Australian Apprenticeships
Incentives Programme
Guidelines

A PROGRAMME TO DEVELOP A SKILLED AUSTRALIAN WORKFORCE

“For the use of the Department of Education and Training and contracted providers only”

These Guidelines take effect from 1 July 2015

Australian Government

Funded by the Australian Government through the Department of Education and Training
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# Definition of Terms

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<th>Definition</th>
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<tbody>
<tr>
<td><strong>Australian and New Zealand Standard Classification of Occupations (ANZSCO)</strong></td>
<td>ANZSCO is the list of standard classifications for occupations developed for use in Australia and New Zealand. Further information can be found at the <a href="https://www.abs.gov.au">Australian Bureau of Statistics</a> website.</td>
</tr>
<tr>
<td><strong>Australian Apprentice</strong></td>
<td>A person who is:</td>
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<td>• employed under a Training Contract that has been registered with, and validated by, their State/Territory Training Authority; and</td>
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<td>• undertaking paid work and structured training which commonly comprises both on and off the job training; and</td>
</tr>
<tr>
<td></td>
<td>• undertaking a negotiated training programme that involves obtaining a nationally recognised qualification.</td>
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<td>In some states and territories, Australian Apprentices may be referred to as apprentices, trainees or trainee apprentices.</td>
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<tr>
<td><strong>Australian Apprenticeship</strong></td>
<td>The contracted employment and training arrangement between an Australian Apprentice and an employer.</td>
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<td></td>
<td>In some states and territories, Australian Apprenticeships may be referred to as apprenticeships and traineeships.</td>
</tr>
<tr>
<td><strong>Australian Apprenticeship Network Provider</strong></td>
<td>An organisation contracted by the Department to deliver Australian Apprenticeship support services.</td>
</tr>
<tr>
<td><strong>Australian Apprenticeship Support Network Contract</strong></td>
<td>The contract between the Department and Apprenticeship Network Providers that stipulates the conditions under which Australian Apprenticeship support services are delivered.</td>
</tr>
<tr>
<td>Term</td>
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<tr>
<td>Australian Qualifications Framework (AQF)</td>
<td>The Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework. Further information can be found at the AQF website <a href="https://www.aqf.edu.au">Australian Quality Framework</a>.</td>
</tr>
</tbody>
</table>
| Claim period                                                        | The period that a claim relates to. Claim periods apply to the following claim types:  
  - Living Away From Home Allowance;  
  - Disabled Australian Apprentice Wage Support; and  
  - Tutorial, Mentor and Interpreter Assistance.                                                                                                                                                                                                                                                                                             |
<p>| Department                                                          | Refers to the Australian Government Department of Education and Training.                                                                                                                                                                                                                                                                                                                                                                                                  |
| Effect date                                                          | The date that a claim becomes payable subject to the completion of the waiting period (where applicable). Effect dates relate to employer incentives which are not listed under ‘claim period’.                                                                                                                                                                                                                                                                                          |
| Exceptional Circumstances Certificate                               | An Exceptional Circumstances Certificate is issued by Centrelink, on behalf of the Department of Agriculture. The certificate is issued specifying the name of the employer declared to be experiencing exceptional circumstances and the valid time period covered. These certificates are only available to primary producers.                                                                                                                                                              |
| Formally Approved                                                   | Where the relevant State or Territory Training Authority has approved the Training Contract. For Australian Apprentices in New South Wales, this is the date of approval and not the date of registration of the Training Contract.                                                                                                                                                                                                                                                            |</p>
<table>
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<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>Full-time equivalent</td>
<td>The calculated full time equivalent duration of employment or training that was completed on a non-full-time basis, or a combination of full-time and non-full-time employment.</td>
