2012 TAFE Performance Agreement
Training Services Delivery

Schedule 3
TAFE Pipeline Specifications

<table>
<thead>
<tr>
<th>VERSION</th>
<th>DATE</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012 Version 1.0</td>
<td>October 2011</td>
<td>Draft Agreement</td>
</tr>
<tr>
<td>2012 Version 1.1</td>
<td>November 2011</td>
<td>Final Agreement</td>
</tr>
</tbody>
</table>
PURPOSE

A This Schedule 3 describes the specifications related to Training Services commenced prior to 1 January 2011 and continuing in 2012 (TAFE Pipeline) and must be read in conjunction with the Agreement.

1 Eligibility Requirements

1.1 Funding provided under this Schedule is only available for Training Services delivered to Continuing Students.

1.2 For the purposes of this Schedule, a 'Continuing Student' is defined as an individual:

a whose training commenced prior to 1 January 2011; and

b who is continuing training in the 2012 calendar year in the same course/qualification* that they were reported against in the 2010 calendar year and 2011 calendar year; and

c who was eligible for funding under the 2010 Performance Agreement between the Commission and the RTO (2010 Performance Agreement) and the 2011 TAFE Performance Agreement – Training Services Delivery (2011 Service Agreement); and

d who was reported via the Student Statistical Data Collection in 2010 and 2011 under Funding Source Codes L, P, LQ, RWL, RWP, LSG, PSG, YCL, or YCP.

* if, after the endorsement of a new/revised Training Package and the availability of the relevant Victorian Purchasing Guide, an individual transitions into the replacement qualification in the new/revised training package (as advised in the transition section of the relevant Purchasing Guide), the individual is deemed to be in the same course/qualification for the purposes of Clause 1.2, above.

For the avoidance of doubt, all of the above criteria must be satisfied in respect of each individual.

1.3 Where, due to an authorised period of absence documented by the RTO, such that there was no delivery of Training Services reported in the 2010 and/or 2011 calendar year, and the Continuing Student recommences in the same course/qualification in the 2012 calendar year, they will be considered a Continuing Student for the purposes of this Schedule.
2 Scope

PART A: Skills for Victoria Pipeline paid through SVTS

2.1 The Commission will make payment of the applicable Funds to the RTO:

a for Training Services delivered in the 2012 calendar year to Continuing Students whose 2010 delivery was paid through Schedule 3 Part 4B of the 2010 Performance Agreement (Training Delivery Paid Through SVTS); and

b in accordance with Clauses 6.1, 6.3, 6.4, 6.5, 6.6, 6.8, 6.9, 6.11, and 6.12 only of Clause 6 Determination and Payment of Contact Hour Funds of Schedule 2 of this Agreement.
PART B Youth Compact Pipeline

2.2 The Commission will make a Youth Compact Advance Payment of $1,570,000 to the RTO towards Training Services delivered in the 2012 calendar year to Continuing Students whose 2010 delivery was counted towards the Youth Compact as identified in Schedule 3 Part 2B of the 2010 Performance Agreement, except for individuals reported against Funding Source Code ZC.

2.3 The Commission will pay the RTO the Youth Compact Advance Payment by way of financial advances derived from the Victorian Government appropriation and Commonwealth-State 'National Agreement for Skills and Workforce Development', the amounts specified in relation this Part B. Except where specifically detailed otherwise, the financial advances will be made by twice monthly payments on the 1st and 15th day of the calendar month.

2.4 The final Student Statistical Report for 2012 will be used to determine the quantum of verifiable Scheduled Hours that have been delivered towards the Youth Compact Advance Payment.

2.5 Except as identified in Clause 3.3 of this Schedule, the Commission will value Training Services delivered by the RTO to Continuing Students in the 2012 calendar year under this Part B of this Schedule by multiplying the Scheduled Hours for relevant Continuing Students as reported via the final Student Statistical Report for 2012 by the relevant rate per scheduled hour (SCH) as detailed in Clause 4 of this Schedule.

