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Special circumstances for re-crediting a student’s FEE-HELP balance

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 for the VET unit of study; and
   - made it impracticable for the person to complete the requirements for the VET unit of study in the period the
     person undertook, or was to undertake, the VET unit of study [HESA Schedule 1Aclause 48]

1.1 Beyond a person’s control - Circumstances could be considered beyond a person’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 person is not responsible. This situation would generally be expected to be unusual, uncommon or
   abnormal. For example, a lack of knowledge of how VET FEE-HELP works or the requirements regarding census
   dates would not be considered beyond a person’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 person until on or after the census date for the VET unit of study if the person’s
   circumstances occurred:
   - 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.
   Students do not need to demonstrate they were unable to withdraw from the unit of study prior to the census date.

1.3 Pre-existing conditions – A circumstance that first occurred before the census date 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 person may have an illness or other underlying, pre-existing
   condition or incapacity prior to the census date for a VET unit of study, but that condition may worsen, or that
   person may suffer from an aggravation, deterioration or episode, after the census date.

   Alternatively, the full implications of a person’s condition may not have been apparent until after the census date.
   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 date.

1.4 Impracticable for the person to complete the VET unit of study - Circumstances that make it impracticable for
   the person to complete the requirements for their VET unit of study may include:
   - medical circumstances, for example, where a person’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 person to continue studies.
   - employment related circumstances, for example, where a person’s employment status or arrangements
     have changed so the person is unable to continue their studies, and this change is beyond the person’s
     control; or
   - course related circumstances, for example, where the Institute has changed the VET unit of study it had
     offered and the person is disadvantaged by either not being able to complete the VET unit of study, or not
     being given credit towards other VET units of studies or courses.

2. Special circumstances do not include, for example:
   2.1 a lack of knowledge or understanding of requirements for VET FEE-HELP; or
   2.2 a person’s incapacity to repay a HELP debt, as repayments are income contingent and the person may apply
       for a deferral of a compulsory repayment in certain circumstances.

Learner Privacy Notice
Information collected by the New South Wales TAFE Commission during a learner’s enrolment and attendance will be used for the
purposes of general records administration, identification, communication, state and national reporting, program monitoring,
evaluation and surveys. Learner information will be held securely and disposed of securely when no longer needed. The
information may be disclosed to the Department of Human Services (Centrelink), the Department of Veterans’ Affairs, the
Department of Education and Training, the Department of Industry and Science, the Department of Immigration and Border
Protection, Transport for NSW, the Australian Skills Quality Authority, the Tertiary Education Quality and Standards Agency, the
Universities Admission Centre, Office of the Board of Studies and the National Centre for Vocational Education Research. In order
to meet the requirements of Registered Training Organisations under the Apprenticeships and Traineeships Act 2001, apprentice
and trainee information is provided to employers, Australian Apprenticeship Centres and State Training Services (or the relevant
State Training Authority). While the provision of the information requested on this learner enrolment form is not required by law, it is
a requirement of TAFE NSW and your enrolment will not be accepted if it is not provided. You may correct your personal details by
contacting your TAFE NSW campus administration or by using the TAFE NSW Learner Portal.