



THE UNIVERSITY OF
WESTERN AUSTRALIA

**REVIEW AND APPEALS PROCEDURES FOR THE
RE-CREDIT OF STUDENT LEARNING ENTITLEMENT AND
REFUND OF ASSOCIATED UP-FRONT STUDENT CONTRIBUTION
PAYMENTS / REMISSION OF ASSOCIATED HECS-HELP DEBT**

- 1. Introduction**
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1. Introduction

The document describes the University's processes and procedures for handling the re-credit of Student Learning Entitlement (SLE), the refund of associated up-front student contribution payments and/or the remission of associated HECS-HELP debt, and the review of associated decisions. It covers:

- informal enquiries from students concerning SLE, student contribution amounts and HECS-HELP;
- formal requests from students for re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt;
- formal review of decisions associated with SLE, up-front student contribution payments and/or HECS-HELP debt.

These processes and procedures are intended to complement the University's Student Grievance Resolution Policy. This policy is available at:

www.secretariat.uwa.edu.au/home/policies/griev

The processes and procedures described in this document are consistent with obligations prescribed in the following legislation and guidelines:

- [The Higher Education Support Act \(HESA\)](http://www.comlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/all/whatsnew/E81B7E9023CBAAB0CA256F840081B275?OpenDocument)
(www.comlaw.gov.au/comlaw/Legislation/ActCompilation1.nsf/all/whatsnew/E81B7E9023CBAAB0CA256F840081B275?OpenDocument)
- [The Student Learning Entitlement Guidelines](http://www.backingaustraliasfuture.gov.au/guidelines/sle_guide.htm)
(www.backingaustraliasfuture.gov.au/guidelines/sle_guide.htm)
- [Administrative Information for Providers \(AIP\)](http://www.dest.gov.au/highered/resources/aip/default.htm)
(www.dest.gov.au/highered/resources/aip/default.htm)

2. Information and Flowchart for Students

You can apply for re-credit of your Student Learning Entitlement (SLE) and refund of associated up-front student contribution payments/remission of associated HECS-HELP debt if you withdraw from your studies after the census date or you have not completed the requirements of the unit; and special circumstances apply that are:

- beyond your control;
- do not make their full impact on you until on, or after, the census date; and
- make it impracticable for you to complete the requirements for the unit.

Your HECS-HELP debt in relation to a unit of study is taken to be remitted if your SLE is re-credited.

You can clarify your SLE entitlement, SLE consumption and/or HECS-HELP balance through the Going to Uni website (www.goingtouni.gov.au). Student Administration staff can assist you in understanding your SLE and/or HECS-HELP debt.

Am I eligible for remission or re-credit?

Re-credit of SLE and refund of associated up-front student contribution payments/remission of associated HECS-HELP debt is dependant on various conditions and circumstances. Find out more about these below:

Special circumstances

Special circumstances do not include, for example:

- lack of knowledge or understanding of HESA requirements; or
- a person's incapacity to repay a Higher Education Loan Programme (HELP) debt.

Beyond a person's control

Circumstances are beyond a person's control if a situation occurs which 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 must be unusual, uncommon or abnormal. (For example, a lack of knowledge of how HECS-HELP works is not considered beyond a person's control.)

Do not make their full impact on the person until on, or after, the census date

Circumstances that do not make their full impact on the person until on, or after, the census date for the unit if the person's circumstances occur:

- 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.

Impracticable to complete the requirements for a unit of study

Circumstances that make it impracticable for the person to complete the requirements for their unit of study 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/personal 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 that the person is unable to continue his or her studies, and this change is beyond the person's control; or
- course-related circumstances. For example, where the University has changed the unit it had offered and the person is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

A person is unable to complete the requirements for a unit, for example, if the person is unable to:

- undertake the necessary private study required; or
- attend sufficient lectures or tutorials; or
- meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
- complete the required assessable work; or
- sit the required examinations; or
- complete any other course requirements because of their inability to meet the above.

How the Review for the Re-credit of SLE and Refund of Associated Up-front Student Contribution Payments/Remission of Associated HECS-HELP Debt works at UWA

The flowchart below is designed to help you:

- make an informal enquiry to Student Administration regarding your SLE, student contribution amounts and/or HECS-HELP debt;
- request a formal review of your Commonwealth Assistance Notice;
- request re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt; and
- appeal any decision with which you are not satisfied.