2.6 In reconciling Training Services reported against the Youth Compact Advance Payment, the following will be taken into account for relevant Continuing Students:
   a Training Services reported under Funding Source Codes YCP and YCL; and
   b Training Services reported under Funding Source Codes P and L for Continuing Students whose delivery was counted towards the Youth Compact Advance Payment under the 2010 Service Agreement between the Commission and the RTO.

2.7 In the event that the value of Training Services delivered by the RTO to relevant Continuing Students in the 2012 calendar year is greater than the Youth Compact Advance Payment, the Commission will make a supplementary payment retrospectively.

2.8 In the event that the value of Training Services delivered by the RTO to relevant Continuing Students in the 2012 calendar year is less than the Youth Compact Advance Payment the RTO must return funds to the Commission to the value of that shortfall.
PART C Purchased Pipeline

2.9 The Commission will make payment up to a Purchased Pipeline Maximum Value of $950,000 to the RTO for Training Services delivered in the 2012 calendar year to Continuing Students whose 2010 delivery was eligible to be counted towards:

a the Total Minimum Value as identified in Schedule 3 Part 4A (i) of the 2010 Performance Agreement, excluding those funded through the Youth Compact; and

b the Total Minimum Value for Additional Apprenticeships/ Traineeships under Addendum 2010-04 of the 2010 Performance Agreement (if applicable for the RTO).

2.10 The Commission will pay the RTO the Purchased Pipeline Maximum Value by way of financial advances derived from the Victorian Government appropriation and Commonwealth-State 'National Agreement for Skills and Workforce Development', the amounts specified in relation to this Part C. Except where specifically detailed otherwise, the financial advances will be made by twice monthly payments on the 1st and 15th day of the calendar month.

2.11 The final Student Statistical Report for 2012 will be used to determine the quantum of verifiable Scheduled Hours that have been delivered towards the Purchased Pipeline Maximum Value.

2.12 Except as identified in Clause 3.3 of this Schedule, the Commission will value Training Services delivered by the RTO to Continuing Students in the 2012 calendar year under this Part C of this Schedule by multiplying the Scheduled Hours for relevant Continuing Students as reported via the final Student Statistical Report for 2012 by the relevant rate per scheduled hour (SCH) as detailed in Clause 4 of this Schedule.

2.13 In reconciling Training Services reported against the Purchased Pipeline Maximum Value, the following Funding Source Codes will be taken into account for relevant Continuing Students:

P, L and LQ

2.14 In the event that the value of Training Services delivered by the RTO to relevant Continuing Students in the 2012 calendar year is less than the Purchased Pipeline Maximum Value the RTO must return funds to the Commission to the value of that shortfall.
3 General conditions regarding the determination and payment of Contact Hour Funds

3.1 The Commission will only make payment under this Schedule 3 for Training Services delivered to eligible Continuing Students in the 2012 calendar year as defined in Clause 1 of this Schedule.

3.2 The RTO must identify all units of competency or modules relevant to the course or qualification in which Continuing Student is enrolled that have been attained by an individual as a result of previous formal training. The RTO is not eligible for Contact Hour Funds from the Commission for the student contact hours associated with these units of competency or modules, and must report these student contact hours as Credit Transfer.

3.3 Recognition of Prior Learning (RPL) will be paid based on the scheduled hours up to the nominal hours per unit of competency or module. Recognition of Current Competency (RCC) will not be funded by the Commission under the Agreement.

3.4 For the purpose of funding and payments under this Schedule 3 only, Evidence of Participation is required at a minimum of one point during the unit of competency or module, and must be in accordance with the types of evidence specified at Clause 3 of Schedule 1 – Minimum Performance Standards for Training Delivery.

3.5 Training Services funded under this Schedule must continue to be reported against the same Funding Source Code under which they were reported in 2010 and 2011.

