

GUIDELINES FOR APPLYING FOR REMOVAL OF FINANCIAL LIABILITY DUE TO SPECIAL CIRCUMSTANCES

(Re-credit and Remission)

1. INTRODUCTION

The purpose of these guidelines is to provide clear instructions, so you can determine **if your circumstances warrant an application for removal of financial liability after the census date**. Removal of financial liability after the census date may include:

- Student Learning Entitlement (SLE) re-credited;
- FEE-HELP debt remitted and balance re-credited;
- HECS-HELP debt remitted;
- Up front student contributions credited or refunded;
- Tuition fees credited or refunded.

Important Notes:

- Separate applications must be submitted if applying for more than one semester.
- Incomplete applications will NOT be processed.
- This form is not to be used by students seeking withdrawal without academic penalty¹.

2. STUDENT ELIGIBILITY REQUIREMENTS

2.1. Basic Eligibility Requirements

You may apply to the *Academic Registrar* to have your financial liability removed if you can show that all of the following requirements are met and you **supply independent supporting documentation**:

- application is made within 12 months from when you withdrew from the course(s) or, if you have not withdrawn in the semester in which you were enrolled in the course(s), within 12 months from the end of the semester during which the course/s was undertaken; and
- due to special circumstances, you were unable to complete the course requirements; and
- the full impact of the special circumstances were not known until on or after the census date for the relevant semester; and
- the special circumstances were beyond your control.

2.2. Demonstrated achievement of the basic eligibility requirements

In order to satisfy the basic eligibility requirements listed above, you must be able to demonstrate that **all** of the criteria are applicable in your case. The following sections detail these essential criteria.

¹ *If your performance in a course(s) is jeopardised because of health and other personal problems, and these special circumstances are not related to your academic ability or diligence, you should apply during the relevant semester for withdrawal without academic penalty to the Executive Dean of the faculty prior to the finalisation of results.. For further information on eligibility and how to apply refer to:*
<http://www.uq.edu.au/hupp/index.html?page=25130>

2.2.1. Course Assessment and Participation

The special circumstances make it impracticable for you to complete the course requirements for the semester or session if you are unable to:

- i) undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements in order to meet your compulsory course requirements, or
- ii) complete all assessment tasks or examinations and any special course requirements.

2.2.2. Full impact unknown until after the census date

The full impact of the special circumstance occurred either:

- i) before the census date, but deteriorated significantly after the census date; or
- ii) before the census date, but the full effect or magnitude did not become apparent until on or after the census date; or
- iii) on or after the census date.

2.2.3. Special circumstances were beyond your control

The circumstances which lead to your withdrawal must be considered by a reasonable person to be not due to your action or inaction, either direct or indirect, and for which you are not responsible. This situation must be unusual, uncommon or abnormal. A lack of knowledge or understanding of census dates or cancellation procedures is not considered to be beyond your control.

2.3. Special Circumstances

Special circumstances include:

2.3.1. Medical reasons

Medical reasons must be supported by an original or certified copy of a medical certificate that substantiates that:

- the condition existed prior to the census date, continued past that date, and can substantiate significant deterioration after the census date to the extent that you were unable to complete the course(s); or
- the medical condition only became known after the census date and it was such that you were unable to complete the course(s).

2.3.2. Family, personal or financial reasons

Family or personal reasons must be supported by an original or certified copy of a document from your family doctor or counsellor that substantiates your claim.

Example 1: A member of your family suffers from a severe medical condition and, after the census date, you were required to provide full-time care. As a result, you were unable to continue with your course(s).

Example 2: A member of your immediate family or partner died and you were affected to the extent that, after the census date, you were unable to complete your course(s) (must be substantiated by documentary evidence).

Financial

Example 3: There is a significant and unexpected change to your financial circumstances or to a third party who supports you. This unexpected change occurred after the census date and consequentially you were unable to complete the course(s) (must be substantiated by documentary evidence).

2.3.3. Employment Related Reasons

Employment reasons must be supported by a statement from your employer to substantiate that after the census date, your employment status or arrangements changed unexpectedly due to circumstances beyond your control, and as a result you were unable to complete the course(s).

Example 1: You were employed full-time while studying. After the census date, your employer unexpectedly increased your hours of employment in circumstances that were beyond your control. As a result you were unable to continue with your studies or complete the course(s).

Example 2: You were employed full-time while studying. After the census date, your employer directs that you be transferred to a different state/overseas. As a result, you are unable to complete the course(s).

Note: Choosing to increase hours of work or to undertake additional employment is not regarded as a circumstance beyond your control. In such circumstances liability will not be remitted.