These processes and procedures are intended to complement the University's Student Grievance Resolution Policy. This policy is available at:

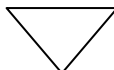
www.secretariat.uwa.edu.au/home/policies/griev .

Flowchart Outlining Steps in Review and Appeals Procedures for the Re-credit of SLE and Refund of Associated Up-front Student Contribution Payments/Remission of Associated HECS-HELP Debt

Step 1 – Informal Enquiry

Student Administration can assist you to understand your SLE entitlement, associated student contribution amounts and/or HECS-HELP debt. Review the UWA HESA website (www.hesa.uwa.edu.au) or contact the Student Administration Enquiry Staff in person (Hackett Hall, Crawley Campus), by phone (08 6488 4674 or 08 6488 3832) or by email (sle@admin.uwa.edu.au).

Student Admin Enquiry Staff will try to answer your questions on the spot and can provide you with a copy of the UWA SLE information sheet and / or show you how to 'self serve' via the UWA HESA website (www.hesa.uwa.edu.au).



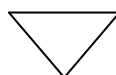
Step 2 – Commonwealth Assistance Notice (CAN) Review

Following the census date in each teaching period, UWA will issue to eligible students a Commonwealth Assistance Notice (CAN). This notice contains details of units enrolled at the census date, financial liability and SLE weight for each unit.

The information in your CAN will be reviewed if, within 14 days, you write to the UWA Student Administration Officer (Fees) including details of the grounds for your request for a review eg withdrawal that has not been recorded. Your request should be accompanied by supporting documentary evidence. Your request will be reviewed by the Student Administration Officer (Fees). The review officer will, as appropriate:

- verify enrolment details;
- confirm SLE calculations, up-front student contribution payments and/or HECS-HELP debt for the relevant teaching period;
- re-issue a new CAN where a correction/re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt is approved;
- advise relevant sections of DEST and the ATO if required.

The Student Administration Officer (Fees) will write to you, normally within 14 days, advising the outcome of your review.



Step 3 – Request for Re-credit of SLE, Refund of Associated Up-front Student Contribution Payments and/or Remission of Associated HECS-HELP debt

You may request a formal review for the re-credit of SLE balance and refund of associated up-front student contribution payments/remission of associated HECS-HELP debt by submitting a completed *Application for Re-credit of Student Learning Entitlement and Refund of Up-Front Student Contribution Payments / Remission of HECS-HELP Debt in Special Circumstances* to the Assistant Manager, Student Administration. Your request must be made within 12 months of the period of study in which the unit was, or was to be, undertaken. Where you are permitted to defer completion of your studies, the twelve month period applies from the end of the extended period. Application forms are available on the Student Administration website (www.studentadmin.uwa.edu.au/welcome/fees/refund).

Your application requesting a formal review for the re-credit of SLE balance and refund of associated up-front student contribution payments/remission of associated HECS-HELP debt must include the reasons for the request. You must also supply any additional documentation that may assist your case such as a letter from your doctor or counsellor which demonstrates:

- that your circumstances changed after the census date;
- how your circumstances prevented you from continuing your studies;
- when you became aware you could no longer continue with your studies; and
- that these circumstances beyond your control prevented you from withdrawing from your studies prior to the census date[s].

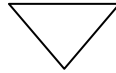
The Assistant Manager will write to you, normally within 14 days, advising the outcome of your review (i.e. re-credit/refund/remission if successful).

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Step 3 (continued)

If your application is successful, the Notice of Decision letter will include the reasons for the decision to re-credit your SLE balance; the EFTSL amount to be re-credited; the HECS-HELP debt that will be reduced; the up-front student contribution payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

If your application is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to re-credit your SLE, refund your associated up-front student contribution payments and/or remit your associated HECS-HELP debt; how to submit a valid request for a review of this decision; and who to contact for further questions.



Step 4 – Review of Decision

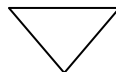
If you are not satisfied with the outcome of your request for re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt, you may appeal to the Student Administration Manager within 28 days from the day you first receive notice of the outcome.

