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Fees, Charges & Refunds Policy

Smart and Skilled Student fees

Under Smart and Skilled, a student contributes towards the cost of training through the payment of a student fee. The payment to PCA is made up of the student fee and the subsidy from the government. Student fees are:

- Set for the whole qualification, not annual or semester fees as some training providers did previously to Smart and Skilled;
- Lower for students doing their first post-school qualification; and
- Set for the student and the qualification and will be the same regardless of PCA chosen.

Charging fees

There are different categories of student fees, based on the qualification and the characteristics of the student. The schedule of fees for each qualification on the NSW Skills List can be accessed at:

www.training.nsw.gov.au/smartandskilled/prices_fees.html.

PCA must charge the student the relevant fee set by the NSW Government. The relevant fee will be determined when PCA enters the student data into the Smart and Skilled Provider Calculator.

Fee categories

The student fee categories are:

- Standard Student—First Qualification
- Standard Student—Subsequent Qualification
- Apprenticeship (for qualifications offered as part of an apprenticeship pathway)
- Traineeship (for qualifications offered as part of a traineeship pathway)
- Concession
- Exemption

Standard Student fees

The Standard Student fee applies to students who are not doing an apprenticeship or traineeship or who do not qualify for a concession or an exemption.

The Standard Student—First Qualification fee applies to students who do not already hold a post-school qualification from any tertiary sector. Qualifications include vocational and higher education qualifications achieved in Australia or overseas at any time previously. Qualifications not deemed to be post-school qualifications are qualifications achieved while at school as part of an individual's secondary education or prior to turning 17.

The following qualifications have been determined not to be post-school qualifications:

- Certificate I qualifications;
- Smart and Skilled Entitlement Foundation Skills qualifications;
- Any other foundation skills qualification that is aimed at developing foundation skills as identified in the “National Foundation Skills Strategy” (up to and including Certificate III), including:
 - English language, literacy and numeracy (such as listening, speaking, reading, writing, digital literacy and use of mathematical ideas);
 - Employability skills (such as collaboration, problem solving, self-management, learning and information and communication technology skills required for participation in modern workplaces and contemporary life); or
 - Certificate IV NSW Tertiary Preparation Certificate.

Students who hold these qualifications will pay the First Qualification fee.

The First Qualification fee also applies to fees for 15 to 17 year olds regardless of any previous qualification.

The Standard Student—Subsequent Qualification Fee applies to students who already hold a previous post-school qualification from any tertiary sector. This category includes vocational and higher education qualifications achieved in Australia or overseas at any time previously.

The Standard Student—Subsequent Qualification fee is the higher of the two Standard Student fees because individuals undertaking a second or subsequent post- school qualification have already benefitted from training.

Where a student completes a Smart and Skilled qualification and enrolls in another Smart and Skilled qualification (except an apprenticeship or traineeship), students are charged the Standard Student—Subsequent Qualification fee for the subsequent qualification.

Note: There is no limit to the number of previous post- school qualifications a student can hold.

Traineeship fees

Under the NSW Government's Fee Free Traineeship Initiative, NSW trainees who are funded under Smart and Skilled, and commence subsidised training on or after 1 January 2020, are eligible for free training.

A trainee eligible under this initiative will be exempt from fees for their traineeship qualification.

For trainees who are not eligible, the fee for a qualification delivered to a trainee under a traineeship pathway is lower than for a non-traineeship pathway and is capped at \$1,000.

Recognition of prior learning

Where an eligible student is granted recognition of prior learning (RPL) for one or more units of competency, the qualification price will be adjusted, and a new student fee determined.

The qualification price is based on both fixed and variable costs. The fixed cost of the qualification will be reduced by 50 per cent of the proportion of units of competency granted RPL. The variable cost will be reduced by 50 per cent of the total cost of the units of competency granted RPL.

Once the adjusted qualification price is calculated the new student fee will be determined at the same percentage of the price as the original student fee for that course (i.e. Adjusted Price x fee percentage).

