For all RTO staff

Background

- Fees and subsidies applying to new course commencements in government subsidised training from 1 July to 31 December 2012 have been announced.
- This SAN varies and replaces relevant clauses in 2012 Service Agreements to reflect these new arrangements. Variations are detailed at Attachment 1.
- Any terms not defined on page 2 of Attachment 1 have the meaning given in either the 2012 Skills for Victoria Service Agreement, the 2012 Skills for Victoria Service Agreement Non Victorian Based RTO Delivering to a National Enterprise or the 2012 TAFE Performance Agreement Training Services Delivery (Service Agreement) as the context requires.
- In the event of any inconsistency between a clause or provision in this SAN and attachment and a clause or a provision in any of the Agreements as the context requires, the clause or provision in this document will prevail to the extent of any inconsistency.
- In addition to clause 1.3(g) in each Agreement, the variations made to the 2012 Skills for Victoria Service Agreement, the 2012 Skills for Victoria Service Agreement Non Victorian Based RTO Delivering to a National Enterprise or the 2012 TAFE Performance Agreement Training Services Delivery (Service Agreement) pursuant to this document are made in accordance with clause 4.1(a) of each Agreement.
- Italicised headings are for reference only and do not affect interpretation of this document.

Main Points

- For enrolments in courses that commence on or after 1 July 2012 and before 1 January 2013:
  
  **Fees**
  
  - The maximum hourly tuition fee rate has been removed and providers can now determine their own tuition fee per scheduled hour for training delivered within the calendar year.
  - Fixed concession fees have also been removed, and are now 20 per cent of the hourly fee that a provider would have charged a non-concession student in the same government subsidised course.
  - Under the Indigenous Completions Initiative, Indigenous students will continue to be able to access concessions at all levels including Skills Deepening. These concessions will also be 20 per cent of the hourly fee that a provider would have charged a non-concession student in the same government subsidised course.
  - The government will make a tuition fee contribution to providers in relation to fee concessions, waivers and exemptions applied to eligible individuals. For these students, providers will be paid according to the Student Tuition Fee Contribution Report available under the ‘Documents’ section of SVTS.
  - Arrangements for Tuition Fee Youth Concessions at TAFE will conclude at 30 June 2012. However, existing students who have already commenced training under these arrangements can continue to access concession fees until the completion of their course, subject to remaining eligible for a concession.

  **Course Subsidy and Loadings**
  
  - Base rates and weightings have been replaced with a course subsidy per hour for every course. Course subsidies are set out in the updated Funded Courses Report (Courses Commencing from July 2012 to December 2012), available under the ‘Documents’ section of SVTS.
An Indigenous loading of 1.5 for students that identify as Indigenous, or a Youth cohort loading of 1.3 for students aged 15-19 years without year 12 or equivalent, or higher, applies as a multiplier to the course subsidy. Where a student is both Indigenous and Youth, the higher loading applies.

A regional loading of 5 per cent has been introduced for training that is delivered in non-metropolitan Victoria, excluding online and distance delivery. Training delivery locations (postcodes) that are considered regional for the purpose of the regional loading are identified in the Regional Postcodes Report available under the ‘Documents’ section of SVTS.

Recognition of Prior Learning

For a small number of courses specifically designated in the updated Funded Courses Report, Recognition of Prior Learning (RPL) will continue to be funded in the same way as training delivery.

For most other courses, payment for delivery reported as RPL will be reduced by 50 per cent.

For courses in the Foundation Skills Category, delivery reported as RPL will not be funded.

Other Changes

- For the purposes of determining previous qualification for applying the Victorian Training Guarantee up-skilling criterion, VCE and VCAL are to be treated the same as Certificate I.
- From 1 July 2012, where a provider subcontracts to another RTO, providers will only be able to enter new subcontracting arrangements for the provision of government subsidised RPL services, with RTOs that are also contracted with the Victorian Skills Commission. RTOs are reminded they are required to report all subcontracting arrangements with other RTOs to the Commission using the Enquiries function of SVTS.
- A small number of other changes to 2012 Agreements have been made to implement the Government’s announcement of improved quality measures in VET. In particular, RTOs are now required to participate in and assist as required with any Peer Review Panel.
- RTOs are advised that from 1 January 2013 they will be required to report the fee per hour charged to each student under government subsidised training via the Client Tuition Fee field in the Student Statistical Data Collection. Changes to Student Management Systems may be required in order to action this requirement. The Victorian VET Student Statistical Collection Guidelines will be updated accordingly.

Actions Required:

- RTOs are advised to review their business models, delivery patterns and tuition fees ahead of the 1 July 2012 changes.
- Necessary changes to Student Management Systems should be actioned to enable the Client Tuition Fee field from 1 January 2013.
- All enquiries concerning this Service Agreement Notification should be lodged on SVTS under the category ‘Refocusing VET’.

Critical Dates

- This SAN is effective immediately. All enrolments with a course commencement date on or after 1 July 2012 will be subject to the new arrangements.

Attachments

- Attachment 1 Variations to Agreements

Relevant Resources


Kym Peake
Deputy Secretary
Higher Education and Skills Group
Variations to:

2012 Skills for Victoria Service Agreement (Non TAFE)

2012 Skills for Victoria Service Agreement Non Victorian Based RTO Delivering to a National Enterprise (Non TAFE)

2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement)

‘the Agreements’
Terms and Conditions

The following definitions are added in alphabetical order to each of the Agreements.

Clause 1.1 Definitions

**Fee Concession Contribution** means the contribution by the Commission to the RTO in respect of an Eligible Individual as detailed in Clause 4 of Schedule 2 of this Agreement.

**Fee Waiver/ Exemption Contribution** means the contribution by the Commission to the RTO in respect of an Eligible Individual as detailed in Clause 5 of Schedule 2 of this Agreement.

**Regional Postcodes Report** means a report issued and approved by the Commission that identifies postcodes which are considered regional for the purpose of determining any regional loading as detailed in Clause 6 of Schedule 2 of this Agreement.

