

Lord Howe Island Secondary Student Flight Scheme Terms and Conditions- School Student Transport Scheme

These Terms and Conditions apply to Transport for NSW's Lord Howe Island Secondary Student Flight scheme.

General

The Lord Howe Island scheme is available to secondary students who reside on Lord Howe Island and travel to the mainland for their education. These students can apply for a reimbursement of air travel.

Under the existing School Student Transport Scheme (SSTS) policy the NSW government supports student travel from Lord Howe Island to the mainland to enable parents to send their children to NSW schools.

Eligible secondary students are entitled to one return flight per school term from Lord Howe Island to NSW. A total of four return flight journeys per year. Parents/legal guardians of eligible students are reimbursed for the cost of four return journeys per year (one per term). The concession provision of the Lord Howe Island Scheme is based on a capped cost reimbursement model.

1. Student eligibility criteria

- a. The Lord Howe Island Scheme is only available to parents/legal guardians with one or more eligible students within their household.
- b. To be eligible for the Lord Howe Island Subsidy, a school student must be:
 - i. a resident of Lord Howe Island;
 - ii. enrolled as a full-time student in a secondary school within NSW from year 7 to year 12;
 - iii. school details must be validated including school code and enrolment letter or school supporting documentation for confirmation of student enrolment to the school specified; and
 - iv. dates nominated for flights are aligned with the start and finish dates of school terms.

Note:

- If you are under 16 years of age, your parent or legal guardian must complete and submit the application.
- If you are 16 years or older you may choose to complete and submit the application form yourself.

2. Lord Howe Island Scheme

- a. Parents/legal guardians must submit a Lord Howe Island Secondary Student Flight Application Form, in a format approved by Transport for NSW.
- b. Only one application form is required to be submitted per student for this scheme, with eligibility being validated annually.
- c. Provided student(s) eligibility criteria are met, Transport for NSW will determine each application within six weeks from the date of application. If the determination is not

received within six weeks, Transport for NSW is deemed to have rejected the application.

- d. The applicant agrees that Transport for NSW may request further information for the purpose of assessing applications.
- e. The applicant agrees to Transport for NSW contacting the student(s) school to confirm the details in the application and the student's enrolment status and attendance days (if needed).

3. Lord Howe Island Scheme flight bookings

- a. Transport for NSW will only cover costs of flights per entitlement to the capped cost threshold.
- b. Transport for NSW will determine ticket price reimbursements on a value threshold decision at its sole discretion and as it deems fit. Transport will also assess this threshold periodically as market values fluctuate.
- c. Anything determined by Transport for NSW as unreasonably outside of the annual average flight cost per student will not be approved.
- d. If a student is under 12 years old there may be an 'Unaccompanied Minor' fee when the flight ticket is booked; this will be covered under the threshold of flight reimbursement costs.
- e. Parents/legal guardians book and pay for the flights upfront and retain a copy of the proof of payment.
- f. Parents/legal guardians must submit a 'Lord Howe Island Secondary Student Flight Reimbursement Claim' application form through transportnsw.info
- g. Each claim must include proof of payment of flight ticket(s) and a confirmed flight itinerary to be considered for a reimbursement of flight costs.
- h. A confirmed flight itinerary needs to be provided. A waitlist/draft itinerary will not be accepted.
- i. Any reimbursement claims made for rejected scheme applications will not be accepted or processed. Further details on the conditions of payments are set out in Section 6 below.
- j. Flights booked outside the school term may not be reimbursed.

4. Notification of changes

- a. The applicant must notify Transport for NSW immediately if there is a change that may affect the eligibility of any student(s) for the Lord Howe Island Scheme.
- b. If Transport for NSW is not notified of changes when or before they occur, the student(s)' eligibility may be suspended or cancelled, and the applicant might miss out on payment, have payments delayed, or may incur a debt due to overpayment.
- c. The applicant can notify Transport for NSW of changes by submitting a change application in a form approved by Transport for NSW.
- d. The applicant must notify Transport for NSW of the following when they occur:
 - i. changes to:
 - a. the student(s) household address; and/or
 - b. the school the student(s) attend.
- e. The following events should be notified promptly:
 - i. change of contact details including telephone number, postal or email address.
 - ii. change of bank account details.
- f. Transport for NSW will notify applicants of events it believes impact on eligibility or on payments.