</tr>
<tr>
<td>Group Training National Register</td>
<td>The Group Training National Register identifies all GTOs which have complied with national standards set by Vocational Education and Training Ministers and are eligible to use the Group Training National logo. All GTOs listed on this National Register have been recognised as compliant against the National Standards for GTOs, by State/Territory Training Authorities. The Register can be found on the <a href="#">Group Training National Register</a> website.</td>
</tr>
<tr>
<td>Group Training Organisation (GTO)</td>
<td>A Group Training Organisation is an organisation which employs Australian Apprentices under a Training Contract and places them with host employers. The GTO undertakes the employer responsibilities for the quality and continuity of the Australian Apprentices’ employment and training, including payment of Australian Apprentices’ wages. The GTO also manages the additional care and support necessary to achieve the successful completion of the Training Contract.</td>
</tr>
<tr>
<td>Guidelines</td>
<td>Refers to the Australian Apprenticeships Incentives Programme Guidelines.</td>
</tr>
<tr>
<td>National Skills Needs List (NSNL)</td>
<td>A list of trade occupations that have been identified as being in national skills shortage. The full list is found at Appendix B.</td>
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<td>Term</td>
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<tr>
<td><strong>Nominated Equity Groups</strong></td>
<td>For the purpose of the Programme, Nominated Equity Groups are:</td>
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<td>• Indigenous Australians;</td>
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<td></td>
<td>• Australian Apprentices with disability;</td>
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<td></td>
<td>• School-based Australian Apprentices;</td>
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<tr>
<td></td>
<td>• Mature aged Australian Apprentices (aged 45 and over);</td>
</tr>
<tr>
<td></td>
<td>• Australian Apprentices working in a rural or regional area; and</td>
</tr>
<tr>
<td></td>
<td>• Job seekers with severe barriers to employment.</td>
</tr>
<tr>
<td><strong>Occupational Outcome</strong></td>
<td>The occupation (as defined by the Australian and New Zealand Standard Classification of Occupations) which the Australian Apprentice is working towards and will achieve upon the successful completion of their Australian Apprenticeship. Further information can be found at the Australian Bureau of Statistics website.</td>
</tr>
<tr>
<td><strong>Part-time</strong></td>
<td>Part-time provisions vary across Australia and across occupations. For the purposes of the Guidelines, the relevant State or Territory Training Authority’s definition should be used. All Australian School-based Apprenticeships are considered to be undertaken on a part-time basis.</td>
</tr>
<tr>
<td><strong>Priority Occupations</strong></td>
<td>A list of occupations that have been identified as a priority for support. The full list is found at Appendix H.</td>
</tr>
<tr>
<td><strong>Programme</strong></td>
<td>Refers to the Australian Apprenticeships Incentives Programme.</td>
</tr>
<tr>
<td><strong>Registered Training Organisation (RTO)</strong></td>
<td>An organisation that is registered by the appropriate registering body to deliver training, conduct assessments and issue nationally recognised qualifications in accordance with the VET Quality Framework.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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<tr>
<td>Secondary School</td>
<td>For the purposes of the Programme, ‘secondary school’ generally encompasses years 7-12. In general the completion of ‘secondary school’ refers to the student attaining a year 12 certificate or equivalent. In some States and Territories students can complete secondary school (or year 12) in more than 12 years.</td>
</tr>
<tr>
<td>State/Territory Contract Manager</td>
<td>The person in each of the Department's State/Territory Offices responsible for the day-to-day administration of the Australian Apprenticeship Support Network Contract.</td>
</tr>
<tr>
<td>State/Territory Training Authority (STA)</td>
<td>The State or Territory Government body responsible for the operation of the Vocational Education and Training system, including Australian Apprenticeships, within that jurisdiction.</td>
</tr>
<tr>
<td>Stream B or Stream C Client</td>
<td>An Employment Provider client who has been assessed through the Job Seeker Classification Instrument, and classified as eligible for intensive job seeker support in either Stream B or Stream C.</td>
</tr>
<tr>
<td>Successful completion</td>
<td>Successful completion occurs when the STA recognises that the Australian Apprentice has successfully completed both the on-the-job and off-the-job training and acquired the competencies required for the Australian Apprenticeship.</td>
</tr>
<tr>
<td>Training Contract</td>
<td>A formal contract approved by the relevant State or Territory Training Authority that establishes the terms and conditions of the Australian Apprenticeship. Each Australian Apprentice and employer must enter into a Training Contract to be eligible for payments under the Programme. The Training Contract is a State or Territory requirement.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
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</tr>
<tr>
<td>VET Quality Framework (VQF)</td>
<td>The VET Quality Framework is aimed at achieving greater national consistency in the way providers are registered and monitored and in how standards in the VET sector are enforced. Further information can be found at the <a href="https://www.atsqa.gov.au">Australian Skills Quality Authority</a> website.</td>
</tr>
</tbody>
</table>
I. Introduction to the Programme and Administrative Issues