**Student Tuition Fee Contribution Report** means a report issued and approved by the Commission and includes the hourly rate the Commission will pay for Fee Concession Contributions and Fee Waiver/Exemption Contributions. The Student Tuition Fee Contribution Report is subject to change as directed by the Commission at any time.

Delete the definition of “Funds” in each of the Agreements, and substitute with the following:

**Funds** means the money provided by the Commission to the RTO under this Agreement in respect of an Eligible Individual for the purposes of the RTO providing the Training Services to that individual, consisting of:

a) the Contact Hour Funds;

b) if applicable, the Fee Waiver/Exemption Payment;

c) if applicable, the Fee Waiver/Exemption Contribution;

d) if applicable, the Fee Concession Reimbursement;

e) if applicable, the Fee Concession Contribution;

f) the Youth Compact Advance Payment *(2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) only)*

g) the Purchased Pipeline Maximum Value Payment; *(2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) only)* and/or

Variations to Agreements - issued May 2012 - 2 -
Add the following as a new clause 1.3 (j) in each of the Agreements.

**Clause 1.3 (j) General**

Notwithstanding any other clause or provision in this Agreement or pursuant to this Agreement, the Commission reserves the right to fund or not fund any course or qualification on the RTO’s scope of registration at its absolute discretion.

Add the following as a new clause 5.4 in each of the Agreements.  

**Clause 5.4 Subcontracting**

From 1 July 2012 if the RTO subcontracts Training Services that relate to Recognition of Prior Learning (RPL) to another registered training organisation it may only enter into new arrangements with registered training organisations that have a current funding or service agreement with the Commission for the provision of government subsidised training.

Add the following as a new subclause at the end of clause 11.4 in each of the Agreements.

**Clause 11.4 Audit or Review**

participate in and assist, as required, with any Peer Review Panel as reasonably requested by the Commission.

**Schedule 2 – Skills for Victoria Program Specifications**

Delete Section 4 in Schedule 2 in each of the Agreements, and substitute with the following:

**Clause 4 Determination and payment of Fee Concession Reimbursements and Fee Concession Contributions**

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

4.2 Where the RTO has granted a fee concession:

   a to an Eligible Individual who holds a relevant concession card in accordance with the requirements set out in the 2012 Guidelines about Fees; or

   b to an Indigenous student under the Indigenous Completions Initiative;

the RTO will be reimbursed by or receive a contribution from the Commission as a result of charging the concession fee to that individual.
4.3 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 2012 Guidelines about Fees.

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

PART A – Fee Concession Reimbursement for Eligible Individuals with a course commencement date up to and including 30 June 2012

4.5 For Eligible Individuals with a course commencement date up to and including 30 June 2012, reimbursement by the Commission under clause 4.2 of this Schedule 2 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.

4.6 The reimbursement amount for the purposes of clause 4.2 a) of this Schedule 2 will be calculated by the Commission on the basis 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>

4.7 The reimbursement amount for the purposes of clause 4.2 b) of this Schedule 2 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>
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</tr>
<tr>
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<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>$4.33</td>
<td>$2125</td>
</tr>
</tbody>
</table>
PART B – Fee Concession Contribution for Eligible Individuals with a course commencement date on or after 1 July 2012

4.8 For Eligible Individuals with a course commencement date on or after 1 July 2012, the Fee Concession Contribution paid to the RTO by the Commission under clause 4.2 of this Schedule 2 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.

4.9 The Fee Concession Contribution amount for the purposes of clause 4.2 a) of this Schedule 2 will be calculated on the basis of the ‘Fee Concession Contribution per hour’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.

4.10 The Fee Concession Contribution amount for the purposes of clause 4.2 b) of this Schedule 2 will be calculated on the basis of the ‘Fee Concession Contribution per hour for Indigenous Students’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.

*Delete Section 5 in Schedule 2 in each of the Agreements, and substitute with the following:*

**Clause 5 Determination and payment of Fee Waiver/Exemption Payments and Fee Waiver/Exemption Contributions**

*General Fee Waiver/ Exemption Requirements*

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

5.2 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 the 2012 Guidelines about Fees.

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

*Job Seeker Fee Waiver*

5.4 The RTO must apply a fee waiver to an Eligible Individual who is a Job Seeker. 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.
5.5 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.

5.6 For Eligible Individuals 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.

5.7 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.

PART A – Job Seeker Fee Waiver for Eligible Individuals with a course commencement date up to and including 30 June 2012

5.8 For Eligible Individuals with a course commencement date up to and including 30 June 2012, where the RTO has granted a fee waiver under Clause 5.4 of this Schedule 2 to a Job Seeker who is an Eligible Individual, 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.

5.9 Reimbursement by the Commission under Clauses 5.4 and 5.8 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee waivers were granted; and data indicating the grounds for the waiver granted to an individual.

5.10 Revenue foregone by the RTO for the purposes of calculating the Fee Waiver/Exemption Payment under clause 5.4 and 5.8 of this Schedule 2 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:

<table>
<thead>
<tr>
<th>Category</th>
<th>Maximum Hourly Tuition Fee</th>
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<td>Skills Building</td>
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<tr>
<td>Skills Deepening</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

PART B – Job Seeker Fee Waiver for Eligible Individuals with a course commencement date on or after 1 July 2012

5.11 For Eligible Individuals with a course commencement date on or after 1 July 2012, where the RTO has granted a fee waiver under Clause 5.4 of this Schedule 2 to a Job Seeker who is an Eligible Individual, the RTO will be paid a contribution from the Commission.
5.12 The contribution from the Commission under Clauses 5.4 and 5.11 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee waivers were granted; and data indicating the grounds for the waiver granted to an individual.

5.13 The Fee Waiver/Exemption Contribution under clause 5.4 and 5.11 of this Schedule 2 will be calculated and paid by the Commission on the basis of the ‘Fee Waiver Contribution per Hour’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.