3.6 For the purposes of reconciliation, to account for the requirement that the full Scheduled Hours be reported for all units of competency/modules ("units") regardless of whether the unit spans more than one calendar year, the Commission will apply the following apportioning rules in reconciling training delivery for 2012 under Part B and Part C of this Schedule:

a for units which started before 2012 and finish in 2012, the total Scheduled Hours already counted for the unit up to and including 2011 will be subtracted from the Scheduled Hours reported in 2012 to obtain the Scheduled Hours to be counted in 2012; and

b for units which started before 2012 and continue into 2012 (and potentially beyond 2012), the total Scheduled Hours to be counted in 2012 will be calculated in two stages. In the first stage, the Scheduled Hours already counted for the unit up to and including 2011 will be subtracted from the full Scheduled Hours reported in 2012 to obtain the balance of Scheduled Hours yet to be paid. The second stage will multiply this balance of Scheduled Hours yet to be paid by the proportion of the unit’s remaining duration that lies within 2012 (according to the number of months between January 2012 and the reported Enrolment Activity End Date); and

c for units starting in 2012 and continuing into 2013 (and potentially beyond 2013), the full reported Scheduled Hours will be multiplied by the proportion of the unit’s duration that lies within 2012 (according to the number of months between the reported start and end dates).
4 Funding Rates

4.1 For Continuing Students who enrolled and commenced their course after 1 July 2009, the rate per Scheduled Hour (SCH) detailed under the relevant ‘SCH Rate TAFE’ field of the Funded Courses Report as published on the SVTS, will be applied to Training Services funded under Part B and Part C of this Schedule for the course/qualification undertaken (or where relevant, the Continuing Student’s particular Cohort classification, whichever is greater), and the course commencement date.

4.2 The relevant rate per Scheduled Hour detailed on the Funded Courses Report will be adjusted by the Commission for Continuing Students who self-identify as being of Aboriginal or Torres Strait Islander descent (and are reported as such through the “Indigenous Student Identifier” field of the Student Statistical Report) by multiplying the relevant ‘Base Rate TAFE’ for the course (as identified on the Funded Courses Report) by 1.5.

4.3 Except where doing so will result in a lower rate per Scheduled Hour, the relevant rate per Scheduled Hour detailed on the Funded Courses Report will be adjusted by the Commission for Continuing Students if they were aged 15-19 years in the year of the scheduled commencement of training and have not completed a Year 12 or equivalent qualification (deemed to be Certificate II for this purpose), by multiplying the relevant ‘Base Rate TAFE’ for the course (as identified on the Funded Courses Report) by 1.3.

4.4 For Continuing Students who enrolled and commenced their course prior to 1 July 2009, the rate per Scheduled Hour (SCH) identified in Table 1 of this Schedule will be applied to Training Services funded under Part B and Part C of this Schedule as determined by the Industry Sector classification for the course/qualification undertaken (or where relevant, the Continuing Student’s particular Cohort classification, whichever is greater), and the course commencement date.

<table>
<thead>
<tr>
<th>Industry Sector classification:</th>
<th>Rate per Scheduled Hour for training delivered to Continuing Students who enrolled in and commenced their course prior to 1 July 2009*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business and Clerical, Community Services, Cross Industries, Finance, First Aid and Occupational Health and Safety, Government Administration and Services, Property Services, Scientific and Technical or Wholesale and Retail</td>
<td>$7.57</td>
</tr>
<tr>
<td>Communications, General Preparatory, Information Technology, Language and Literacy, Languages Other Than English (LOTE), Victorian Certificate of Education (VCE) or Victorian Certificate of Applied Learning (VCAL)</td>
<td>$8.52</td>
</tr>
<tr>
<td>Arts and Design, Hospitality, Personal Services or Tourism</td>
<td>$9.46</td>
</tr>
<tr>
<td>Electrical and Electronics, Entertainment, Floristry, Health, Printing or Recreation</td>
<td>$10.41</td>
</tr>
<tr>
<td>Aerospace, Engineering, Mining, Plumbing Services, Repair Service and Retail or</td>
<td>$12.30</td>
</tr>
</tbody>
</table>
5 Tuition Fees

