

# Special Circumstances Application Form

## Who should complete this form?

If you are a current student at BCA National Training Group and you wish to withdraw from your studies after the census date for any course paid for via VET FEE HELP or VET Student Loan and you wish to apply for a refund or remission of tuition fees.

## Special circumstances

If you wish to withdraw from a Unit of Study after the published census date for that Unit of Study, or if you have been unable to successfully complete a Unit of Study and believe this is due to special circumstances, Section 68 of the VET Student Loans Act 2016 allows you to apply to have your Fee Help balance re-credited for the affected Unit/s of Study.

In determining whether circumstances are special circumstances BCA National will take into consideration situations where it is impractical for the student to complete the requirements of the course or part of the course during enrolment

This includes:

- a. Whether the student could do enough of the following to meet course requirements
  - i. private study
  - ii. attending training or other activities
  - iii. engaging online
- b. Whether the student could complete any assessments or demonstrate any competencies required
- c. Whether the student could complete any other requirements arising because of the students inability to do things described in paragraphs (a) and (b).

BCA National Training Group will also take into consideration circumstances or event(s) that;

- Could not have reasonably been anticipated, avoided or guarded against,
- Is beyond the student's control,
- Did not make their full impact on the student until on, or after the census date, and
- Were such that it was impractical for the student to complete the requirements for the VET Unit of Study.

Applications for special circumstances must be made within 12 months of the census day for the course or the part of the course concerned

Part 6 of the VET Student Loans Act provides for circumstances where a student's FEE-HELP balance (arising from a VET Student Loan) may be re-credited. In addition to the special circumstances outlined above, section 71 of the Act allows students to apply to the Secretary of the Department of Education and Training to re-credit their FEE-HELP balance 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 for re-crediting by the Secretary under section 71 of the Act must be made within 5 years after the census date for the course, or the part of the course, concerned, or within that period as extended by the Secretary. The Secretary is also able to re-credit a student's FEE-HELP balance in relation to special circumstances if a provider (a) is unable to act or is being wound up or has been dissolved, or (b) has failed to act and the Secretary is satisfied that the failure is unreasonable.

This form may be lodged in person, posted, emailed or faxed to the Training Coordinator at:

<i>BCA National (Sydney)</i>	<i>BCA National (Darwin)</i>
Level 2, Tablet House 29 Refinery Drive (PO Box 568) Pyrmont NSW 2009 Fax: 02 9555 7374	37 Gregory St Parap NT 0820 Parap LPO PO Box 91, Parap NT 0804

# Special circumstances application form

Date received (office use only):

## 1 – Personal details

Student ID number:

Title:

Name:

Surname:

Street address:

Suburb:

State:

Postcode:

Daytime phone:

Mobile:

Email address:

Course name:

Please tick which of the following applies:

- I wish to apply for re-credit of my VET FEE-HELP or VET Student Loan balance  
 I wish to apply for a refund of my tuition fees paid up-front

## 2 – Special circumstances

Please tick which category best describes your special circumstances (please choose one only):

- Employment                       Family/Relationship                       Financial                       Medical  
 Personal                       Change to another institute                       Complaint about the college  
 Other – please specify:

Please provide/attach documentation which supports your claim of special circumstance. The documentation may include but is not limited to evidence of:

- The date your circumstances began  
 If your circumstances changed after the census date, the date it changed, and to what extent  
 How your circumstances affected your ability to study  
 When it became apparent that you could not continue your study.

If BCA National Training Group requires further documentation and you do not provide further documentation within 14 days of the request of additional information the outcome of your application may be determined by BCA National Training Group based on the information already provided.

## 3 – Declaration and signature

I wish to apply for re-credit of my FEE-HELP balance or a refund of up-front payment. I declare that the information I have given in this application is correct. I understand that if I knowingly make any false or misleading statements this may lead to my request for special circumstances may be refused..

Signature:

Date of signature: \_\_ \_\_ / \_\_ \_\_ / \_\_ \_\_ \_\_ \_\_

Students who are dissatisfied with BCA National's decision in relation to Special Circumstances Applications may seek a review under BCA National's Refund Policy. It should be noted that there is no charge for a review by BCA National of any decision relating to the re-crediting of a student's FEE-HELP balance. If the student chooses to seek a subsequent review at the Administrative Appeals Tribunal additional costs will be incurred – these are set by the Tribunal.

Other than as authorised or required by law, the RTO will only use information collected via this form for the purposes for which it is being collected and in accordance with the RTO's functions and activities associated with your enrolment. Some specified information will be provided to third parties, such as DET and other government and external agencies, where there are requirements on the RTO to do so. All information will be collected, stored, accessed, disseminated or destroyed in accordance with relevant privacy, records management, other laws and the BCA National's policies.