Where RPL for a unit (or units) of competency is assessed by PCA and only partially granted and some training delivery is still required, there is no reduction in the student fee and should not be entered in PCA's Calculator or reported as RPL granted.

Credit transfer

Where an eligible student is granted a credit transfer (CT) for one or more units of competency, the qualification price will be adjusted, and a new student fee determined.

The fixed cost of the qualification will be reduced by the proportion of units of competency given credit transfer. The variable cost will be reduced by the total cost of each unit of competency granted credit transfer.

Once the adjusted qualification price is calculated the new student fee will be determined at the same percentage of the price as the original student fee for that course (i.e. Adjusted Price x fee percentage).

Calculating and adjusting fees for recognition of prior learning and credit transfer

Where RPL and/or CT are granted at enrolment, PCA uses the Smart and Skilled Provider Calculator to determine the applicable student fee.

Where RPL and/or CT is granted after enrolment, or after a student commences a qualification, PCA reports the outcome for the relevant unit(s) of competency in their next Smart and Skilled training activity data file submitted to the Department. The Department will make adjustments to the subsidy payment and advise PCA of the new student fee. PCA takes all necessary steps to advise affected students of adjusted fee and to adjust the fee levied, including adjustments to subsequent fee payment schedules.

PCA sights appropriate evidence, such as a testamur or a Unique Student Identifier (USI) transcript to grant credit transfer.

Validation of student eligibility and fee

PCA uses the NSW Smart and Skilled Calculator to confirm an individual's Smart and Skilled eligibility for a qualification.

PCA cannot charge students a fee other than what is calculated by the NSW Government through the Smart and Skilled Calculator.

Additional fees

Incidental expenses

The price of a qualification, which is made up of the government subsidy and student fee, will cover the total costs incurred by PCA to deliver the training, including assessment. However, there may be some instances of a personal cost to a student over and above the student fee.

These costs include:

- Essential equipment and other items that the student has the choice of acquiring from PCA, or from a supplier other than PCA, that become the physical property of the student, are retained by the student on completion of training, and are not consumed during the training;
- An optional charge for an item that is not essential for the student to complete the training;
- An optional charge for an alternative form of access to an item or service that is an essential component of the training, but is otherwise made readily available at no additional fee by PCA;
- Field trips and food, transport and accommodation costs associated with the provision of field trips that form part of the training; or
- Any textbook the student requires to undertake their qualification that is retained by the student after completion of the qualification.

For each qualification, PCA publishes on its website any additional costs that a student will or may incur and ensure that students are aware of these costs prior to enrolment.

PCA provides all students (or employers where relevant) with receipts for any monies collected by PCA for incidental expenses. PCA retains copies of receipts issued.

Transferring students

A student undertaking a Smart and Skilled qualification may withdraw from a qualification with a Smart and Skilled Provider and transfer to another Smart and Skilled Provider to complete their qualification because:

- They chose to of their own accord;
- Their initial Provider closes; or
- Their initial Provider's Smart and Skilled Contract has been terminated.

Students who transfer of their own accord

Where a student transfers of their own accord from their initial Smart and Skilled Provider to another Smart and Skilled Provider to complete their training, standard credit transfer rules will apply when calculating the student fee. To do this, the student's subsequent Provider must obtain a statement of attainment from the student (issued by the initial Provider) to determine what credit should be granted. The subsequent Provider must use the Smart and Skilled Provider Calculator to determine the student fee.

In this situation, the student may end up contributing more towards the cost of their training.

Students who transfer due to Provider closure or contract termination

The following rules apply to a student who transfers due to a Provider's closure or the termination of a Provider's Smart and Skilled Contract:

- The fees charged in total by the two Smart and Skilled Providers cannot exceed the student fee quoted by the initial Provider.
- Where the combined fee exceeds the original fee quoted, the subsequent Provider must contact the Department to confirm fee to be charged, before enrolling the student and charging any fees. Any fee gap will be paid to PCA by the Department.