Your application for a review will be acknowledged in writing. You will be advised of a decision within 45 days.

If your application for review of the decision is successful, the Notice of Decision letter will include the reasons for the decision to re-credit your SLE; the EFTSL amount to be re-credited; the HECS-HELP debt that will be reduced; the up-front student contribution payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

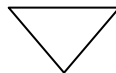
If your application for review of the decision is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to re-credit your SLE, refund your associated up-front student contribution payments and/or remit your associated HECS-HELP debt; where to obtain further information on the University's Formal Student Grievance Resolution Policy; and who to contact for further questions.

If additional relevant information or evidence has come to hand which was not available previously and that you believe will impact the outcome of your application, please submit this additional information to the Assistant Manager, Student Administration.



Step 5 – Appeal under the University's Student Grievance Resolution Policy

If, after completing all the steps above, you consider that the University's published procedures were not followed, you may wish to consider lodging a submission under the University's Student Grievance Resolution Policy, (<http://www.secretariat.uwa.edu.au/home/policies/griev>). The University is not empowered to use this procedure to reconsider or change decisions made by the review of decision officer in relation to re-crediting SLE, refunding associated up-front student contribution payments and/or remitting associated HECS-HELP debt. However, you may access the procedures if you think there has been maladministration in relation to your application.



Step 6 – Appeal to Administrative Appeals Tribunal (AAT)

If, after completing all the steps above, you are still not satisfied with the outcome of the review of decision, you may apply to the Administrative Appeals Tribunal (AAT) for a review within 28 days from the day you first receive notice of the review of decision outcome. Student Administration can provide the contact details and address of the nearest AAT registry. A filing fee is normally payable to the AAT. However there are some circumstances in which you do not have to pay the fee and you should contact the AAT to obtain more information.

3. Information and Flowchart for Administrative Staff

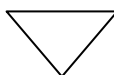
Detailed Flowchart Outlining Steps in Review and Appeals Procedures for the Re-credit of SLE and Refund of Associated Up-front Student Contribution Payments/Remission of Associated HECS-HELP Debt: For Staff

Step 1 – Informal Enquiry

Student Administration can assist you understand your SLE entitlement, associated student contribution amounts and/or HECS-HELP debt. Review the UWA HESA website (www.hesa.uwa.edu.au) or contact the Student Administration Enquiry Staff in person (Hackett Hall, Crawley Campus), by phone (08 6488 4674 or 08 6488 3832) or by email (sle@admin.uwa.edu.au).

Student Administration Enquiry Staff will try to answer your questions on the spot and can provide you with a copy of the UWA SLE information sheet and / or show you how to 'self serve' via the [UWA HESA website](http://www.hesa.uwa.edu.au) (www.hesa.uwa.edu.au).

ADMIN NOTE: We encourage students to make informal enquiries whenever possible as a first line of enquiry, as the majority of cases can be dealt with through an informal process involving Student Administration enquiry staff. Most cases will involve students who withdraw from a unit(s) after the census date¹. A withdrawal with or without academic penalty is an academic matter for the Faculties, but it is separate and unrelated to the re-credit of SLE, refund of associated up-front student contribution payments and/or remission of HECS-HELP debt.



Step 2 – Commonwealth Assistance Notice (CAN) Review

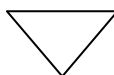
Following the census date in each teaching period, UWA will issue to eligible students a Commonwealth Assistance Notice (CAN). This notice contains details of units enrolled at the census date, financial liability and SLE weight for each unit.

The information in your CAN will be reviewed if, within 14 days you write to the UWA Student Administration Officer (Fees) including details of the grounds for your request for a review eg withdrawal that has not been recorded. Your request should be accompanied by supporting documentary evidence. Your request will be reviewed by the Student Administration Officer (Fees). The review officer will, as appropriate:

- verify enrolment details;
- confirm SLE calculations, up-front student contribution payments and/or HECS-HELP debt for the relevant teaching period;
- re-issue a new CAN where a correction/re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt is approved;
- advise relevant section of DEST and the ATO if required.

The Student Administration Officer (Fees) will write to you, normally within 14 days, advising the outcome of your review.