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

5.14 The RTO must not charge a tuition fee to an Eligible Individual 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 the 2012 Guidelines about Fees.

5.15 The RTO must sight and retain a copy of written confirmation that the Eligible Individual meets the requirements of Clause 5.14 from either the management of the Judy Lazarus Transition Centre; or the relevant Youth Justice Unit of the Department of Human Services as applicable.

PART A – Fee Exemption for Eligible Individuals as identified in 5.14 with a course commencement date up to and including 30 June 2012

5.16 For Eligible Individuals with a course commencement date up to and including 1 July 2012, where the RTO has granted a fee exemption under Clause 5.14 of this Schedule 2 to an Eligible Individual, the RTO will be reimbursed by the Commission for income foregone as a result of exempting the fee for that individual.

5.17 Reimbursement by the Commission under Clauses 5.14 and 5.16 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee exemptions were granted; and data indicating the grounds for the exemption granted to an individual.

5.18 The reimbursement amount for the purposes of the Fee Waiver/Exemption Payment relating to clauses 5.14 and 5.16 of this Schedule 2 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.

<table>
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<tr>
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<td>N/A</td>
</tr>
</tbody>
</table>

PART B – Fee Exemption for Eligible Individuals as identified in 5.14 with a course commencement date on or after 1 July 2012

5.19 For Eligible Individuals with a course commencement date on or after 1 July 2012, where the RTO has granted a fee exemption under Clause 5.14 of this Schedule 2 to an Eligible Individual, the RTO will be paid a contribution by the Commission.

5.20 The Fee Waiver/Exemption Contribution by the Commission under Clauses 5.14 and 5.19 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee exemptions were granted; and data indicating the grounds for the exemption granted to an individual.

5.21 The Fee Waiver/Exemption Contribution amount for the purposes of Clauses 5.14 and 5.19 of this Schedule 2 will be calculated and paid by the Commission on the basis of the ‘Fee Exemption Contribution per Hour’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.

_Delete Section 6 in Schedule 2 in each of the Agreements, and substitute with the following:_

**Clause 6 Determination and payment of Contact Hour Funds**

6.1 The Commission will only make payment of Contact Hour Funds (as calculated in accordance with this Clause 6 of this Schedule 2) for Training Services delivered to Eligible Individuals for currently endorsed courses and qualifications as identified on the Funded Courses Report as published on the SVTS. The Funded Courses Report is subject to change at any time.

6.2 The RTO may request (through the SVTS Enquiry function) the Commission to add a VET course or qualification to the Funded Courses Report. Private copyright courses will only be considered for inclusion where relevant course documentation is provided to the Commission. The Commission reserves the right to fund or refuse funding of Contact Hour Funds to any course or qualification at its absolute discretion.

6.3 Subject to Clause 6.14, 6.17, 6.18 and 6.19 of this Schedule 2, the Commission will pay the RTO for scheduled hours of training reported under this Schedule 2 as having been delivered to Eligible Individuals, including through Recognition of Prior Learning (RPL) arrangements.
PART A – Determination and payment of Contact Hour Funds for Eligible Individuals with a course commencement date up to and including 30 June 2012

6.4 For Eligible Individuals with a course commencement date up to and including 30 June 2012, the Commission will pay the RTO at the rate per scheduled hour (SCH) in accordance with the ‘SCH Rate Non-TAFE’ field of the Funded Courses Report as published on the SVTS, taking into account the applicable payment year and course commencement date.

6.5 The relevant rate per SCH detailed on the Funded Courses Report will be adjusted by the Commission for Eligible Individuals 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 ‘Base Rate Non-TAFE’ for the course (as identified on the Funded Courses Report) by 1.5.

6.6 Except where doing so will result in a lower rate per SCH, the relevant rate per SCH detailed on the Funded Courses Report will be adjusted by the Commission for Eligible Individuals aged 15-19 years as at 1 January 2012 without Year 12 or equivalent (deemed to be Certificate II for this purpose), or higher, by multiplying the ‘Base Rate Non-TAFE’ for the course (as identified on the Funded Courses Report) by 1.3.

PART B – Determination and payment of Contact Hour Funds for Eligible Individuals with a course commencement date on or after 1 July 2012

6.7 For Eligible Individuals with a course commencement date on or after 1 July 2012, the Commission will pay the RTO at the hourly rate per scheduled hour as identified in Clause 6.8 of this Schedule 2.

6.8 The hourly rate per scheduled hour is based on the ‘Course Subsidy’ field of the Funded Courses Report as published on the SVTS, taking into account the applicable payment year, course commencement date and enrolment type (non apprenticeship or apprenticeship), and adjusted (if applicable) as follows:

a) By a student loading being the higher of the following two:

   i) The relevant ‘Course Subsidy’ detailed on the Funded Courses Report will be adjusted by the Commission for Eligible Individuals 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 ‘Course Subsidy’ for the course (as identified on the Funded Courses Report) by 1.5

   or

   ii) The relevant ‘Course Subsidy’ detailed on the Funded Courses Report will be adjusted by the Commission for Eligible Individuals aged 15-19 years as at 1 January 2012 without Year 12 or equivalent (deemed to be Certificate II for this purpose), or higher, by multiplying the
‘Course Subsidy’ for the course (as identified on the Funded Courses Report) by 1.3.

b By a regional loading whereby the relevant ‘Course Subsidy’ for units/modules delivered in non-metropolitan locations to Eligible Individuals will be adjusted by the Commission by multiplying the ‘Course Subsidy’ for the course (as identified on the Funded Courses Report), by 1.05. Training will be considered to be in a non-metropolitan location if the postcode of the training delivery location identified in the NAT000120 file is one of the postcodes identified as “non-metropolitan” on the Regional Postcodes Report as published on SVTS. The Regional Postcodes Report is subject to change at any time. The Regional Loading does not apply to online delivery or to distance education. Delivery will be deemed to have been delivered online or via distance education if:

i) the postcode of the training delivery location identified in the NAT000120 file is “VIC” or "OSPC" or

ii) the Delivery Mode Identifier in the NAT00120 file in the Student Statistical Report is “20” (electronic based) or “40” (Other).

c By an RPL adjustment whereby the relevant ‘Course Subsidy’ will be reduced by the Commission for Eligible Individuals assessed through Recognition of Prior Learning (RPL) for units in courses (as identified on the Funded Courses Report as published on the SVTS), by multiplying the ‘Course Subsidy’ for the course (as identified on the Funded Courses Report as published on the SVTS), by 0.5.