3. APPLICATION, OUTCOMES AND NOTICE OF DECISION

3.1. Application Process

- You must read these Guidelines to determine if you satisfy the eligibility requirements.
- *Removal of Financial Liability Due to Special Circumstances* application forms are available on the web at: <http://www.uq.edu.au/myadvisor/removal-financial-liability>
- Complete the *Removal of Financial Liability Due to Special Circumstances* application form and ensure it is signed and dated.
- **You must attach a signed and dated Personal Statement** explaining the details of your case and the special circumstances which prevented the completion of your course(s). Applications without a signed and dated Personal Statement and supporting documentation will NOT be processed.
- You must attach all supporting documentation to the form. **Documents must be either originals or certified copies of the originals**. Applications without supporting documentation will NOT be processed.
- Emailed or faxed applications will NOT be accepted.
- The completed application must be lodged within 12 months from when you withdrew from the course(s) or, if you have not withdrawn in the semester in which you were enrolled in the course(s), within 12 months from the end of the semester during which the course(s) was undertaken. Incomplete applications will NOT be processed
- Completed application forms, including all supporting documentary evidence, may be lodged either in person at the Student Centre on any UQ campus or by mail addressed to:

**The Student Centre
The University of Queensland QLD 4072**

3.2. Notice of Decision

- You will be notified of the outcome of your application within 45 calendar days from the date on which the complete application was received by the University.
- Notice of the decision will be in writing and will be sent to your mailing address recorded in mySI-net. If you are no longer a student of the University, and your mailing address has changed, this should be noted clearly on the application form.

3.3. Processing Approved Applications

Where an application is approved, the process applied for the repayment, re-crediting or remission of financial liabilities will depend upon the category of student and the method of original payment used, as detailed below.

3.3.1. Commonwealth Supported Students

Deferred HECS-HELP

Students who had deferred their student contribution for the course(s) will have their debt to the Australian Taxation Office reduced (this includes any amounts incurred due to indexation) and their Student Learning Entitlement (SLE) re-credited accordingly.

Up front HECS-HELP

Students who paid their student contribution up front will have this amount credited to their UQ student account and their Student Learning Entitlement (SLE) re-credited. Where a student requires a refund of monies paid rather than a credit towards a future semester's liability, he/she should advise the University accordingly using the *Student Fees Refund Request* form available online at:

<http://www.uq.edu.au/myadvisor/refunds>

3.3.2. Full Tuition Fee Students

FEE-HELP

Students who have incurred a FEE-HELP debt will have their debt to the Australian Taxation Office reduced and balance re-credited (this includes any amounts incurred due to indexation).

Full-fee payers

Students who have paid their tuition fees to the University will have this amount credited to their UQ student account. Where a student requires a refund of monies paid rather than a credit towards a future semester's liability, he/she should advise the University accordingly using the *Student Fees Refund Request* form available online at:

<http://www.uq.edu.au/myadvisor/refunds>

4. APPEALS

4.1. Application Process

If you are dissatisfied with the decision made by the *Academic Registrar* in relation to your application, you have the right to apply to the *Deputy Vice-Chancellor (Academic)* for a review of that decision.

The time limit for applying for a review of a decision is 28 calendar days from the day you received notice of the decision.

Students seeking a review of a decision are advised to write to the *Deputy Vice-Chancellor (Academic)* and:

1. State that you are submitting a **Review Request for Removal of Financial Liability**.
2. State clearly the decision you want reviewed and explain the grounds for requesting a review.
3. **Attach any additional documentary evidence** which may not have been available when the original decision was made.

The appeal letter should be sent to:

**The Manager, Student Centre
The University of Queensland QLD 4072**

You may wish to consult the Education and Postgraduate Student Advocate, University of Queensland Union, for assistance with preparation of a Review Request.

4.2. Acknowledgement of Review Request for Removal of Financial Liability

The University will acknowledge receipt of your request for a review.

4.3. Notice of Review Decision

- You will be notified of the outcome of your review application within 45 calendar days from the date on which the complete application was received by the University.
- The notice will advise if the earlier decision by the *Academic Registrar* has been:
 - Confirmed
 - Varied
 - Set aside and replaced by a new decision.
- Notice of the decision will be in writing and will be sent to your mailing address recorded in mySI-net. If you are no longer a student of the University, and your mailing address has changed, this should be noted clearly on the application form.

4.4. Appeals to the Administrative Appeals Tribunal (AAT)

HECS-HELP or FEE-HELP students who are dissatisfied with the review decision of the *Deputy Vice-Chancellor (Academic)* have the right to appeal to the Administrative Appeals Tribunal (AAT). The application must be lodged within 28 calendar days of receiving notice of the reviewer's decision.

A filing fee of approximately \$682.00 is normally payable. In some circumstances you do not have to pay the fee; contact the AAT to obtain more information. Fees are refunded for successful applications.

The Secretary of the Department of Education, Employment and Workplace Relations, or his/her delegate, will be the respondent for cases heard by the AAT. Contact Information:

Administrative Appeals Tribunal (AAT) Queensland
Deputy Registrar
GPO Box 9955
Brisbane QLD 4001

Internet: <http://www.aat.gov.au/>
Ph: 07 3361 3000

4.5. Full Fee Paying Students

International or domestic full-fee paying students have the right to take further action under Australia's consumer protection laws.

5. GRIEVANCE RESOLUTION PROCESS

Information on the University's Grievance Resolution process is available at:

<http://www.uq.edu.au/myadvisor/grievance-resolution>