Therefore, where a student transfers from their initial Smart and Skilled Provider to another Smart and Skilled Provider to complete their training, and the transfer is not of the student's own accord, the subsequent Provider must obtain from the student:

- A statement of attainment issued by the previous Smart and Skilled Provider;
- An up-to-date training plan (issued by the initial Smart and Skilled Provider) that lists all units of competency achieved, commenced but not completed, and/or not started; and
- A statement of fees issued by the previous Smart and Skilled Provider.

The subsequent Provider can then enter the details into the Smart and Skilled Provider Calculator to determine the student's fee.

Obtaining the above documentation may not be possible where the initial provider closes. In these instances, PCA seeks assistance from the Department to determine the student's fee.

Smart and Skilled Fee Administration Policy

PCA ensures each student is given access to the Smart and Skilled Fee Administration Policy before or at the time of enrolment. This is available at: <https://smartandskilled.nsw.gov.au/for-training-providers>

PCA makes students aware of its policies or processes on:

- Evidence required for student eligibility for Smart and Skilled, Smart and Skilled programs and fee exemptions and concessions where relevant;
- Withdrawal without penalty;
- Repeat attempts to complete a unit of competency;
- Fee refunds;
- Recovery of outstanding fees; and
- Levying of student fees.

VET Student Loans – Fee & Loan Arrangements

Students may access VET Student Loans to obtain a loan for course tuition fees. As VET Student Loans may only cover tuition fees, any other fees and charges must be borne by the student. The requirements around other fees that are incidental to study are to help ensure that any upfront costs to students are kept to a minimum and to what may reasonably and fairly be charged to a student.

For more information regarding VET Student Loans see [VET Student Loans - Department of Employment and Workplace Relations, Australian Government \(dewr.gov.au\)](#)

Fees that cannot be charged

PCA does not require fees to be paid for:

- Assessments to determine whether a student is academically suited to undertake a course; or
- Applying for enrolment, or enrolling in, an approved course.

Fee Free Traineeships New South Wales

Trainee eligibility

NSW trainees, including school-based trainees, whose traineeship qualification is funded under Smart and Skilled and who commence subsidised training on or after 1 January 2020 are eligible. This includes:

1. Trainees who commence subsidised training for the first time on or after 1 January 2020.
2. Trainees whose traineeship is cancelled and subsequently recommence a traineeship in the same vocation with a different employer and recommence subsidised training on or after 1 January 2020.
3. Trainees whose traineeship is cancelled and subsequently commence a new traineeship in a new vocation with the same/different employer and commence in subsidised training on or after 1 January 2020.
4. A trainee who has completed a traineeship and is undertaking a subsequent traineeship and is commencing the subsidised training in the subsequent traineeship on or after 1 January 2020.

Trainees who fit eligibility category 2 and 3 above, and in some scenarios 4, must be awarded Credit Transfer and/or Recognition of Prior Learning (CT/RPL) where relevant. This must be reflected in the Notification of Enrolment through the Provider Calculator and reported in training activity data through eReporting.

Where this occurs, only the proportion of training that is commenced and undertaken after 1 January 2020 in the new traineeship qualification is fee free.

PCA validates the trainee's eligibility with the employer and may also use any other information available to assist in assessing eligibility.

Specific trainee exclusions from eligibility

A NSW trainee who commenced subsidised training prior to 1 January 2020 and subsequently, on or after 1 January 2020 recommences their subsidised training:

- a) with the same provider, and is employed by the same employer and in the same vocation, or
- b) changes provider and remains party to a training contract with the same employer and in the same vocation,

- c) is not eligible for fee free training. The trainee must be granted CT/RPL and be subject to reduced fees due to CT/RPL.

A student who commenced subsidised training under a School Based Traineeship prior to 1 January 2020 and then transitions to a full apprenticeship on or after 1 January 2020 are not eligible for fee free training for their full apprenticeship.

Concession fees

Concession fees are discounted fees for disadvantaged students. Concessions fees are a flat fee for the qualification level.