6.9 For the avoidance of doubt, the adjustments outlined in Clause 6.8 a, b and c, will be used as multipliers of the ‘Course Subsidy’ in determining the Contact Hour Funds paid for an Eligible Individual.

6.10 RPL undertaken as part of a government subsidised enrolment in a Foundation Skills Category Course will not be funded by the Commission under the Agreement.

APPLYING TO BOTH PART A AND PART B ABOVE

6.11 Payments of Contact Hour Funds to the RTO in respect of an Eligible Individual by the Commission under this Schedule 2 will be made monthly in arrears by the Commission on the basis of Student Statistical Reports submitted by the RTO to the Commission in accordance with the Agreement and on the understanding that the RTO has Evidence of Participation for each Eligible Individual in respect of which it is claiming payment. The act of lodging a Student Statistical Report by the RTO to the Commission is considered a claim for payment.

6.12 Evidence of Participation in respect of each Eligible Individual, for the purpose of payment of Contact Hour Funds by the Commission under this Schedule 2, is required at a minimum of:
a One (1) point of Evidence of Participation per unit of competency/module must be provided if the period between the commencement date and completion date for the unit of competency/module is one month or less;

b Two (2) points of Evidence of Participation per unit of competency/module must be provided if the period between the commencement date and completion date for the unit of competency/module is greater than one month, including one point within the last month of training delivery as identified by the reported Enrolment Activity End Date. An auditor would consider the time between the commencement date and the completion date (or withdrawal) and use discretion as to a reasonable demonstration of ongoing engagement by an individual in learning activity across the unit of competency/module;

and must be in accordance with the types of evidence specified at Clause 3 of Schedule 1.

6.13 Contact Hour Funds paid by the Commission to the RTO in respect of an Eligible Individual will be calculated at the unit of competency or module level, such that the scheduled hours reported will be spread over the number of months of scheduled delivery.

6.14 The Commission will pay the Contact Hour Funds to the RTO in respect of an Eligible Individual up to the maximum nominal hours per course or qualification as identified in the relevant Victorian Purchasing Guide or State Accredited course curriculum document.

6.15 Training Services to Eligible Individuals which are funded by the Commission under this Schedule 2 must be reported by the RTO in accordance with the Victorian VET Student Statistical Collection Guidelines against:

a Funding Source Code PSG for Eligible Individuals who are referred to the RTO through the Skills for Growth Program (or its successor) and who are not under a contract of training (i.e. not apprentices/trainees); or

b Funding Source Code WTP for Eligible Individuals who are referred to the RTO through the Workers in Transition Program (or its successor) and who are not under a contract of training (i.e. not apprentices/trainees); or

c Funding Source Code ASP for Eligible Individuals (Asylum Seekers and Victims of Human Trafficking) who are referred to the RTO by organisations approved by the Commission, and who are not under a contract of training (i.e. not apprentices/trainees); or

d Funding Source Code P for Eligible Individuals who are not under a referral form from a, b or c above, and who are not under a contract of training (i.e. not apprentices/trainees); or

e Funding Source Code LSG for Eligible Individuals who are referred to the RTO through the Skills for Growth Program (or its successor)
and who are under a contract of training (i.e. apprentices/trainees); or

f Funding Source Code WTL for Eligible Individuals who are referred to the RTO through the Workers in Transition Program (or its successor), and who are under a contract of training (i.e. apprentices/trainees); or

g Funding Source Code ASL for Eligible Individuals (Asylum Seekers and Victims of Human Trafficking) who are referred to the RTO by organisations approved by the Commission, and who are under a contract of training (i.e. apprentices/trainees); or

h Funding Source Code L for Eligible Individuals who are not under a referral form from e, f or g above, and who are under a contract of training (i.e. apprentices/trainees).

6.16 The RTO must identify all units of competency or modules relevant to the course or qualification in which an Eligible Individual 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 such units of competency/modules as Credit Transfer.

6.17 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.

6.18 In the event that an Eligible Individual withdraws from Training Services delivered under this Schedule 2 prior to achieving competency in an individual module or unit of competency, and the RTO has sufficient evidence that the student participated in the training, the enrolment must be reported by the RTO as a withdrawal in all future Student Statistical Reports for the calendar year in accordance with the current Victorian VET Student Statistical Collection Guidelines. In these instances, payment of Contact Hour Funds in respect of the individual by the Commission for the individual module or unit of competency from which the individual withdrew will be made in accordance with the reported Hours Attended prior to withdrawal.

6.19 In the event that an Eligible Individual withdraws from Training Services delivered under this Schedule 2 without participation, or where the RTO has insufficient evidence of the student’s participation, the RTO must either:

a exclude that student’s unit of competency/module from future Student Statistical Reports for the calendar year; or

b report the enrolment as a withdrawal with zero Hours Attended in all future Student Statistical Reports for the collection year in accordance with the current Victorian VET Student Statistical Collection Guidelines,
No payment is made from Contact Hour Funds in respect of withdrawals with no attendance.

6.20 All withdrawals (Outcome Identifier – National Code “40”) must be reported within the year of the scheduled commencement in training and no later than two (2) months from the point of withdrawal, unless extenuating circumstances prevent this from occurring (or by 15 January 2013, whichever is earliest).