5.1 The RTO must adhere to:

a the requirements set out in Schedule 5 and related fee tables; and

b any subsequent relevant requirements set out in:

i. a Service Agreement Notification; and/or

ii. orders or regulations pursuant to the Act or the National Act

with respect to the amount, imposition and collection of tuition fees and other fees for government subsidised training and financial and accountability requirements with regards to student fees (Fee Requirements) as if they were set out in this Agreement.

1.2 For the avoidance of doubt:

a Fee Requirements set out in any subsequent Service Agreement Notification or subsequent orders or regulations pursuant to the Act or the National Act take priority over Fee Requirements set out in Schedule 5 and related fee tables;

b Fee Requirements set out in orders or regulations pursuant to the Act or the National Act take priority over Fee Requirements set out in a Service Agreement Notification.

6 Determination and payment of Fee Concession Reimbursements

6.1 Where the RTO has granted a fee concession:

a to an Eligible Individual who is a Continuing Student and holds a relevant concession card in accordance with the requirements set out in Schedule 5; or

b to an Indigenous student under the Indigenous Completions Initiative, the RTO will be reimbursed by the Commission for income foregone as a result of charging the concession fee to that individual.

General Fee Concession Requirements

6.2 Fee concessions can only be considered for application to individuals undertaking government subsidised training funded under this Agreement.

6.3 The RTO must retain copies of all documentation demonstrating an individual's eligibility for the fee concession granted by the RTO for audit.
purposes and to meet the record keeping requirements set out in Schedule 5.

6.4 The RTO must report all fee concessions granted by the RTO to Eligible Individuals who are Continuing Students to the Commission in accordance with the fee concession reporting requirements outlined in the Victorian VET Student Statistical Collection Guidelines issued by the Commission.

6.5 Any reimbursement by the Commission under clause 6 of this Schedule 3 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which concessions were granted; and data indicating the grounds for the concession granted to an individual.

Fee Concession Reimbursements: Part A and Part B only

6.6 The reimbursement amount for the purposes of clause 6.1 a) of this Schedule 3 for Eligible Individuals who are Continuing Students funded under Part A and Part B of this Schedule 3 will be calculated by the Commission on the basis of 80 per cent of the relevant maximum hourly tuition fee as identified in the table below, applied to the paid scheduled hours in each enrolment, up to the relevant maximum identified in the table below:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum Hourly Tuition Fee</th>
<th>Maximum Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundation Skills</td>
<td>$1.08</td>
<td>$450</td>
</tr>
<tr>
<td>Skills Creation</td>
<td>$1.62</td>
<td>$770</td>
</tr>
<tr>
<td>Apprenticeships</td>
<td>$2.17</td>
<td>$1,062.50</td>
</tr>
<tr>
<td>Traineeships</td>
<td>$2.17</td>
<td>$1,062.50</td>
</tr>
<tr>
<td>Skills Building</td>
<td>$2.17</td>
<td>$1,062.50</td>
</tr>
<tr>
<td>Skills Deepening</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

6.7 The reimbursement amount for the purposes of clause 6.1 b) of this Schedule 3 will be calculated by the Commission on the basis of 80 per cent of the relevant maximum hourly tuition fee as identified in the table below, applied to the paid scheduled hours in each enrolment, up to the relevant maximum identified in the table below:

<table>
<thead>
<tr>
<th>Category</th>
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<td>$1,062.50</td>
</tr>
<tr>
<td>Skills Building</td>
<td>$2.17</td>
<td>$1,062.50</td>
</tr>
<tr>
<td>Skills Deepening</td>
<td>$4.33</td>
<td>$2,125</td>
</tr>
</tbody>
</table>

Fee Concession Reimbursements: Part C only

6.8 With respect to reimbursements in accordance with clause 6.1 of this Schedule 3 for Eligible Individuals who are Continuing Students funded...
under Part C of this Schedule 3, the Commission will provide funds within budget provision to defray the costs of mandatory fee concessions relating to Training Services.