A student who receives a specified Commonwealth Government welfare benefit or allowance is eligible for a concession fee for a qualification up to and including Certificate IV. A student who is receiving a specified benefit or allowance at the time of enrolment is eligible for a concession.

These benefits and allowances include:

- Age Pension;
- Austudy;
- Carer Payment (this category does not include the Carer Allowance or Carer Adjustment Payment);
- Disability Support Pension;
- Farm Household Allowance;
- Family Tax Benefit Part A (maximum rate);
- JobSeeker Payment;
- Parenting Payment (Single);
- Special Benefit;
- Veterans' Affairs Pensions;
- Veterans' Children Education Scheme;
- Widow Allowance; and
- Youth Allowance.

The concession fee is also available to a student who is a dependant of a person receiving a specified Commonwealth Government welfare benefit or allowance. To be eligible for the concession the person who the student is a dependant of must be receiving the benefit or allowance at the time of enrolment.

There are no concessions for students enrolling in Diplomas and Advanced Diplomas.

Fee for concession students where recognition of prior learning and/or credit transfer has been awarded

Where a student is eligible for a concession and has been awarded RPL and/or CT, if the adjusted Standard Student fee (First or Subsequent) is lower than the concession fee, the student will pay the relevant Standard Student fee.

Proof of eligibility

Specified Commonwealth Government welfare benefit or allowance must provide the following proof of eligibility for a concession:

- A letter from the Department of Human Services (Centrelink) confirming receipt of the benefit. The letter should clearly show the Centrelink Reference Number (CRN) and the benefit or allowance category; or a current concession card that shows the CRN and clearly shows the benefit or allowance category; or
- A current Centrelink income statement that clearly shows the CRN and the benefit or allowance category; or
- Any other evidence that clearly shows the CRN and the benefit or allowance category; or
- Documentary evidence from the Department of Veterans' Affairs stating their pension/benefits status; or
- For people applying for Austudy or Youth Allowance, an approval letter from Centrelink that shows the CRN and indicates that commencement date of their benefit is within two weeks of their enrolment or two weeks within the date of the first class attendance or participation in training.

An individual who is seeking a concession as a dependent child, spouse or partner of someone who is receiving a specified Commonwealth Government welfare benefit or allowance must provide documentary evidence that Centrelink recognises the individual as the dependant. The evidence should clearly show the CRN of the benefit or Commonwealth Government welfare recipient.

Fee exemptions

Students who qualify for a fee exemption are:

- Australian Aboriginal and Torres Strait Islander people;
- People with a disability(ies) (that is people who meet the disability fee exemption criteria, including the dependent child, spouse or partner of a recipient of a Disability Support Pension). (See also Proof of eligibility for fee status);
- Refugees and asylum seekers (that is people who meet the refugee and asylum seeker eligibility and exemption criteria specified); or
- Recipients of Fee-Free Scholarships.

Frequency of exemption

Australian Aboriginal and Torres Strait Islander students and students that meet the Smart and Skilled disability fee eligibility requirements ("students with a disability(ies)") and students who meet the refugee or asylum seeker eligibility and exemption criteria ("students who are a refugee or asylum seeker") will be exempt from fees for any Smart and Skilled enrolments for which they are eligible.

Australian Aboriginal and Torres Strait Islander students, “students with a disability(ies)” and students who are a refugee or asylum seeker must meet the Smart and Skilled eligibility criteria or be a NSW apprentice or a NSW new entrant trainee undertaking a Skills List traineeship qualification.

Fee exemption Aboriginal and Torres Strait Islander students

Australian Aboriginal and Torres Strait Islander students prove their status and eligibility for a fee exemption through descent, self-identification and community identification.

Students will need to declare their status and be able to provide documentary evidence of community identification, if required.