Attachment 1
Delete a) and b) from the first paragraph of Attachment 1 in Schedule 2 in each of the Agreements, and add the following as a new note in each of the Agreements.

Notes for the purpose of determining prior qualification in eligibility
This criterion applies to qualifications, not course categories. For the purpose of applying this criterion, the following qualifications are to be treated the same as Certificate I:

a) the Victorian Certificate of Applied Learning (Senior); and

b) the Victorian Certificate of Education and its predecessor qualifications.
Delete the content of Attachment 3 to Schedule 2 in the 2012 Skills for Victoria Service Agreement (Non TAFE) in its entirety and replace with the text below.

Delete the content of Attachment 4 to Schedule 2 in the 2012 Skills for Victoria Service Agreement Non Victorian Based RTO Delivering to a National Enterprise (Non TAFE) in its entirety and replace with the text below.

Delete the content of Schedule 5 in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) in its entirety and replace with the text below.

2012 Guidelines about Fees (Revised May 2012)

Purpose

The purpose of these guidelines is to provide a framework for the collection of tuition fees and other fees for government subsidised training and further education and to set out financial and accountability requirements with regard to student fees.

These guidelines apply to all enrolments in Victorian government subsidised training and further education.

Sections 1, 2 and 5 to 10 inclusive apply to enrolments with a course commencement date on or after 1 January 2012 and before 1 July 2012, and to enrolments in an Apprenticeship that with a course commencement date on or after 1 July 2009 and before 1 July 2012.

Sections 1, 3 and 5 to 10 inclusive apply only to enrolments that have a course commencement date on or after 1 July 2009 and before 1 January 2012, excluding enrolments in an Apprenticeship with a course commencement date on or after 1 July 2009.

Sections 1 and 4 to 10 inclusive apply only to enrolments with a course commencement date on or after 1 July 2012 and before 1 January 2013.

Section 11 applies only to enrolments with a course commencement date before 1 July 2009 and undertaken before 31 December 2012.

SECTION 1

1. General requirements for calculation and levying of tuition fees and other fees for enrolments other than those specified in Section 10

1.1. For each enrolment a provider may calculate a tuition fee on the basis of an amount for each scheduled hour of government subsidised training and further education which a person enrolls to undertake (rounded to the nearest dollar) in a calendar year.

1.2. If a course is undertaken partly in one calendar year and partly in a second or subsequent calendar year, tuition fees shall be calculated according to the fees applicable when the training is to be undertaken.
1.3. For the purpose of calculating tuition fees under Section 2, 3 and 5 of these guidelines, each course is classified in one of six categories:

(a) Foundation Skills
(b) Skills Creation
(c) Apprenticeships
(d) Traineeships
(e) Skills Building, or
(f) Skills Deepening.

1.4. The Minister will approve the classification of courses to categories at clause 1.3 and may from time to time approve adjustments to the classification of courses.

1.5. The provider must provide each student with an itemised list of all fees and materials required for the calendar year, including student tuition fees, student services and amenities fees and other fees, prior to enrolment. The itemised list must clearly indicate the actual tuition fee per scheduled hour that the student is being charged.

SECTION 2

2. Calculation of tuition fees for enrolments in courses that commence on or after 1 January 2012 and before 1 July 2012, and to enrolments in an Apprenticeship that commenced on or after 1 July 2009 and before 1 July 2012.

2.1. The Minister will each year fix the amount of the maximum hourly rate payable for enrolments in each category. For the 2012 calendar year, the tuition fee schedule at Table 1 at the end of this document applies.

2.2. Subject to the concessions and exemptions provided for in Section 5 the tuition fee payable is determined according to the hourly rate for each category.

2.3. A tuition fee may be charged at a rate no higher than the maximum hourly rate specified for a category for a calendar year.

SECTION 3

3. Calculation of tuition fees for enrolments in courses that commenced on or after 1 July 2009 and before 1 January 2012, excluding enrolments in an Apprenticeship that commenced on or after 1 July 2009 and before 1 July 2012.

3.1. The Minister will each year fix the amount of the maximum hourly rate, and the maximum tuition fees payable for enrolments in each category. For the 2012 calendar year, the tuition fee schedule at Table 2 at the end of this document applies.
3.2. Subject to the concessions and exemptions provided for in Section 5, the tuition fee payable is determined according to the hourly rate and maximum tuition fee specified for each category.

3.3. A tuition fee may be charged at a rate no higher than the maximum hourly rate specified for a category for a calendar year. The maximum fee is the maximum that may be charged for a person’s total enrolments in courses within a category in a calendar year.

3.4. If a person is enrolled in more than one course within the same category in a calendar year, tuition fees already paid in that year shall be taken into account in calculating the fees applicable to the additional enrolments.

3.5. If a person is enrolled in more than one course in different categories in a calendar year, the tuition fees for each enrolment shall be calculated independently, within the maximum limit specified for each category.

3.6. Notwithstanding clause 3.5, the total tuition fees payable by a person in a calendar year shall not exceed a fixed annual maximum. The annual maximum for total enrolments shall be the same as the maximum applicable to the Skills Deepening category in that calendar year.

SECTION 4

4. Calculation of tuition fees for enrolments in courses that commence on or after 1 July 2012 and before 1 January 2013

4.1. The provider will set an hourly rate payable for each enrolment in a course.

4.2. Subject to the concessions and exemptions provided for in Section 5, the tuition fee payable per scheduled hour is determined by the provider.

SECTION 5

5. Tuition fee concessions and exemptions

5.1. Providers must allow concessions on tuition fees in accordance with these guidelines.

5.2. For enrolments in courses in all categories other than Skills Deepening, providers must not charge a tuition fee that is more than the concession fee from a person who holds one of the following concession cards (or an alternative card or concession eligibility criterion approved by the Minister for the purposes of these guidelines):

(a) Commonwealth Health Care Card;
(b) Pensioner Concession Card; or
(c) Veteran’s Gold Card.
5.3. The concessions provided for in clause 5.2 (a) and (b) also apply to a dependant spouse or dependant child of a card holder.

