

Commonwealth of Australia

Higher Education Support Act 2003

VET FEE-HELP GUIDELINES

Amendments to Guidelines made under subclause 99(1) of Schedule 1A of the *Higher Education Support Act 2003*

I, Kim Carr, Acting Minister for Education on behalf of the Minister for Employment Participation and the Acting Minister for Employment and Workplace Relations, pursuant to subclause 99(1) of Schedule 1A of the *Higher Education Support Act 2003* ('the Act'), make the attached amendments to the VET FEE-HELP Guidelines dated 22 May 2008 which were registered on the Federal Register of Legislative Instruments on 3 June 2009 (see F2008L01952) and commenced on 4 June 2009 and which provide for matters under Part 2 of Schedule 1A of the Act.

Dated this 24th day of June 2009.

.....Kim Carr.....

KIM CARR

Acting Minister for Education on behalf of the Minister for Employment Participation and the
Acting Minister for Employment and Workplace Relations

COMMONWEALTH OF AUSTRALIA

Higher Education Support Act 2003

VET FEE-HELP Guidelines

Amendment No. 1

(i) CITATION

This legislative instrument may be cited as Amendment No. 1 to the *VET FEE-HELP Guidelines*.

(ii) AUTHORITY

This legislative instrument is made under subclause 99(1) of Schedule 1A of the *Higher Education Support Act 2003*.

(iii) DATE OF EFFECT

This legislative instrument comes into effect on the day after the day it is registered on the Federal Register of Legislative Instruments.

(iv) AMENDMENT

These Guidelines amend the *VET FEE-HELP Guidelines* registered on 3 June 2008 (see F2008L01952) and which commenced on 4 June 2008.

PURPOSE

- The purpose of these guidelines is to amend the *VET FEE-HELP Guidelines*.
- The *VET FEE-HELP Guidelines* are amended as follows:

Item 1 – Subsection 1.1.10

Insert:

Full fee-paying student has the meaning given in subsection 2.10.1.

Item 2 – Subsection 1.1.10

Insert:

Reform State or Territory has the same meaning as is given to it in the VET Provider Guidelines.

Item 3 – Subsection 1.1.10

Insert:

Scope of Registration has the same meaning as is given to it in the VET Provider Guidelines.

Item 4 – Subsection 1.1.10

Insert:

Subsidised student has the meaning given in subsection 2.10.10.

Item 5 – Chapter 2

Substitute:

CHAPTER 2 OTHER COURSE AND STUDENT REQUIREMENTS FOR ENTITLEMENT TO VET FEE-HELP ASSISTANCE

2.1 PURPOSE

2.1.1 This chapter sets out:

- a) under paragraph 43(d) of Schedule 1A of the *Act*:
requirements for VET courses of study relating to VET credit transfer arrangements for the purposes of paragraph 45(1)(a) of Schedule 1A of the *Act*; and
- b) under paragraph 43(i) of Schedule 1A of the *Act*:
requirements for students relating to their entitlement to VET FEE-HELP assistance for a VET unit of study.

2.5 REQUIREMENTS FOR VET COURSES OF STUDY RELATING TO VET CREDIT TRANSFER ARRANGEMENTS

Basic requirement for credit transfer arrangement

2.5.1 The requirements for VET credit transfer arrangements are:

- a) for a VET course of study that leads to an award of VET diploma or VET advanced diploma, the VET provider must have in place at least one VET credit transfer arrangement for that course; and
- b) for a VET course of study that leads to an award of VET graduate diploma or VET graduate certificate, the VET provider does not need to have in place a VET credit transfer arrangement for that course.

Exemption from basic requirement

2.5.5 Where a VET provider offers, in accordance with its Scope of Registration, a VET course of study specified in paragraph 2.5.1a) in a Reform State or Territory, the VET provider is exempt from meeting the VET credit transfer requirements in paragraph 2.5.1a) in relation to that course.

Credit transfer arrangement details

2.5.10 A VET provider must ensure that the requirements of chapter 3 of these *Guidelines* are met for any VET credit transfer arrangement that the provider has in place.

NOTE: VET credit transfer arrangements can affect a student's entitlement to VET FEE-HELP assistance under section 2.10.