**TAFE Tuition Fee Youth Concessions: Part A and Part C only**

6.9 The RTO must apply a fee concession for young people aged under 25 years undertaking eligible government funded Diploma and Advanced Diploma courses at TAFE institutes in accordance with the requirements set out in:

a. Schedule 6 to this Agreement; and/or

b. any subsequent relevant requirements set out in:

iii. a Service Agreement Notification; and/or

iv. orders or regulations pursuant to the Act or the national Act; and

c. clauses 6.3 and 6.4 of this Schedule 3.

6.10 Where the RTO has granted a fee concession under clause 6.9 of this Schedule 3, the RTO will be reimbursed by the Commission for income foregone as a result of charging the concession fee identified at clause 6.9 to that individual.

7 Determination and payment of Fee Waiver/Exemption Payments

**General Fee Waiver/Exemption Requirements**

7.1 Fee waivers/exemptions can only be considered for application to individuals undertaking government subsidised training funded under this Agreement.

7.2 The RTO must retain copies of all documentation demonstrating an individual's eligibility for a fee waiver/exemption granted by the RTO for audit purposes and to meet the record keeping requirements set out in Schedule 5.

7.3 The RTO must report all fee waivers/exemptions granted to Eligible Individuals who are Continuing Students to the Commission in accordance with the fee exemption reporting requirements outlined in the *Victorian VET Student Statistical Collection Guidelines* issued by the Commission.

7.4 Any reimbursement by the Commission under Clause 7 of this Schedule 3 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee waivers/exemptions were granted; and data indicating the grounds for the waiver/exemption granted to an individual.

**TAFE Fee Waiver for Child Care Qualifications: Part A and Part C only**

7.5 The RTO must apply a fee waiver to students undertaking eligible government funded child care courses. Under the National Partnership
Agreement, these courses are defined as the following training package qualifications:

a. CHC50908 - Diploma of Children's Services (Early Childhood Education and Care);

b. CHC60208 - Advanced Diploma of Children’s Services;

c. CHC50302 - Diploma of Children’s Services; and

d. CHC60202 - Advanced Diploma of Children’s Services.

7.6 Where the RTO has granted a fee waiver under Clause 7.5 of this Schedule 3 to an Eligible Individual who is a Continuing Student, the RTO will be paid an amount by the Commission equal to the value of the revenue foregone by the RTO in applying the fee waiver to the student.

7.7 Revenue foregone by the RTO for the purposes of calculating the Fee Waiver Payment under clauses 7.5 and 7.6 of this Schedule 3 will be calculated and reimbursed by the Commission on the basis of the relevant maximum hourly tuition fee as identified in the table below, applied to the paid scheduled hours in each enrolment, up to the relevant a maximum as identified in the table below:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum Hourly Tuition Fee</th>
<th>Maximum Reimbursement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qualifications identified in Clause 7.5 of this Schedule 3 only</td>
<td>$4.33</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

7.8 For Continuing Students undertaking eligible government funded child care courses who self-identify as being of Aboriginal or Torres Strait Islander descent (and are reported as such through the "Indigenous Student Identifier” field of the Student Statistical Report), the child care fee waiver supersedes the special tuition fee arrangements under the Indigenous Completions Initiative.

7.9 The RTO is required to inform current and potential child care students about the tuition fee waiver for child care qualifications in fee policy documents, promotional material such as websites, handbooks, and brochures and through student administration and career counsellor networks.