Fee exemption Students with a disability(ies)

A student who seeks a fee exemption on the basis of disability will need to provide:

- A letter from Centrelink confirming receipt of the Disability Support Pension. The letter should clearly show the Centrelink Reference Number (CRN); or
- A current Disability Pensioner Concession Card that shows the CRN; or
- A current Centrelink income statement for the Disability Support Pension, which clearly shows that income is for the disability pension and also shows the CRN; or
- Any other evidence that clearly shows the CRN and confirms receipt of the Disability Support Pension; or
- Documentary evidence of support demonstrating a clear additional need as a result of the student’s disability. This evidence must be a letter or statement from:
 - a medical practitioner; or
 - an appropriate government agency such as Veteran’s Affairs or a TAFE NSW teacher consultant (for students with a disability), a school counsellor or special education coordinator, Centrelink, a Disability Service Provider, or a Job Capacity Assessor; or
 - a specialist allied health professional (including a rehabilitation counsellor, psychologist, speech pathologist, or occupational therapist).

An individual who is seeking an exemption as a dependant child, spouse or partner of someone who is receiving a Commonwealth Government Disability pension must provide documentary evidence that Centrelink recognises the individual as a dependant. The evidence should clearly show the CRN of the Disability Pension Recipient.

Fee free training Refugees and asylum seekers

Refugees and asylum seekers who hold particular visas are eligible for Smart and Skilled. Individuals who hold one of the below visas are eligible for Smart and Skilled. Additionally, individuals who hold any of these visas are eligible for fee-free training for qualifications up to and including Certificate IV.

A student who seeks a fee exemption on the basis of their visa status will need to provide visa documentation, or documentation such as an ImmiCard where appropriate, which states that they hold one of the visas specified.

Permanent visas

- Emergency rescue visa (Subclass 203)
- Global special humanitarian programme visa (Subclass 202)
- In-country special humanitarian programme visa (Subclass 201)
- Protection visa (Subclass 866)
- Refugee visa (Subclass 200)
- Woman at Risk visa (Subclass 204).

Temporary visas

- Bridging Visa A (BVA)
- Bridging Visa B (BVB)
- Bridging Visa C (BVC)
- Bridging Visa D (BVD)
- Bridging Visa E (BVE)
- Safe Haven Enterprise visa (Subclass 790)
- Temporary Humanitarian Concern visa (Subclass 786)
- Temporary Humanitarian Stay visa (Subclass 449)
- Temporary Protection visa (Subclass 785).

Fee-Free Scholarships

Smart and Skilled Fee-Free Scholarships are a category of “Fee Exemption”; meaning that Fee-Free Scholarship recipients are exempt from paying student fees. Training providers will be compensated for the student fee revenue foregone as a result of the student being fee exempt rather than paying the concession fee.

To be eligible for a Smart and Skilled Fee-Free Scholarship, individuals must first meet the rules for the relevant program.

Smart and Skilled eligible students undertaking a full qualification up to and including Certificate IV may be eligible for a Smart and Skilled Fee-Free Scholarship and are:

- Aged between 15 and 30 (inclusive) at the start date for training and eligible for a concession fee (i.e. a Commonwealth Government welfare recipient); or
- Commencing in training from 1 January 2016 and meet the Out-of-Home Care definition at the time of enrolment and are:
 - aged 15-17 years and currently in out-of-home care; or
 - Aged 18-30 years and previously in out-of-home care; or

- Aged 15 and over, commencing in training 1 July 2016 and be able to disclose (self-declare) at enrolment that they meet the domestic and family violence definition.

Individuals are eligible for one scholarship per financial year (commencing 1 July 2015) and a maximum of two scholarships over four financial years (ending 30 June 2019).

There is a limit of 50,000 Smart and Skilled Fee-Free Scholarships per financial year. This limit does not apply to students who meet the fee-free criteria who are living in social housing in NSW or on the NSW Housing Register (waiting list); or students who meet the out-of-home care criteria for a fee-free scholarship.

Social Housing definition

For the purposes of the Smart and Skilled Fee-Free Scholarship scheme, “NSW Social Housing” includes tenants of:

- Public housing (owned and managed by the NSW Government or managed by a community housing provider);
- Community housing (owned and/or managed by community housing providers);
- Aboriginal housing (owned and/or managed by the Aboriginal Housing Office (AHO) and Aboriginal Community Housing Providers);
- Clients receiving crisis accommodation/supported accommodation (Specialist Homelessness Services);
or
- Clients receiving private rental assistance funded by Family and Community Services (for example: private rental subsidy, rental bond loans, tenancy guarantees).

