



VET Student Loans Amendment Rules (No. 1) 2017

Made under the *VET Student Loans Act 2016*

I, Simon Birmingham, Minister for Education and Training, make the following legislative instrument.

Dated 23 June 2017

Simon Birmingham
Minister for Education and Training

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1 Name

This instrument is the *VET Student Loans Amendment Rules (No. 1) 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	30 June 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *VET Student Loans Act 2016*.

4 Schedule

The *VET Student Loans Rules 2016* is amended as set out in the Schedule to this instrument.

Schedule 1—Amendments to the *VET Student Loans Rules 2016*

VET Student Loans Amendment Rules (No. 1) 2017

1 Section 4 (definition of *financially viable*)

Omit “subsection 23(4)”, substitute “subsection 23(3)”.

2 Section 4 (definitions)

Insert:

Student Identifiers Registrar has the same meaning as in the *Student Identifiers Act 2014*.

3 After subsection 41(4)

Insert:

- (4A) Approval as a tuition assurance operator has effect for the period specified in the approval.

4 After section 41

Insert:

41A Secretary may impose conditions

- (1) The Secretary may, at any time:
 - (a) impose conditions on the approval of a person as the operator of a tuition assurance arrangement; or
 - (b) vary a condition of the approval
- (2) The Secretary must give the operator of the tuition assurance arrangement written notice of, and written reasons for:
 - (a) imposing a condition on the approval; or
 - (b) varying a condition of the approval.

5 Paragraph 53(2)(e)

Repeal the paragraph, substitute:

- (e) for the parts of the course which the student has completed:
 - (i) a copy of a statement of attainment or other Australian Qualifications Framework certification documentation issued by the course provider or an authorised issuing organisation in accordance with the Australian Qualifications Framework; or
 - (ii) a copy of an authenticated VET transcript issued by the Student Identifiers Registrar.

6 Paragraph 54(1)(b)

Repeal the paragraph, substitute:

- (b) for students enrolled in replacement courses to receive course credits for parts of the original course successfully completed by the student, as evidenced by:
 - (i) a copy of a statement of attainment or other Australian Qualifications Framework certification documentation issued by the course provider or an authorised issuing organisation in accordance with the Australian Qualifications Framework; or
 - (ii) a copy of an authenticated VET transcript issued by the Student Identifiers Registrar.

7 Subsection 58(3)

Omit “6 months”, substitute “12 months”.

8 Subsection 62(1), table item 6, column 2

Omit “Within 30 days after the end of the quarter”, substitute “Before the beginning of the quarter”.

9 Paragraph 62(2)(a)

Omit “at the end of the quarter”, substitute “at the beginning of the quarter”.

10 After section 62

Insert:

62A Secretary may request information

- (1) The Secretary may, by notice in writing, require a tuition assurance scheme operator to give the Secretary information or documents that relate to:
 - (a) the provision and operation of a tuition assurance arrangement by the operator;
 - (b) the operator’s role in facilitating tuition assurance for the students of an approved course provider;
 - (c) the operator’s compliance with this Act.
- (2) The information or documents must be provided:
 - (a) in the form specified in the notice, which may be a statutory declaration; and
 - (b) in accordance with other requirements specified in the notice.

11 Section 68

Omit “The tuition assurance scheme operator”, substitute “(1) The tuition assurance scheme operator”.

12 After paragraph 68(a)

Insert:

- (aa) if the course provider fails to hold the meeting referred to in paragraph 91(b) (***provider’s tuition assurance meeting***), arrange and hold a meeting with covered students as soon as practicable;

13 At the end of section 68

Insert:

- (2) The operator must hold the meeting mentioned in paragraph (1)(aa):
 - (a) as soon as practicable after the provider fails to hold the provider's tuition assurance meeting; and
 - (b) either:
 - (i) at, or within a reasonable distance of, the place the provider was required to hold the provider's tuition assurance meeting; or
 - (ii) if that is not practicable—by a means of electronic communication that enables all participants to communicate with each other.

14 Paragraph 69(1)(h)

Repeal the paragraph, substitute:

- (h) an explanation that if the student chooses to enrol in a course other than the replacement course, there is no obligation on the provider of the other course to offer a replacement component without charge to the student'.

15 Subsection 69(3)

After “records of replacement tuition offers made by the operator”, insert “and responses by the students to the replacement tuition offers”.

16 At the end of section 70

Add:

- (4) The tuition assurance scheme operator must keep records of its attempts to contact the student. The records must include the date, time and outcome of the contact. The records must be kept for at least 7 years.

17 Subsection 116(1)

Omit “by 31 March”.

18 At the end of subsection 116

Add:

- (3) The Secretary may, by notice in writing, specify the date by when the information required under subsection (1) must be given.