5.4. For enrolments under Section 2 and 3 of these guidelines the Minister will each year fix the amount of the concession fee for the calendar year as indicated in Table 1 and Table 2 at the end of this document.

5.5. For enrolments under Section 4 of these guidelines, providers must charge 20 per cent of the hourly fee that a provider would have charged a non-concession government subsidised student in the same course.

5.6. If a person who was previously eligible for a concession under clause 5.2 or 5.3 becomes ineligible for the concession before the completion of the hours for which they have paid tuition fees, this does not affect the tuition fees payable for the enrolment.

5.7. For enrolments under Section 2 and 3 of these guidelines, if a person who was previously not eligible for a concession under clause 5.2 or 5.3 becomes eligible for a concession and then enrolls in further training within a calendar year, the person will not be liable for any further tuition fees above the maximum concession rate for that calendar year for a course in the same category.

5.8. The concessions provided for in clauses 5.2 and 5.3 do not apply if a person’s tuition fee is being fully paid by a Commonwealth Government Agency or as part of a Commonwealth program or initiative.

5.9. A provider must not collect a tuition fee from a person whose enrolment is undertaken by arrangement with another education institution which provides payment to the provider for tuition.

5.10. A provider must not charge a tuition or other fee for an enrolment for which funding has been provided directly or indirectly by the Commonwealth Government and where a condition of the funding prohibits the imposition of a tuition or other fee.

5.11. A provider must not charge a tuition fee for enrolment by a person who is:
   a. a prisoner within the meaning of the Corrections Act 1986 and from the Judy Lazarus Transition Centre; or
   b. required to undertake the course pursuant to a community based order made under the Children, Youth and Families Act 2005.

SECTION 6

6. Fees for recognition of prior learning within courses of government subsidised training and further education

6.1. A provider may charge a fee for assessment of recognition of prior learning only if the assessment is conducted at the request, or with the consent, of the student.
6.2. For enrolments under Section 2 and 3 of these guidelines, if a fee is charged for recognition of prior learning the amount must not exceed the actual cost of the assessment.

6.3. For enrolments under Section 4 of these guidelines, if a fee is charged for recognition of prior learning the amount is to be determined by the provider.

6.4. For courses eligible for VET FEE-HELP, a provider may charge a fee for recognition of prior learning only if a person enrols in a unit of study designated for recognition of prior learning.

SECTION 7

7. Student Services and Amenities Fees

7.1. A provider may impose a non-academic fee (whether described as a subscription or other term) for the purpose of providing student services and amenities.

7.2. If a provider imposes a student services and amenities fee, the provider must give itemised details of the fee prior to enrolment.

7.3. If a provider imposes a student services and amenities fee, the fee must be collected and expended for the sole purpose of providing facilities, services or activities of direct benefit to students at the institution.

SECTION 8

8. Other fees

8.1. A provider may charge a fee to recover no more than the actual cost of providing goods or materials to be retained by a student as his or her private property. However, a student must be permitted to use equivalent goods or materials obtained from sources other than the provider.

8.2. A provider may charge a fee to recover the cost of incidental goods and services provided in support of a student’s tuition.

8.3. If a provider imposes a fee as detailed under clauses 8.1 and 8.2, the provider must give itemised details of all fees and materials required prior to enrolment. Providers must advise students of when materials will be needed, to enable purchases to be spread over time.

8.4. A provider may not charge any fees in respect of enrolments in government subsidised training and further education other than the tuition fees, recognition of prior learning fees, and student services and amenities fees referred to in these guidelines, and the fees indicated in clauses 8.1 and 8.2.
SECTION 9

9. Refunds

9.1. A provider must supply students with a clear refund policy prior to enrolment.

9.2. Notwithstanding clause 9.1, enrolments in courses eligible for VET FEE-HELP are subject to VET FEE-HELP requirements.

SECTION 10

10. Accounts and records of tuition fees and other fees

10.1. The accounts and records kept by a provider must clearly distinguish income and expenditure for fee-for-service training and further education from government subsidised training and further education.

10.2. A provider must establish and maintain a separate general ledger account to record receipt of income from fees for tuition and the payment of refunds of tuition fees.

10.3. A provider shall keep records, including evidence, to support any claim for compensation for revenue foregone as a result of granting concessions or exemptions.

SECTION 11

11. Tuition fees for enrolments in courses that commenced before 1 July 2009 and undertaken before 31 December 2012

11.1. Subject to clauses 11.3, 11.4 and 11.5 a provider must charge a tuition fee on the basis of $1.47 for each hour in which a person is enrolled, rounded to the nearest dollar, up to a maximum of $939 in a calendar year or continuous 12 month period of enrolment (referred to as the ‘fee maintenance’ tuition fee).

11.2. Subject to exemptions specified in Section 5 of these guidelines, the minimum fee maintenance tuition fee that must be charged in respect of total enrolments by a person in any calendar year or enrolment period is $59.

11.3. The Minister may each year fix an amount by which the fee maintenance tuition fees will be adjusted for the next calendar year.

11.4. A provider must not charge a fee maintenance tuition fee that is more than the minimum charge of $59 from a person who is eligible for a concession according to Section 5 of these guidelines.

11.5. A provider must not charge a fee maintenance tuition fee from a person to whom a fee exemption is applicable according to Section 5 of these guidelines.

11.6. Fee maintenance tuition fees are only applicable to enrolments in continuous training, in which a person undertakes the next available scheduled training in the same course leading to the same qualification.
11.7. A provider may authorise a period of absence from otherwise continuous training and allow a person to resume later at the fee maintenance tuition fee rates.

11.8. If a person transfers from one provider to another during otherwise continuous training, the second provider may at its discretion charge tuition fees either at the fee maintenance rates, or according to Sections 1, 2, 3, 4 and 5 of these guidelines.