ADMIN NOTE: From 2005, the CAN replaces what was formerly called the 'Notice of Liability'. The review of a CAN may be separate and unrelated to the re-credit of SLE, refund of associated student contribution amounts and/or remission of associated HECS-HELP debt.



Step 3 – Request for Re-credit of SLE, Refund of Associated Up-front Student Contribution Payments and/or Remission of Associated HECS-HELP debt

You may request a formal review for the re-credit of SLE balance and refund of associated up-front student contribution payments/remission of HECS-HELP debt by submitting a completed *Application for Re-credit of Student Learning Entitlement and Refund of Up-Front Student Contribution Payments / Remission of HECS-HELP Debt in Special Circumstances* to the Assistant Manager, Student Administration. Your request must be within 12 months of the period of study in which the unit was, or was to be, undertaken. Where you are permitted to defer completion of your studies, the twelve month period applies from the end of the extended period.² Application forms are available on the Student Administration website (www.studentadmin.uwa.edu.au/welcome/fees/refund).

Your application requesting a formal review for the re-credit of SLE balance and refund of associated upfront student contribution payments/remission of associated HECS-HELP debt must include the reasons for the request. You must also supply any additional documentation that may assist your case such as a letter from your doctor or counsellor, which demonstrates:

- that your circumstances changed after the census date;
- how your circumstances prevented you from continuing your studies;
- when you became aware you could no longer continue with your studies; and
- that these circumstances beyond your control prevented you from withdrawing from your studies prior to the census date[s].

The Assistant Manager will write to you, normally within 14 days, advising the outcome of your review (i.e. re-credit/refund/remission if successful).³

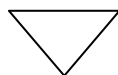
If your application is successful, the Notice of Decision letter will include the reasons for the decision to re-credit your SLE balance; the EFTSL amount to be re-credited; the HECS-HELP debt that will be reduced; the up-front student contribution payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

If your application is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to re-credit your SLE, refund your associated up-front student contribution payments and/or remit your associated HECS-HELP debt; how to submit a valid request for a review of this decision; and who to contact for further questions.

ADMIN NOTE: Students can apply for re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt if they withdraw from their studies after the census date or have not completed the requirements of the unit; and special circumstances apply that are:

- o beyond their control;
- o do not make their full impact until on, or after, the census date; and
- o make it impracticable to complete the requirements for the unit.

(Please refer to the summarised extracts from the HESA Legislation. ⁴)



Step 4 – Review of Decision

If you are not satisfied with the outcome of your request for re-credit of SLE, refund of associated up-front student contribution payments and/or remission of associated HECS-HELP debt, you may appeal to the Student Administration Manager within 28 days from the day you first receive notice of the outcome.⁵

Your application for a review will be acknowledged in writing. You will be advised of a decision within 45 days.⁶

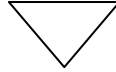
If your application for review of the decision is successful, the Notice of Decision letter will include the reasons for the decision to re-credit your SLE; the EFTSL amount to be re-credited; the HECS-HELP debt that will be reduced; the up-front student contribution payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

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Step 4 (continued)

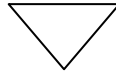
If your application for review of the decision is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to re-credit your SLE, refund your associated up-front student contribution payments and/or remit your associated HECS-HELP debt; where to obtain further information on the University's Formal Student Grievance Resolution Policy; and who to contact for further questions.

If additional relevant information or evidence has come to hand which was not available previously and that you believe will impact the outcome of your application, please submit this additional information to the Assistant Manager, Student Administration.



Step 5 – Appeal under the University's Student Grievance Resolution Policy

If, after completing all the steps above, you consider that the University's published procedures were not followed, you may wish to consider lodging a submission under the University's Student Grievance Resolution Policy, (<http://www.secretariat.uwa.edu.au/home/policies/griev>). The University is not empowered to use this procedure to reconsider or change decisions made by the review of decision officer in relation to re-crediting SLE, refunding associated up-front student contribution payments and/or remitting HECS-HELP debt.. However, you may access the procedures if you think there has been maladministration in relation to your application..