**Job Seeker Fee Waiver: Part A, Part B, and Part C**

7.10 The RTO must apply a fee waiver to an Eligible Individual who is a Job Seeker and a Continuing Student. A 'Job Seeker' is defined as a person who is:

a. registered with an Employment Services Provider (ESP); and/or

b. a participant in the Commonwealth Government's Community Development Employment Program and/or Access Program.
7.11 Where the RTO has granted a fee waiver under Clause 7.10 of this Schedule 3 to a Job Seeker who is a Continuing Student, the RTO will be paid an amount by the Commission equal to the value of the revenue foregone by the RTO in applying the fee waiver to the Job Seeker.

7.12 Revenue foregone by the RTO for the purposes of calculating the Fee Waiver Payment under clauses 7.10 and 7.11 of this Schedule 3 will be calculated and reimbursed by the Commission on the basis of the relevant maximum hourly tuition fee as identified in the table below, applied to the paid scheduled hours in each enrolment, up to the relevant maximum as identified in the table below:

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<td>Apprenticeships</td>
<td>$2.17</td>
<td>$1,250</td>
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<tr>
<td>Skills Deepening</td>
<td>N/A</td>
<td>N/A</td>
</tr>
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</table>

7.13 The Job Seeker fee waiver to be applied by the RTO is limited to enrolments in Certificates I, II, III, and IV and does not extend to any other fees, such as student services and amenities fees.

7.14 For Continuing Students who self-identify as being of Aboriginal or Torres Strait Islander descent (and are reported as such through the "Indigenous Student Identifier" field of the Student Statistical Report), the job seeker fee waiver supersedes the special tuition fee arrangements under the Indigenous Completions Initiative.

7.15 The RTO must sight and retain a copy of the original Job Seeker Referral form, and then return the original to the individual. On enrolment, a copy of this form must also be returned by the RTO to the Job Seeker's referral agency.

*Fee Exemption for prisoners from the Judy Lazarus Transition Centre and young people required to undertake a course of study pursuant to a community based order*

7.16 The RTO must not charge a tuition fee to a Continuing Student who is a prisoner from the Judy Lazarus Transition Centre or a young person required to undertake a course of study pursuant to a community based order, as defined in Schedule 5.

7.17 Where the RTO has granted a fee exemption under Clause 7.16 of this Schedule 3 to a Continuing Student, the RTO will be reimbursed by the
Commission for income foregone as a result of exempting the fee for that individual.

7.18 The reimbursement amount for the purposes of Clauses 7.16 and 7.17 of this Schedule 3 will be calculated and reimbursed by the Commission on the basis of 80% of the relevant maximum hourly tuition fee as identified in the table below, applied to the paid scheduled hours in each enrolment, up to the relevant maximum as identified in the table below:

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</tr>
<tr>
<td>Skills Deepening</td>
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<td>N/A</td>
</tr>
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</table>

7.19 The RTO must sight and retain a copy of written confirmation that the Continuing Student meets the requirements of Clause 7.16 from either the management of the Judy Lazarus Transition Centre; or the relevant Youth Justice Unit of the Department of Human Services as applicable.

8 Audits relating to Evidence of Participation
8.1 The Commission may instigate an Evidence of Participation Audit involving a statistically valid sample size at any time should the Commission have any concerns regarding Evidence of Participation in relation to Training Services provided under this Agreement, or any other Skills for Victoria Agreement.

8.2 The RTO must be able to support the sampled units of competency/modules with Evidence of Participation as prescribed in Schedule 1 of this Agreement, or any other Skills for Victoria Agreement as relevant, in respect of each Continuing Student for which it has received Funds from the Commission.

8.3 If the Evidence of Participation Audit reveals that units of competency/modules audited are not supported then, without limiting the Commission's rights under clauses 16 and 17 of the Agreement, where the percentage of unsupported units of competency/modules exceeds a threshold specified by the Commission, the Commission may seek a refund of some or all the Funds from the RTO.

8.4 The value of Funds sought by the Commission under this clause may be up to the percentage points of unsupported units of competency/modules above the threshold, applied to the total Funds paid to the RTO across the total population of units of competency/modules from which the statistically valid sample has been drawn.
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