2.10 REQUIREMENTS FOR STUDENTS RELATING TO ENTITLEMENT TO VET FEE-HELP ASSISTANCE FOR A VET UNIT OF STUDY

Full fee-paying students

2.10.1 For the purposes of subsection 2.10.5:

full fee-paying student means a student enrolled in a VET course of study for which the VET provider does not receive any funding from a State, Territory or the Commonwealth in relation to the student's enrolment in that VET course of study.

2.10.5 A full fee-paying student is only entitled to VET FEE-HELP assistance for a VET unit of study if the unit:

- a) forms part of a VET course of study that leads to any award referred to in paragraph 2.5.1a) for which the VET provider has met the basic requirement in accordance with subsection 2.5.1 and has a VET credit transfer arrangement in place, or any award referred to in paragraph 2.5.1b); or
- b) forms part of a VET course of study for which the VET provider is exempt in accordance with subsection 2.5.5, and the VET provider does not have in place a VET credit transfer arrangement for that course, and the student is enrolled in the unit in a *Reform State or Territory*.

Subsidised students

2.10.10 For the purposes of subsection 2.10.15:

subsidised student means a student:

- a) who is enrolled with a VET provider in a VET course of study; and
 - b) for whom the VET provider receives funding from a State or Territory (the “**Subsidising State or Territory**”) in relation to the student’s enrolment in that VET course of study; and
 - c) who is determined to be a subsidised student by the Subsidising State or Territory.
- 2.10.15 A subsidised student is only entitled to VET FEE-HELP assistance for a VET unit of study if the unit:
- a) forms part of a VET course of study that leads to an award of VET diploma or VET advanced diploma; and
 - b) the student is enrolled in the unit in the Subsidising State or Territory; and
 - c) the Subsidising State or Territory is a *Reform State or Territory*.

Item 6 – Chapter 3

Substitute:

CHAPTER 3 CERTAIN DETAILS RELATING TO VET CREDIT TRANSFER ARRANGEMENTS

3.1 PURPOSE

- 3.1.1 This chapter sets out requirements relating to VET credit transfer arrangements.

3.5 REQUIREMENTS RELATING TO LEVEL OF CREDIT, WRITTEN AGREEMENTS, APPROVALS AND PUBLICATION

- 3.5.1 A VET credit transfer arrangement must provide a guaranteed level of credit (“**Credit**”) for the award of VET diploma or VET advanced diploma towards a higher education award of Bachelor degree. The *Group Manager* will use the following credit levels as a guide when approving the VET credit transfer arrangement:
- a) 50% Credit for a VET advanced diploma towards a 3 year Bachelor degree;
 - b) 37.5% Credit for a VET advanced diploma towards a 4 year Bachelor degree;
 - c) 33% Credit for a VET diploma towards a 3 year Bachelor degree; or
 - d) 25% Credit for a VET diploma towards a 4 year Bachelor degree.

3.5.5 The VET provider must ensure that the each VET credit transfer arrangement is set out in a written agreement between the VET provider and a higher education provider that:

a) is approved by the *Group Manager*; and

:

b) contains at least the following information:

i) the higher education award to which the VET credit transfer arrangement relates;

ii) the amount of Credit towards the higher education award that is guaranteed under the VET credit transfer arrangement; and

iii) the expiry date, if any, of the VET credit transfer arrangement.

3.5.10 A VET provider must seek approval from the *Group Manager* before it varies a VET credit transfer arrangement.

3.5.15 A VET provider must:

a) publish and make publicly available details of all VET credit transfer arrangements that comply with subsection 3.5.10; and

b) provide the *Group Manager* with a copy of all proposed VET credit transfer arrangements for approval; and

c) provide the *Group Manager* with a copy of all proposed variations to VET credit transfer arrangements for approval; and

d) publish and make publicly available details of all approved variations to VET credit transfer arrangements.

3.10 REQUIREMENTS APPLYING ON EXPIRATION OF A VET CREDIT TRANSFER ARRANGEMENT

3.10.1 If a VET credit transfer arrangement expires and there are students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the *Act* for any VET unit of study forming part of the course to which the arrangement relates (“**Affected Students**”), then:

- a) the requirements relating to VET credit transfer arrangements set out in this Chapter 4 are taken to have been satisfied for the whole of the course for those students only; and
- b) the VET provider must:
 - i) immediately notify the *Group Manager* and the Affected Students that the VET credit transfer arrangement has expired; and
 - ii) attempt to negotiate another VET credit transfer arrangement with a higher education provider for the VET course of study that meets the requirements of this Chapter 3.