Step 6 – Appeal to Administrative Appeals Tribunal (AAT)

If, after completing all the steps above, you are still not satisfied with the outcome of the review of decision, you may apply to the Administrative Appeals Tribunal (AAT) for a review within 28 days from the day you first receive notice of the review of decision outcome. Student Administration can provide the contact details and address of the nearest AAT registry. A filing fee is normally payable to the AAT. However there are some circumstances in which you do not have to pay the fee and you should contact the AAT to obtain more information.

ADMIN NOTE: Students have the right to appeal any decision, to a higher authority, in the specified timeframe. The Legislation outlines the providers' (University's) responsibilities.⁶

4. Endnotes – References to the Legislation

1. AIP 32.8. “Students who withdraw from their studies after the census date still consume SLE for the units from which they withdraw. However, such students may apply to have their SLE re-credited in special circumstances (see part 64) [HESA – Division 79].”

AIP 65.2. “When can a person apply for a re-credit or a remission?”

A person may apply to the provider for a re-credit of SLE or FEE-HELP balance (or a remission of HECS-HELP debt in the case of a unit consisting wholly of WEI) if he or she withdraws from his or her studies after the census date or the person has not completed the requirements for the unit of study [HESA – s79-1 & 104-25]. A person’s HECS-HELP debt in relation to a unit of study is taken to be remitted if his or her SLE is re-credited [HESA – s137-5(4)] and a person’s FEE-HELP debt in relation to a unit of study is taken to be remitted if the person’s FEE-HELP balance is re-credited [HESA – s137-10(4)].

A person cannot apply for a re-credit or a remission if he or she has successfully completed the unit of study. A student who receives a fail grade is considered to not have successfully completed the unit and may, therefore, apply for a re-credit or a remission.”

2. AIP 65.2. “An application for a re-credit or a remission must be made, in writing, **within 12 months of the withdrawal date, or, if the person has not withdrawn, within 12 months of the end of the period of study in which the unit was, or was to be, undertaken. Where a provider allows a person to defer completion of their studies, the twelve month period applies from the end of the extended period. Providers have the discretion to waive this requirement if they are satisfied that the application could not be made within the time limits** [HESA – s79-10, 36-22(5) & (6) and 104-35].”

3. AIP 65.5. “Timeframe for making decisions

Providers should consider the person’s application as soon as practicable. Chapter 5 of the Student Learning Entitlement Guidelines specifies that providers must publish the timeframe within which they will consider applications for the re-crediting of a person’s Student Learning Entitlement (SLE), and within which they will notify applicants of their decision. Providers should also publish this information for persons applying for re-crediting of their FEE-HELP balance, or the remission or refund of their student contribution amounts for units of study considered to be wholly work experience in industry.”

AIP 64.1. “Re-crediting of a person’s SLE

A provider can, in special circumstances (see clause 65.3), re-credit a person’s SLE (see clause 32.8) with an amount equal to the equivalent full-time student load (EFTSL) value of the unit of study.

If a person’s SLE is re-credited, any HECS-HELP debt he or she acquired for the unit must be remitted [HESA – s137-5(4)] and the provider must repay this amount to the Commonwealth [HESA – s36-20(b)]. Further, providers must refund any up-front payments the person made in respect of the unit [HESA – s36-20(a)].”

AIP 65.7. “Notifying DEST of the decision

Where a decision results in the re-crediting of a person’s Student Learning Entitlement (SLE) or FEE-HELP balance, the remission of a person’s HELP debt, and/or the refund of a person’s up-front payments, the provider must notify DEST through the SLE and HELP Revisions File (see clause 48.3). The provider is required to repay to the Commonwealth any amounts of HECS-HELP or FEE-HELP assistance the provider received from the Commonwealth on the person’s behalf [HESA – s36-20, 36-22 & 110-5].”

AIP 65.6. “Notifying students of the decision

Providers must notify the person of the decision and the reasons for making the decision [HESA – s79-15, 104-40 & 36-22(7) & (8)].

Chapter 5 of the Student Learning Entitlement Guidelines specifies that providers must also advise the applicant of their rights for a review of the decision if the applicant is unsatisfied with the outcome [HESA – s209-10]. The student must be advised that the time limit for applying for a review of a decision is 28 days from the day the person first received notice of the decision.