A. Introduction to the Australian Apprenticeships Incentives Programme

1. Overview

The Australian Government is committed to maintaining a skilled and flexible workforce that will continue to be relevant to Australia’s changing needs while retaining Australia’s international competitiveness as a trading nation.

As part of this commitment the Australian Government provides a range of support through the Australian Apprenticeships Incentives Programme (the Programme) to encourage the continued training and development of a highly skilled Australian workforce.

The Programme links into the industries and occupations traditionally associated with the apprenticeship system. In addition, the Programme targets a broad range of traineeships and apprenticeships in new and emerging industries especially where future skills shortages are projected.

2. Objective

The objective of the Programme is to contribute to the development of a highly skilled and relevant Australian workforce that supports economic sustainability and competitiveness.

This is achieved by encouraging:

- genuine opportunities for skills-based training and development of employees; and
- people to enter into skills-based training through an Australian Apprenticeship.
### 3. Related information

Australian Apprenticeship Support Network Providers are contracted by the Department to provide services to Australian Apprentices, their employers and interested stakeholders. These services include the provision of advice to employers and Australian Apprentices in relation to eligibility for assistance under the Programme.

Further information about Australian Apprenticeships can be obtained from the [Australian Apprenticeships](#) website.

### B. General Administrative Issues

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<tr>
<td><strong>1. Interpreting the Programme's policies</strong></td>
<td>The policy framework for this Programme has been approved by the Minister with portfolio responsibility for Skills and Training on behalf of the Australian Government. Departmental officers shall not waive or amend the Guidelines in any way that would alter the ministerially agreed policy intent of the payments detailed in these Guidelines without reference to the Minister or their delegate.</td>
</tr>
<tr>
<td><strong>2. Changes to Programme criteria and funding</strong></td>
<td>The criteria and funding of Australian Government Australian Apprenticeships payments, including eligibility, availability and payment may change during the term of an Australian Apprenticeship in line with Government priorities. This may result in changed eligibility at the time a payment is due. Incentives available under the Programme are designed to encourage employers to offer employment related opportunities and are payable subject to meeting the relevant eligibility criteria at the date the payment is due. Incentives are not training subsidies, nor are they provided to subsidise training or other related costs.</td>
</tr>
</tbody>
</table>
### 3. The Department’s right to withhold or refuse payment

The Department reserves the right to withhold or refuse payment, or require repayment where:

- it is considered that the Australian Apprenticeship does not provide a genuine or appropriate employment and training opportunity for the Australian Apprentice; or
- there has been fraud or manipulation of the Guidelines to maximise payments which would otherwise not have been payable; or
- the employer or Australian Apprentice has engaged in abusive or criminal conduct during the Australian Apprenticeship.

### 4. Suspect claims

Apprenticeship Network Providers are required to advise the Department as soon as practical after becoming aware of:

- allegations of fraudulent activities or attempts to manipulate the Programme by an employer, Australian Apprentice or Registered Training Organisation (RTO) to maximise payments that would otherwise not have been payable; or
- employer recruitment and retrenchment patterns that suggest possible abuse of the system; or
- suspected breaches of the provisions of the Training Contract; or
- any investigations of an employer or Australian Apprentice by the State or Territory Training Authority (STA); or
- any instance where an Australian Apprentice, or person acting on their behalf, makes an allegation or complaint against an employer, including claims of harassment or non-payment of wages.
5. Approval to spend public monies

The *Public Governance, Performance and Accountability Act 2013* establishes the framework for the use and management of public resources by Commonwealth entities.

The Accountable Authority of the Department has approved for the purposes of section 23 of the *Public Governance, Performance and Accountability Act 2013* and section 18 of the *Public Governance, Performance and Accountability Rule* proposals to spend relevant monies in accordance with these Guidelines, in respect of Australian Apprenticeships.

The *Commonwealth Grants Rules and Guidelines* are a legislative instrument under the *Public Governance, Performance and Accountability Act 2013*, and establish the Australian Government's overarching grants policy framework. As per paragraph 2.3, the Programme meets the definition of a ‘grant’ and is subject to the provisions of the *Commonwealth Grants Rules and Guidelines*.

C. Review of Decisions (Waivers)

1. Overview

The Department is committed to procedural fairness in the administration of this Programme. It is intended that all decisions are consistent, equitable and transparent within the limits and constraints of the approved policies for the Programme.

In the interest of procedural fairness where it is deemed that a claimant (an employer, Australian Apprentice or RTO) is not eligible for a payment they have the right to have the decision reviewed by the Apprenticeship Network Provider or the Department. The claimant can also have the decision investigated by the Commonwealth Ombudsman.

2. Process for

Where an employer, Australian Apprentice or RTO is
Review of Decisions

assessed as not eligible for payment, their Apprenticeship Network Provider must advise them in writing. The advice must provide a clear and concise explanation of the decision, refer to the relevant section of the Guidelines and outline the intent of the policy.

The employer, Australian Apprentice or RTO must also be advised that the only basis for a review is where they consider that an incorrect decision has been made or if there are exceptional circumstances.

A written request for a review of a decision should be made directly to the Apprenticeship Network Provider in the first instance. The request must outline why the claimant considers the decision to be incorrect and, where appropriate, provide additional evidence to support a review of the case.

