

# FACT SHEET

## Charges to be levied by ASQA related to the investigation of a complaint about an NVR registered training organisation

### Introduction

The Australian Skills Quality Authority (ASQA) is the national regulator for the Australian vocational education and training (VET) sector.

In performing its functions, ASQA investigates complaints about training organisations.

This fact sheet explains the charges related to the investigation of complaints about national VET regulator registered training organisations (NVR RTOs).

### What is the basis of the charge?

The *National Vocational Education and Training Regulator (Charges) Act 2012*, provides the legislative basis upon which ASQA imposes charges for the investigation of a complaint about an NVR RTO.

### How is the amount of the charge determined?

The charge is currently set by the *National Vocational Education and Training Regulator (Charges) Determination 2013 (No. 1)*. That Determination prescribes that, where the complaint is substantiated, the charge is \$250 per hour plus ASQA official travel costs (additional charges may apply with respect to complaint investigations conducted outside Australia).

No charge is applied where the complaint is not fully substantiated.

It is important to note that the charge for investigating a complaint which is substantiated is separate from the charge associated with the conduct of a compliance audit. If a compliance audit is undertaken based on a complaint, there are separate charges for that regulatory activity.

### When will my NVR RTO be invoiced?

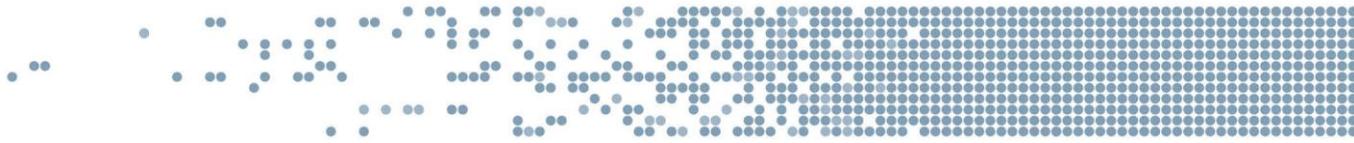
In cases where a complaint is substantiated, the NVR RTO will receive an invoice from ASQA following the finalisation of the complaint investigation process.

### What can I do if I disagree with the amount of a charge?

If an NVR RTO wishes to dispute the amount of a charge, the NVR RTO may refer a complaint to ASQA and it will be dealt with through ASQA's internal complaints process. It is important to note that the hourly rate is fixed by the Determination and is not able to be varied by ASQA. More information on making a complaint about ASQA is available at <http://www.asqa.gov.au/complaints/complaints-about-asqa.html>.

If the issue is not able to be resolved through that mechanism, the NVR RTO may, subject to the basis of the complaint, apply under the *Administrative Decisions (Judicial Review) Act 1977* for a judicial review.

The NVR RTO may also approach the Commonwealth Ombudsman for assistance in resolving the complaint.



## More information

For more information, contact ASQA by calling the Info line on 1300 701 801 Monday to Friday, 9.00 am to 7.00 pm AEST.

You can also ask a question by emailing [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au)