4. AIP 65.3. “When must a provider re-credit or remit?

Providers must re-credit or remit if the provider is satisfied that **special circumstances** apply to the person that are:

- beyond the person’s control;
- do not make their full impact on the person until on, or after, the census date; and
- make it impracticable for the person to complete the requirements for the unit in the period during which the person undertook, or was to undertake, the unit. [HESA – s79-5, s36-22(3) and s104-30]

Chapter 5 of the Student Learning Entitlement Guidelines specify the circumstances in which a provider can be satisfied that special circumstances apply to the person. Clause 65.4 expands on these requirements.

The person’s application should include any independent supporting documentation, for example, a letter from the person’s doctor or counsellor, to support the person’s claims.

Each application should be examined and determined on its merits. The provider should consider the person’s claims, together with any independent supporting documentary evidence which substantiates these claims.

65.4 Special circumstances

Chapter 5 of the Student Learning Entitlement Guidelines specifies the circumstances in which a provider can be satisfied that special circumstances apply to the person. This clause explains these requirements.

Special circumstances do not include, for example:

- lack of knowledge or understanding of requirements under the schemes; or
- a person’s incapacity to repay a Higher Education Loan Programme (HELP) debt, as repayments are income contingent and the person can apply for a deferral of a compulsory repayment in certain circumstances [HESA – s154-45].

Beyond a person's control

Section 5.5 of the Student Learning Entitlement Guidelines specifies that circumstances are beyond a person's control if a situation occurs which 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 must be unusual, uncommon or abnormal. For example, a lack of knowledge of how HECS-HELP or FEE-HELP works is not considered beyond a person's control.

Do not make full impact until on or after the census date

Section 5.10 of the Student Learning Entitlement Guidelines specifies that circumstances do not make their full impact on the person until on or after the census date for the unit if the person's circumstances occur:

- 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.

Impracticable for the person to complete the unit of study requirements

Circumstances that make it impracticable for the person to complete the requirements for their 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/personal 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 that the person is unable to continue his or her studies, and this change is beyond the person's control; or
- course related circumstances. For example, where the provider has changed the unit it had offered and the person is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

A person is unable to complete the requirements for a unit, for example, if the person is unable to:

- undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
- complete the required assessable work; or
- sit the required examinations; or
- complete any other course requirements because of their inability to meet the above."

5. AIP 66.1. ... "The person must state the reasons why he or she is applying for a review."

AIP 66.1. ... "A person has the right to apply for a review of a decision to not re-credit or remit [HESA - s209-10]. The time limit for applying for a review of a decision is **28 days from the day the person first received notice of the decision**, or such longer period as the reviewer allows."

6. AIP 66.1. "Provider review of decision"

A higher education provider must have review procedures for reconsidering decisions relating to a person's Commonwealth assistance. [HESA 19-45(1)(c)]. The review procedures must be published, publicly available and up-to-date. They must comply with any requirements of the Higher Education Provider Guidelines, and be consistent with the provisions concerning the review of decisions in HESA.

The minimum requirements for a provider's review procedures are that they should inform students how to submit a valid request for review and provide details of the letters, including the required content of the letters, that providers are required to send to a person who has requested the review of a decision.

A provider may include other review procedures with which its review officers must comply, provided that these procedures are consistent with HESA requirements. These other review procedures may not limit a person's right to apply for a review of a decision.

...

Providers must:

- acknowledge receipt of the request for a review;
- appoint a review officer who is not the same officer who made the original decision and who occupies a position that is senior to that occupied by the original decision maker [HESA – s209-1];
- notify the person, in writing, of the reviewer's decision and the reviewer's reasons for making the decision (the reviewer's available options are to confirm the decision, vary the decision, or set the decision aside and substitute a new decision);
- advise the person of his or her right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision if the applicant is unsatisfied with the outcome; and
- provide the applicant with the contact details and address of the nearest AAT registry. [HESA – s209-10]

The Higher Education Provider Guidelines require that a provider must acknowledge receipt of an application for review of a decision in writing, and inform the applicant that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision [HESA - s209-10(6)].

DEST recommends that providers maintain an up-to-date register of appointments of review officers."