP balance, the Secretary of the Department of Education and Training may re-credit a student's FEE-HELP balance in relation to special circumstances if an approved course provider is unable to act or is being wound up or has been dissolved.

## **Publication**

This policy and the procedure is published on the Katrinas School of Hair and Beauty website to ensure students have up to date and accurate information publicly available to them.