11.9. A provider may charge up to the maximum hourly rate applicable under Sections 2 or 3 of these guidelines to a course classified in the Foundation Skills category for that part of the course that is undertaken after 1 July 2009 by a person who is otherwise paying the fee maintenance tuition fee, up to the maximum specified in clause 11.1.

11.10. A person who enrolled or re-enrolled to continue a course from 1 January 2010 may elect to pay tuition fees according to Sections 1, 2, 3, 4 and 5 of these guidelines, instead of the fee maintenance tuition fee, until completion of the course or other termination of the enrolment.

11.11. If a person paying fee maintenance tuition fees for a course commenced an additional course or courses after 1 July 2009 the additional enrolment or enrolments will be subject to tuition fees according to Sections 1, 2, 3, 4 and 5 of these guidelines.

11.12. If the additional enrolment as described in clause 11.11 occurred prior to 1 January 2012, the tuition fees already paid in the calendar year will be taken into account in calculating the fees applicable to the additional enrolment.

11.13. If the additional enrolment as described in clause 11.11 occurred prior to 1 January 2012 and is subject to a higher maximum, fees may be charged up to the higher maximum.

11.14. If the additional enrolment as described in clause 11.11 occurred prior to 1 January 2012 and is followed by a re-enrolment in a course for which fee maintenance tuition fees apply, the total fees paid in that year will be taken into account in calculating the fees applicable to the additional enrolment.

11.15. Fee maintenance tuition fees shall cease to apply if a person elects to pay tuition fees according to Sections 1, 2, 3, 4 and 5 of these guidelines, or completes or withdraws from, or is absent without authority from, a course to which fee maintenance tuition fees have been applied.
Table 1

2012 Tuition Fee Schedule for enrolments with a course commencement date on or after 1 January 2012 and before 1 July 2012, and to enrolments in an Apprenticeship with a course commencement date on or after 1 July 2009 and before 1 July 2012.

<table>
<thead>
<tr>
<th>Tuition Fee Structure</th>
<th>Award</th>
<th>Student tuition fee per scheduled hour</th>
<th>Concession Fee</th>
<th>Minimum Fee</th>
<th>Maximum Fee (see Student tuition fee per scheduled hour)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundation</td>
<td>Foundation Level Courses</td>
<td>Up to $1.08</td>
<td>Up to $50</td>
<td>$0</td>
<td>N/A</td>
</tr>
<tr>
<td>Skills Creation</td>
<td>Certificate I and II</td>
<td>Up to $1.62</td>
<td>Up to $105</td>
<td>$0</td>
<td>N/A</td>
</tr>
<tr>
<td>Skills Building</td>
<td>Certificate III and IV</td>
<td>Up to $2.17</td>
<td>Up to $187.50</td>
<td>$0</td>
<td>N/A</td>
</tr>
<tr>
<td>Skills Deepening</td>
<td>Diploma and Advanced Diploma</td>
<td>Up to $4.33</td>
<td>*</td>
<td>$0</td>
<td>N/A</td>
</tr>
<tr>
<td>Apprenticeships</td>
<td>Various</td>
<td>Up to $2.17</td>
<td>Up to $187.50</td>
<td>$0</td>
<td>N/A</td>
</tr>
<tr>
<td>Traineeships</td>
<td>Various</td>
<td>Up to $2.17</td>
<td>Up to $187.50</td>
<td>$0</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* Not applicable for Skills Deepening courses except as specified in any relevant directions
Table 2

2012 Tuition Fee Schedule for enrolments with a course commencement date on or after 1 July 2009 and before 1 January 2012, excluding enrolments in an Apprenticeship with a course commencement date on or after 1 July 2009.

<table>
<thead>
<tr>
<th>Tuition Fee Structure</th>
<th>Award</th>
<th>Student tuition fee per scheduled hour</th>
<th>Concession Fee</th>
<th>Minimum Fee</th>
<th>Maximum Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundation</td>
<td>Foundation Level Courses</td>
<td>Up to $1.08</td>
<td>Up to $50</td>
<td>$0</td>
<td>$500</td>
</tr>
<tr>
<td>Skills Creation</td>
<td>Certificate I and II</td>
<td>Up to $1.62</td>
<td>Up to $105</td>
<td>$0</td>
<td>$875</td>
</tr>
<tr>
<td>Skills Building</td>
<td>Certificate III and IV</td>
<td>Up to $2.17</td>
<td>Up to $187.50</td>
<td>$0</td>
<td>$1,250</td>
</tr>
<tr>
<td>Skills Deepening</td>
<td>Diploma and Advanced Diploma</td>
<td>Up to $4.33</td>
<td>*</td>
<td>$0</td>
<td>$2,500</td>
</tr>
<tr>
<td>Apprenticeships</td>
<td>Various</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Traineeships</td>
<td>Various</td>
<td>Up to $2.17</td>
<td>Up to $187.50</td>
<td>$0</td>
<td>$1,250</td>
</tr>
</tbody>
</table>

* Not applicable for Skills Deepening courses except as specified in any relevant directions
For Provider Network RTOs only, delete Clause 2 in Schedule 3 in the 2012 Skills for Victoria Service Agreement (Non TAFE) and substitute with the following:

For all TAFE institutes, delete Clause 2 in Schedule 7 in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) and substitute with the following:

Clause 2 Determination and payment of Fee Concession Reimbursements for the Single and Teenage Parent Training Initiative

2.1 Fee concessions must be applied to individuals undertaking government subsidised training funded under this Agreement who have been referred to training under the Single and Teenage Parents Training Initiative.

2.2 Where the RTO has granted a fee concession to an individual referred to training under the Single and Teenage Parents Training Initiative, the RTO will be reimbursed by or receive a contribution from the Commission as a result of charging the concession fee to that individual.

2.3 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 the 2012 Guidelines about Fees.