- g. In NSW, it is a criminal offence under the *Crimes Act 1900* to provide false and misleading information in certain circumstances.

5. Conditions of payment

- a. This will be a reimbursement arrangement, and parents/guardians will pay upfront and then be reimbursed for flight costs in line with clause 3 of these Terms and Conditions.
- b. Reimbursement of costs will be made on an annual basis and will be calculated as a capped cost threshold. The threshold is determined by Transport for NSW and is reviewed periodically with variations checked against any relevant Consumer Price Index inflation at the time. Any cost determined by Transport for NSW to be outside the capped cost threshold will not be reimbursed.
- c. The parent/guardian making the claim must do so on behalf of a student who is an approved applicant and who has met the eligibility criteria of the Lord Howe Island Scheme. Transport for NSW reserves the right to ask for an eligibility confirmation from the parents/guardians or the nominated school.
- d. Transport for NSW will only pay for flight costs up to the capped cost threshold.
- e. Transport will only process 4 return flight claims or 8 single flight claims per annum. Once the entitlement for claims has been exhausted, then no further claims will be accepted or processed.
- f. Transport for NSW is not liable for any flight cancellation fees, penalty fees for changed bookings, add-on or excess baggage fees, seat selection fees, in-flight meal or drink fees, in-flight entertainment or any other ancillary costs.
- g. When a flight ticket has been purchased, if the parent/legal guardian cancels the flight for any reason, Transport for NSW will not be liable to pay for the flight or cancellation fees.
- h. Where a flight has been booked and a claim has already been submitted, Transport for NSW will not be liable for any additional fees or charges incurred due to re-booking or changing a booked flight. The parent/legal guardian will not be reimbursed for these changes.
- i. Where a flight has already been booked, and the parent/guardian has received a reimbursement payment from Transport for NSW for the same flight, if for any reason the student does not take that flight the parent/guardian must:
 - change the flight dates instead of cancelling the flight as cancellation of the flight would prompt a refund from the airline; or
 - immediately or as soon as reasonably practicable notify Transport for NSW of the flight not taken by the student.

If a refund has been issued from the airline and a reimbursement cost issued from Transport for NSW, the parent/guardian may either:

- return the reimbursement cost of that flight to Transport for NSW; or
- choose to nominate the next flight claim as a null reimbursement.

Where the parent/guardian fails to disclose that this has occurred, Transport for NSW reserves the right, in its absolute discretion to deem the student no longer eligible and in accordance with clause 5(m) and 5(n) may cease future payments or require the funds be repaid.

- j. Payments will only be made for the school terms nominated in the scheme claim form received by Transport for NSW.

- k. Transport for NSW will reimburse approved Lord Howe Island scheme payments directly and only to the applicant's personal bank account. Where the applicant's personal and bank account details cannot be matched, Transport for NSW will deem the reimbursement claim application incomplete, and it will be declined. Where the application has been deemed incomplete and declined, a new application process will need to be completed.
- l. Payments will not be made for periods where student(s) are deemed ineligible.
- m. Where Transport for NSW determines that eligibility requirements are no longer met, Transport for NSW may cease payment from the date of ineligibility, or such other date as notified by Transport for NSW at its discretion.
- n. Any Scheme paid as a consequence of inaccurate, false or misleading information will be required to be repaid.
- o. If an overpayment for the Lord Howe Island Scheme has occurred (for instance, due to late notification of changes under section 4 above), the applicant must repay the overpaid amount. In these circumstances, Transport for NSW may elect to offset the amount due against future Lord Howe Island Scheme payments.
- p. Reimbursement payments of flight costs go to the parents/guardians banking information nominated on the application and not to the eligible student.
- q. Transport for NSW aims to process financial reimbursements within 5 business days of receipt of claim to minimise the impact to parents / guardians of out-of-pocket expenses.