A social housing resident or person on the NSW Housing Register (waiting list) who seeks a Smart and Skilled Fee-Free Scholarship will need to confirm, by student declaration/signature, that the information provided about their social housing status is correct.

Out-of-Home Care definition

The term ‘out-of-home care’ is defined in section 13.5 of the Children and Young Persons (Care and Protection) Act 1985 and refers to children or young people who are cared for by a person other than their parent, in a place that is not their usual home. Children and young people enter out-of-home care because they are in need of care and protection.

There are two main types of out-of-home care:

- Statutory care - where the Children’s Court has made a Care Order placing the child or young person in the parental responsibility of the Minister for Family and Community Services
- Supported care - where the Secretary of Family and Community Services forms the opinion that the child or young person is in need of care and protection.

Children and young people in out-of-home care usually reside with relative/kinship carers, foster carers or in residential care services.

A student who meets the out-of-home criteria who seeks a Smart and Skilled Fee-Free Scholarship will need to confirm by student declaration/signature that they meet the eligibility criteria, and if requested provide supporting evidence.

Domestic and family violence definition

For the purposes of the Smart and Skilled Fee-Free Scholarship scheme, people who have experienced or are experiencing domestic and family violence or their dependants must have a letter of recommendation from a domestic and family violence service, refuge or other support agency.

A student who meets the domestic and family violence criteria who seeks a Smart and Skilled Fee-Free Scholarship will need to confirm by student declaration/signature that they meet the eligibility criteria, and provide supporting evidence.

Notifications and Guarantee

PCA notifies clients as soon as practical after any change occurs that may affect the course services being provided. This includes changes of significant impact including:

- A change in ownership of the RTO entity should that occur.

PCA guarantees that no additional charges will be imposed during the period covered by the Course Fees Agreement.

All students are offered the option to pay fees across multiple instalments. Where an employer pays fees this is typically paid in one instalment.

Fee Protection

PCA does not collect more than \$1,500 in prepaid fees (fees in advance) from Students at any time for any course service. As such, no further fee protection arrangements are required. The requirements that apply to prepaid fees include all fees that a Student is required to pay, including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course.

PCA is required to protect prepaid fees from individual Students and prospective Students. These requirements do not apply for employers for example, where an employer engages PCA to provide training and/or assessment to its personnel.

Recovery of Outstanding Student Fees

PCA collects all fees to be paid by the student by the time they complete their subsidised training. PCA retains student fees that it collects.

PCA has a robust process for the recovery of outstanding fees from a student, involving:

- Multiple fee statement reminders progressively via email and phone contact;

- Suspension of enrolment due to non-payment of fees; and
- Lodgement of fees for collection in cases of extended non-payment.

The failure by a student to pay a fee owing is considered to be a breach of discipline and can lead to penalties being imposed on the student under Discipline arrangements.

One of the penalties that may be considered is the delay in release of results or testamur(s) as relevant to the student until all fees are recovered, depending on the contractual requirements in each jurisdiction. For significant student debts, formal debt collection actions may also be undertaken.

Refunds

From time to time a refund may be required for specific student cases. Refund information and arrangements are made available to clients prior to enrolment through:

- PCA's *Student Handbook*;
- PCA website; and

PCA has publicly published on its website, and makes students aware of this Refund policy before enrolment.

Refunds Due to Non-Provision of Services

All fees levied are refunded in full if PCA is unable to commence the course service as agreed due to a lack of minimum Student numbers, a course or unit is cancelled or re-scheduled to a time unsuitable to the student, a student is not given a place due to maximum number of places being reached, where a student withdraws from training not of their own accord, or any unforeseen circumstances.

A full refund of relevant unit tuition fees will be paid at any time during delivery if a class is cancelled because of declining student numbers, no available training personnel, PCA is no longer approved to deliver government supported courses in the relevant jurisdiction, where PCA closes or due to other circumstances caused by PCA.

