

## PTC Deferral, Transfer, Suspension and Cancellation Policy and Procedure

### 1. Scope of this Policy and Procedure

1.1 This policy and procedure is made in compliance with Standard 13 of the National Code 2007. To ensure parity under this policy and procedure for both Domestic and Overseas Students, this policy and procedure (based on Standard 13 of the National Code 2007) applies to both Domestic and Overseas Students, unless otherwise stated.

### 2. Administrative Transfer of Application

2.1 At the request of the applicant, the Institute may or may not authorise the transfer of an application made from one Leo Cussen Institute PTC to another Leo Cussen Institute PTC. This decision is made for administrative convenience but subject to procedural fairness. As an administrative transfer does not ensure priority nor secures enrolment in the PTC, an administrative transfer does not constitute a deferral under this policy and procedure.

### 3. Deferring an Offer or Deferring Enrolment

3.1 Applicants wishing to defer should ensure that they have carefully read and understood this policy and procedure before making a Deferral Application.

3.2 To make a Deferral Application the applicant must:

- 3.2.1 be an 'eligible deferee' by having been offered a place in the Institute's PTC and;
- 3.2.2 demonstrate compassionate or compelling circumstances (e.g. illness where a medical certificate states that the eligible deferee/trainee is unable to attend classes, family, travel, economic issues or other matters) and;
- 3.2.3 submit a written Deferral Application to the Director Practical Training.

3.3 A Deferral Application must be in writing and addressed to the Director Practical Training. It may be emailed to: [ptcadmin@leocussen.vic.edu.au](mailto:ptcadmin@leocussen.vic.edu.au). Applications will be considered by the Director PTC, who will respond promptly.

3.4 Applicants for Deferral should note that tuition fees may increase from year to year and they will be liable to pay the fee applicable at the time of enrolment.

3.5 An applicant may not apply for more than a total of two deferrals.

### 4. Deferral of Offer of Guaranteed Place

4.1 The Director of Practical Training may make an offer guaranteeing an applicant a place in a concurrent or subsequent Leo Cussen PTC. A limited number of

guaranteed places are offered to unsuccessful applicants who have been assessed as 'eligible' (ie completed their LLB, JD or equivalent by 31 December if applying for PTC 1 in the next year, 30 June if applying for PTC2 in the same year). This decision is made in consideration of limited available places, balanced against fairness afforded to subsequent applicants. Should an applicant who has been offered a guaranteed place in a PTC wish to defer their offer, they are entitled to make a Deferral Application under this policy and procedure.

## 5. Suspension of Enrolment

5.1 A suspension of a deferral of offer is not possible.

5.2 However, an enrolment may be suspended:

- 5.2.1 at the request of the trainee, if there is documented evidence of serious compassionate or compelling circumstances (e.g. illness where a medical certificate states that the eligible deferee/trainee is unable to attend classes, serious family, economic issues or other matters) but also subject to place availability and final approval by the Executive Director.
- 5.2.2 by the Institute if the enrolled trainee is absent for longer than a week without notification.
- 5.2.3 by the Institute if the enrolled trainee is subsequently found not to have been eligible to apply to the Institute's PTC or for other compelling reasons such as illegality established against the enrolled trainee, misbehaviour, serious incapacity, or other matter.
- 5.2.4 Trainees exiting prior to the completion of the Course do so subject to the *Important Information for Applicants* on the Institute's website including: *Payment Options, Census Dates, Late Withdrawal Fees, Refunds, Deferral, and the Complaints Policy and Procedure.*

## 6. Cancellation of Deferral or Enrolment

6.1 A deferral or enrolment may be cancelled:

- 6.1.1 at the request of the deferee or enrolled trainee;
- 6.1.2 if the deferee does not accept and secure their enrolment prior to the commencement of the enrolled course having been notified of the requirements to accept and secure the enrolment by the Institute or;
- 6.1.3 if the enrolled trainee is absent without notification and satisfactory completion could not occur.
- 6.1.4 should the deferee or enrolled trainee be found to be ineligible to apply to the Institute's PTC or for other compelling reasons such as illegality established against the deferee or enrolled trainee, misbehaviour, serious incapacity, death or other matter.
- 6.1.5 Trainees exiting prior to the completion of the Course do so subject to the *Important Information for Applicants* on the Institute's website including: *Payment*

*Options, Census Dates, Late Withdrawal Fees, Refunds, Deferral, and the Complaints Policy and Procedure.*

## 7. Assessment and Records

- 7.1 The Institute records all deferrals, suspensions and cancellations and keeps documentary evidence on the person's file of the assessment of the application or reasons for taking the action.
- 7.2 If the **enrolled trainee** is an Overseas Student, the Institute must:
- 7.2.1 inform the Overseas Student that deferring, suspending, or cancelling his or her **enrolment** may affect his or her student visa, and
  - 7.2.2 notify the Secretary of DEST(now DEEWR) via PRISMS as required under section 19 of the ESOS Act where the Overseas Student's **enrolment** is deferred, temporarily suspended or cancelled.
  - 7.2.3 inform the applicant of its intention to suspend or cancel the trainee's **enrolment** where suspension or cancellation is not initiated by the trainee and notify the trainee that he or she has 20 working days to access the Institute's internal Complaints Policy and Procedure.
  - 7.2.4 If the trainee accesses the Institute's internal Complaints Policy and Procedure, the suspension or cancellation of the trainee's enrolment under this policy cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of that trainee, other trainees or staff apply.

## 8. Approval Clause

- 8.1 This policy and procedure was approved by the Management Committee of the Institute on the 2 June 2011. It was amended by the PTC Academic Committee on the 11 June 2015.