6. Privacy Notice

- a. By applying for the Lord Howe Island Scheme, you are agreeing to provide your personal information or the personal information of your child or a child for whom you are a parent/guardian or household representative for the purpose of making an application for your child, in accordance with the Lord Howe Island Scheme Terms and Conditions including this Privacy Notice. Under NSW privacy laws (i.e. the *Privacy and Personal Information Protection Act 1998* (NSW)), personal information (including any health information) that is collected and held by Transport for NSW must be obtained directly from the person to whom the information relates, unless:
 - i. where the person is under 16 years of age, the information is provided by a parent or guardian; or
 - ii. where the person providing the information has been authorised to do so by the person to whom the information relates.
- b. Transport for NSW collects and holds personal information in connection with the Lord Howe Island Scheme. The information may be used for the administration of the Lord Howe Island Scheme and, in particular, for verifying the details provided by those participating in the Lord Howe Island Subsidy, both adult applicants receiving the Scheme and students on whose behalf the Scheme is paid. This information may also be used to assist Transport for NSW in identifying opportunities to improve the Lord Howe Island Scheme, developing Transport policy, or in Transport planning.
- c. Supply of personal information in connection with an application for the Lord Howe Island Scheme is voluntary. Failure to provide the personal information requested will result in Transport for NSW being unable to process the Lord Howe Island Secondary Student Flight Scheme application and the reimbursement claim.

- d. Personal information collected in connection with the Lord Howe Island Scheme may be disclosed to, and exchanged with the following, in order to validate the eligibility to the scheme entitlement:
 - i. Schools;
 - ii. NSW Department of Education, and agencies within its cluster;
 - iii. NSW Education Standards Authority (NESA);
 - iv. Government agencies of other States and Territories with whom the State of New South Wales has reciprocal student transport arrangements; and
 - v. Contractors engaged in providing services for the administration, improvement, planning or development of the Lord Howe Island Subsidy.
- e. The personal information collected in connection with the Lord Howe Island Scheme may also be disclosed as required by law.
- f. By submitting your application for the Lord Howe Island Scheme, you consent to:
 - i. the disclosure of your personal information, or the personal information of your child or a child for whom you are a parent/guardian by Transport for NSW to the entities mentioned in clause d) above; and
 - ii. being contacted by Transport for NSW or an entity listed in clause d) above for a purpose consistent with the administration, improvement, planning or development of the Lord Howe Island Scheme.
- g. Transport for NSW will ensure that all personal information is held in a secure, confidential manner and managed in accordance with the *Privacy and Personal Information Protection Act 1998* (NSW) and the *Health Records and Information Privacy Act 2002* (NSW).
- h. A person who has provided personal information in connection with an application for a Lord Howe Island Scheme may request access to the information provided to, and held by, Transport for NSW and may also make a request to correct, amend, alter or annotate the information. Requests should be made by contacting the Privacy Officer, as outlined below.
- i. For further information about our Privacy Policy contact privacy@transport.nsw.gov.au.

7. Amendment to these Terms

- a. These terms and conditions may be amended from time to time. Any changes will take effect when they are published on our website
at transportnsw.info/lordhoweislandsecondarystudentflightssubsidy
- b. If Transport for NSW makes any changes that it considers will adversely affect a student's eligibility for the Lord Howe Island Scheme in a material way, it will take such steps to notify the applicant parent/legal guardian as Transport for NSW considers reasonably appropriate (for example by including a notice on the website). By continuing to participate in the Lord Howe Island Scheme after any changes are published on the website, the applicant parent/legal guardian agrees to be bound to those changes. If the applicant parent/legal guardian does not agree to any such changes they must notify Transport for NSW that they no longer wish to participate in or receive the Lord Howe Island Scheme.