Where there is an instance of PCA default due to unforeseen circumstances, PCA will endeavour arrange for another course, or part of a course, to be provided to Students at no (extra) cost to the student as an alternative to a refund. Where the student agrees to this arrangement, PCA will not refund fees paid.

Refunds Due to Request Hardship Application

Students may have extenuating circumstances that prevent them from attending scheduled course dates that may include but are not limited to illness, family or personal matters, or other reasons that are out of the ordinary.

Where delivery has commenced, course fees have been paid and an employer or Student believes a special circumstance refund is warranted, the client may apply for a refund by writing to the Business Manager PCA.

PCA generally approves a pro rata refund of fees and charges at any time during the course of delivery if Students withdraw for reasons of personal circumstances beyond their control, such as

- Serious illness resulting in extended absence from course activities;
- Injury or disability that prevents the Student from completing their course; or
- Other exceptional reasons at the discretion of PCA.

In all cases, relevant documentary evidence (for example, medical certificate) is required. Details of all refunds are retained for audit purposes.

This decision of assessing the extenuating circumstances rests with the General Manger of PCA and shall be assessed on a case by case situation.

All refund applications are assessed and processed within fourteen (14) days of the application being placed. The applicant will be advised in writing of the outcome of their application, including reasons for refusing a refund in cases where this occurs.

PCA does not provide a refund in cases where a student has withdrawn from a qualification but has completed all the requirements for a lower level qualification, which attracted a lower student fee.

All clients have the right to appeal a refund decision made by PCA. Please refer to the Complaints section for further information.

Reviewable decisions

Certain decisions are “reviewable decisions”.

A person may apply to the Administrative Appeals Tribunal (AAT) for review of a review officer’s decision and may supply additional information to the AAT they did not previously supply to PCA, including the review officer.

The department will receive notification from the AAT that a person has lodged an application for a review of a review officer’s decision. The department is the respondent for cases that are before the AAT.

Once the department has received notification from the AAT that the person has applied for the reconsideration under section 37 of *the Administrative Appeals Tribunal Act 1975*, the department must lodge the following documents with the AAT within 28 days:

- A statement setting out the findings on material questions of fact, referring to the evidence or other material on which those findings were based and giving the reasons for the decision; and
- Every document or part of a document that is in the reviewer’s possession or under the reviewer’s control and is considered by the reviewer to be relevant to the review of the decision by the AAT.

The department will notify PCA, in writing, that an appeal has been lodged. To enable the department to meet the 28-day timeframe, PCA must, within a further 5 business days of being requested, provide the department with copies of all the documents it holds that are relevant to the appeal. These documents

should be sent by courier or express post to meet the 5-business day requirement. PCA should keep any originals and copies of the documents in line with its normal recording keeping practices.

Once the documents are received, the department may choose to review the original decision.

PCA's review officer may also reconsider the decision even though an appeal has been made to the AAT at any time up until the AAT makes a final decision. If a decision is made to re-credit a person's FEE-HELP balance PCA must advise the department.

However, until a person withdraws their AAT appeal or the appeal is dismissed or otherwise dealt with by the AAT, the department is still required to comply with the requirement under section 37 of the *Administrative Appeals Tribunal Act 1975* to lodge the statement, and relevant documents described in the two dot points above, with the AAT. Therefore, PCA must still forward all relevant documents to the department within 5 business days, unless advised not to do so by the department. The department will deal with cases from that point and advise PCA of the outcome.

Fee Records

All course services fees, relevant invoices and receipts for each student course enrolment are recorded and maintained in the <<SPIE Management folder. This system acts as the official accounts receivables system for PCA and is maintained as the official and auditable records for all fees, charges and refunds.

Acquittals

PCA maintains financial records such that it is able to provide to State and Territory governments, on request, a statement that all funding received via any jurisdictional funding contract or agreement was expended for the purposes of, and in accordance with, the terms of that agreement.