

Higher Education Administration Policy  
Re-Crediting a FEE-HELP Balance - Version 1  
To be reviewed: January 2010  
Responsibility: Principal  
*Australian International Conservatorium of Music (AICM)*

## **Re-Crediting a FEE-HELP Balance**

*Australian International Conservatorium of Music or 'AICM'* ("the Institution") will conduct this procedure in compliance with the *Higher Education Support Act 2003* and its Guidelines.

The Institution will ensure that all students are informed upon enrolment of the census dates for the current year of study and procedures for the re-crediting of a FEE-HELP balance. Students will be advised annually of the census dates for that year of study. If a student who has requested FEE-HELP assistance withdraws from a term of study on or before the census date for that term of study, the student will not incur a FEE-HELP debt for that term of study.

If a student who has requested FEE-HELP assistance withdraws from a term of study after the census date for that term of study, the student will incur a FEE-HELP debt for that term of study.

### **1 Conditions for Re-crediting a student's FEE-HELP balance**

- 1.1 A student may apply after census date to have their FEE-HELP balance re-credited if the student has been unable to complete the term of study and believes this was due to special circumstances.
- 1.2 The Institution will re-credit the student's FEE-HELP balance if it is satisfied that special circumstances apply that:
  - are beyond the student's control; and
  - did not make their full impact on the student until on or after the census date for the term of study in question; and
  - make it impractical for the student to complete the requirements for that term of study.
- 1.3 The Institution will be satisfied that a student's circumstances are beyond the student's control if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal.
- 1.4 Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim.

### **2 The procedure for the re-crediting of a FEE-HELP balance is as follows:**

- 2.1 When a student withdraws from a term of study, the Institution shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;

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- 2.2 The student must apply in writing to the FEE-HELP Administrator within 12 months from the day specified in the notice as the day of withdrawal. The Institution may exercise its discretion to waive this requirement if in its opinion it was not possible for the application to be made before the end of the 12 month period;
- 2.3 The FEE-HELP Administrator shall advise the student of the outcome of the application within 28 days stating the reasons for the decision;
- 2.4 The FEE-HELP Administrator shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

If a decision is made to re-credit the FEE-HELP balance, the Institution will notify DEEWR and will repay to the Commonwealth any FEE-HELP assistance received on the student's behalf.

### **3 Review of a decision**

- 3.1 If a student is not satisfied with the decision made by the FEE-HELP Administrator in relation to their FEE-HELP balance they may request a review of the decision.
- 3.2 The review shall be carried out by the Review Officer who shall be the Principal.
- 3.3 Any such request is to be submitted to the Review Officer in writing and:
  - a. must be lodged within 28 days of receiving notice of the original decision, unless the Review Officer allows a longer period; and
  - b. must specify the reasons for making the request.
- 3.4 The Review Officer shall acknowledge receipt of an application for a review of the refusal to re-credit the FEE-HELP balance in writing.
  - 3.4.1 The Review Officer shall inform the applicant that if the Review Officer has not advised the applicant of a decision within 45 days of having received the application for review, the Review Officer is taken to have confirmed the original decision.
  - 3.4.2 This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal for a review of the decision and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.
- 3.5 The Review Officer shall:
  - a. seek all relevant information from the person who made the original decision;
  - b. review the case within 3 weeks and advise the student of the decision in
  - c. writing giving the reasons for the reviewer's decision.

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- 3.6 The Review Officer may:
- a. confirm the decision;
  - b. vary the decision; or
  - c. set the decision aside and substitute a new decision;

#### **4 Advice of a decision**

- 4.1 The Review Officer will give written notice of the decision setting out the reasons for the decision.
- 4.2 The applicant shall also be advised in the decision of the right to apply to the Administrative Appeals Tribunal for a review of the decision; and be provided with the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

#### **5 Appeal of a decision**

- 5.1 Where a student is unsatisfied with the reviewed decision they may apply to the Administrative Appeals Tribunal for consideration of the Institution's decision to refuse to re-credit a FEE-HELP balance.
- 5.2 The student may supply additional information to the Administrative Appeals Tribunal which they did not previously supply to the Institution either in the original application or the request for review.

#### **6 Contact Details of Review Officer**

Dr Greg Whateley  
Principal  
114 Victoria Rd,  
Rozelle, NSW 2039

#### **Policy Location**

Server: //AICM Rozelle/19.Fee-Help/Policies & Procedures  
eCon  
Handbook