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## APPENDIX 4 - Review Procedures

### 1. Recrediting FEE-HELP (s 104-25)

1.1 In ordinary circumstances, a student incurs a FEE-HELP liability at the Census Date. The College will recredit a student's FEE- HELP balance in special circumstances that:

- are beyond the student's control, and
- do not make their full impact on the student until on or after the Offering Census Date, and
- make it impractical for the person to complete the requirements for the course of study during the period in which the student was scheduled to undertake the Program.

### 2. Special circumstances

2.1 The College considers that special circumstances exist as described in the Higher Education Administrative Information for Providers (AIP), created under the Higher Education Support Act 2003, at Appendix J (Guide to special circumstances decision making).

2.2 Without limiting the generality of Appendix J (Guide to special circumstances decision making), the College will generally not regard circumstances to be unusual, uncommon or abnormal where they relate to employment workload, new employment or holidays.

### 3. Application

3.1 If a student wishes to make an application for recrediting their FEE- HELP balance, the student must make an application in writing to the Manager, Client Services (PLT or Postgraduate Specialisation Program) before the end of the application period (see below).

3.2 The application must include all relevant supporting documents (e.g., doctor's certificate).

### 4. Application period

4.1 The application for recrediting must be made within 12 months of the student's receipt from the College of a notice of withdrawal, or, if no such notice is issued, within 12 months of the end of the original Course or Offering in which the student was enrolled and received Commonwealth Assistance Notice.

4.2 The Manager of Student Services may, at his or her own discretion, waive the requirement for the application to be made within the application period, if the Manager, Client Services is satisfied that the application could not possibly have been brought within that time.

### 5. Reasons for decision

5.1 Once the Manager, Client Services has determined whether or not special circumstances exist which warrant the recrediting of FEE- HELP balance, the Manager, Client Services will notify the applicant as soon as is practicable.

5.2 In giving notice under clause 5.1, the Manager, Client Services will always include a statement of reasons for the decision.

## **6. Review of decision by Review Officer**

6.1 In the event that an applicant is not satisfied with the Manager, Client Services' decision under clause 5, the applicant may apply in writing to the Review Officer for a review of the Manager, Client Services' decision.

6.2 The Review Officer at the College of Law is the Director, Academic Policy & Quality.

6.3 An application for review of the Manager of Student Services' decision must be made within 28 days of the student having received the Manager, Client Services' notice of decision.

6.4 An application for review of the Manager, Client Services' decision must state the reasons why the applicant believes the review is warranted.

6.5 The Review Officer will give a notice of receipt to the applicant advising that if the reviewer has not advised the applicant of the outcome within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.

6.6 The Review Officer will give written notice of the outcome of a decision including reasons for the decision and advise the applicant of his or her right to appeal the decision of the Review Officer in the Administrative Appeals Tribunal if the applicant is unsatisfied with the Review Officer's decision.

## **7. Appeal to AAT**

7.1 A student who remains unsatisfied with the Review Officer's decision may appeal to the Administrative Appeals Tribunal (AAT).

7.2 In the course of an appeal to the AAT, the student may supply additional information to the AAT which was not supplied to the College in the original applications for recrediting of FEE- HELP balance.

7.3 If a student makes an appeal to the AAT under clause 7.1, the respondent in the matter will be the Secretary of the Department of Education (Cth) or his or her delegate.

7.4 For information regarding the registry closest to you and filing fees, refer to the AAT website at <http://www.aat.gov.au/>. Filing fees are subject to change, but the fee as at December 2019 was \$932 (unless a reduction applies), and may be considered indicative of likely costs for the medium term.