2.4 The RTO must report all fee concessions granted by the RTO to Eligible Individuals to the Commission in accordance with the fee concession reporting requirements outlined in the Victorian VET Student Statistical Collection Guidelines issued by the Commission against:

a Funding Source Code NGP for Eligible Individuals in the Guaranteed Access Cohort who are referred to the RTO through the Single and Teenage Parents Training Initiative and who are not under a contract of training (i.e. not apprentices/trainees); or

b Funding Source Code NGL for Eligible Individuals in the Guaranteed Access Cohort who are referred to the RTO through the Single and Teenage Parents Training Initiative and who are under a contract of training (i.e. apprentices/trainees); or

c Funding Source Code NSP for Eligible Individuals in the Secondary Access Cohort who are referred to the RTO through the Single and Teenage Parents Training Initiative and who are not under a contract of training (i.e. not apprentices/trainees); or

d Funding Source Code NSL for Eligible Individuals in the Secondary Access Cohort who are referred to the RTO through the Single and Teenage Parents Training Initiative and who are under a contract of training (i.e. apprentices/trainees).
PART A – Fee Concession Reimbursement for Eligible Individuals with a course commencement date up to and including 30 June 2012

2.5 For Eligible Individuals with a course commencement date up to and including 30 June 2012, reimbursement by the Commission under clause 2.2 of this Schedule 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.

2.6 The reimbursement amount for the purposes of clause 2.2 of this Schedule will be calculated by the Commission on the basis 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>

PART B – Fee Concession Contribution for Eligible Individuals with a course commencement date on or after 1 July 2012

2.7 For Eligible Individuals with a course commencement date on or after 1 July 2012, the Fee Concession Contribution paid to the RTO by the Commission under clause 2.2 of this Schedule 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.

2.8 The Fee Concession Contribution amount for the purposes of clause 2.2 of this Schedule will be calculated on the basis of the ‘Fee Concession Contribution per hour’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.
For TAFE institutes only, in addition to the updated section 4 in Schedule 2, delete the relevant clauses in relation to the TAFE Tuition Fee Youth Concessions in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) and substitute with the following:

Schedule 2 – Skills for Victoria Program Specifications

Clause 4

TAFE Tuition Fee Youth Concessions

4.11 For Eligible Individuals with a course commencement date up to and including 30 June 2012, 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:

i) a Service Agreement Notification; and/or

ii) orders or regulations pursuant to the Act or the National Act; and

c clauses 4.3 and 4.4 of this Schedule 2.

4.12 The RTO must continue to grant a fee concession under clause 4.11 of this Schedule 2 (subject to the Eligible Individual continuing to hold an eligible concession card) until the relevant Eligible Individual has completed or withdrawn from the relevant training course or qualification in which they are enrolled.

4.13 Where the RTO has granted a fee concession under clause 4.11 of this Schedule 2, the RTO will be reimbursed by the Commission for income foregone as a result of charging the concession fee identified in clause 4.11 to that individual.

For TAFE institutes only, in addition to the updated section 5 in Schedule 2, delete the relevant clauses in relation to the TAFE Fee Waiver for Child Care Qualifications in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) and substitute with the following:

Clause 5

TAFE Fee Waiver for Child Care Qualifications

5.22 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

Variations to Agreements - issued May 2012
5.23 For Eligible Individuals 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.

5.24 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.

PART A – TAFE Fee Waiver for Child Care Qualifications for Eligible Individuals with a course commencement date up to and including 30 June 2012

5.25 For Eligible Individuals with a course commencement date up to and including 30 June 2012, where the RTO has granted a fee waiver under Clause 5.22 of this Schedule 2 to an Eligible Individual, 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.

5.26 Reimbursement by the Commission under Clauses 5.22 and 5.25 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee waivers were granted; and data indicating the grounds for the waiver granted to an individual.

5.27 Revenue foregone by the RTO for the purposes of calculating the Fee Waiver Payment under clauses 5.22 and 5.25 of this Schedule 2 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 5.22 of this Schedule 2 only</td>
<td>$4.33</td>
<td>$2,500</td>
</tr>
</tbody>
</table>

PART B – TAFE Fee Waiver for Child Care Qualifications for Eligible Individuals with a course commencement date on or after 1 July 2012

5.28 For Eligible Individuals with a course commencement date on or after 1 July 2012, where the RTO has granted a fee waiver under Clause 5.22 of this Schedule 2 to an Eligible Individual, the RTO will be paid a contribution from the Commission.
5.29 The contribution from the Commission under Clauses 5.22 and 5.28 of this Schedule 2 is on the basis of Student Statistical Reports provided by the RTO taking into account scheduled hours; qualifications for enrolments for which fee waivers were granted; and data indicating the grounds for the waiver granted to an individual.

5.30 The Fee Waiver/Exemption Contribution under clause 5.22 and 5.28 of this Schedule 2 will be calculated and paid by the Commission on the basis of the ‘Fee Waiver Contribution per Hour’ for the course (as identified on the Student Tuition Fee Contribution Report as published on the SVTS), applied to the paid scheduled hours in each enrolment.

For TAFE institutes only, delete Clause 2.1 b) in Schedule 3 in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) and substitute with the following:

Schedule 3 - TAFE Pipeline Specifications

PART A: Skills for Victoria Pipeline paid through SVTS

b) in accordance with Clauses 6.1, 6.3, 6.4, 6.5, 6.6, 6.11, 6.13, 6.14, 6.16 and 6.17 only of Clause 6 Determination and Payment of Contact Hour Funds of Schedule 2 of this Agreement.

For TAFE institutes only, delete Clause 12.2 b) in Schedule 6 in the 2012 TAFE Performance Agreement Training Services Delivery (the Service Agreement) and substitute with the following:

Schedule 6 – 2012 Guidelines about Tuition Fee Youth Concessions

12. Youth concession for 2012

b) A course that begins up to and including 30 June 2012 or that began in a previous calendar year and continues during the 2012 calendar year; and