The Apprenticeship Network Provider is required to re-examine the decision based on the policies and procedures of the Programme taking into account the reasons that the claimant has put forward for review of the decision as well as the additional information provided.

Where the Apprenticeship Network Provider identifies an error in their original decision, they must correct the error and notify the person requesting the review in writing of their decision with a full explanation.

Where the original decision is upheld by the Apprenticeship Network Provider or where the claimant has put forward exceptional circumstances as the basis for the review, the claim shall be reviewed by the Department.

The Apprenticeship Network Provider must forward the evidence provided by the claimant and all relevant documentation to their State/Territory Contract Manager.

Apprenticeship Network Providers are to make a recommendation in respect of each request for review sent to their State/Territory Contract Manager and, where appropriate, add additional relevant information.

Examples where additional relevant information is required
from the Apprenticeship Network Provider

- Where the request for review relates to a claim being lodged after the time limit has expired, the Apprenticeship Network Provider must provide information outlining what efforts they made to assist the person requesting the review to claim within the time limit. This may include copies of the Sign-Up Form, Contact Form, documented evidence of follow-up by letter or phone call, etc.

- Where the basis for the review includes inadequate support or insufficient advice from the Apprenticeship Network Provider, the Apprenticeship Network Provider is required to include their response to the person’s claim.

The Department shall review the decision taking into account the policies and intent of the Programme. The Department has an overarching obligation to ensure that the policy intent of the Programme is achieved. To this end it has some latitude to waive Programme rules, in line with exceptional circumstances provisions only (outlined in section I.C.3), to determine if a claimant would have been eligible if it were not for the exceptional circumstances highlighted.

The Department shall notify the claimant of the reviewed decision, in writing, as quickly as possible after an assessment is complete and a decision has been made.

If unsuccessful, this notification will provide a clear and concise explanation of the reason(s) that the request for review was unsuccessful, outlining the intent of the policy and referring to the Guidelines. The notification should also include the following paragraph:

If you are dissatisfied with the way the Department has handled your application, you can contact the Commonwealth Ombudsman. The Ombudsman can investigate complaints about the administrative actions of Australian Government Departments. An online complaint form is available from the
3. Exceptional Circumstances

<table>
<thead>
<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Only the Department has the capacity to consider exceptional circumstances when reviewing a decision.</td>
</tr>
<tr>
<td>Exceptional circumstances are circumstances that are unusual, uncommon, unexpected or unplanned.</td>
</tr>
<tr>
<td>The Department shall consider all declarations and supporting documentation in an endeavour to review a claim decision to ensure that the best possible outcome is achieved balancing the rights of the claimant with the prudent use of public monies. When considering a request for a waiver of the Programme Guidelines the officer may consider the following:</td>
</tr>
<tr>
<td>• Would the claimant be eligible for the payment if it were not for the exceptional circumstance(s)? This determines the basic eligibility for the payment(s) in dispute.</td>
</tr>
<tr>
<td>• Is the exceptional circumstance(s) out of the control of the claimant? If yes, then exceptional circumstances may be in play.</td>
</tr>
<tr>
<td>• Could the claimant have reasonably been expected to do more at the time of claiming to ensure that the claim was considered favourably? If not, then exceptional circumstances may be in play.</td>
</tr>
<tr>
<td>• Did the Apprenticeship Network Provider, the Department or any of its agents provide appropriate advice, information and service to enable the recipient to lodge the claim within the appropriate timeframe? If not, then exceptional circumstances may be in play.</td>
</tr>
<tr>
<td>• Has the claim been disrupted by unexpected or unplanned events that have impacted on the ability to provide supporting evidence or take necessary actions within the required time limits? If yes, then exceptional circumstances may be in play.</td>
</tr>
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</table>

The following scenarios may provide some examples of
what might constitute exceptional circumstances. These examples are not exhaustive; the very nature of exceptional circumstances is that each case must be assessed on its own merits.

Example of an exceptional circumstance

An employer lodges a claim for a commencement incentive payment 16 months after the claim effect date. The claim is denied as claims must be lodged within 12 months of the effect date. The employer requests a review of the decision stating that the reason the claim was lodged out of time is that there was a fire in their office six months ago which destroyed their records. Provided that no other claims from that employer were received during this period, it is likely that this would be considered exceptional circumstances and the claim would be accepted by the Department.

Example of a circumstance that is not an exceptional circumstance

Erin has applied for LAFHA payments 15 months after the commencement date and would like the payments paid from commencement. The guidelines do not allow for payments to be backdated beyond 12 months from the claim date. The claim for LAFHA is approved and backdated for a 12 month period. Erin has asked for the claim to be reviewed with a view to backdating for the full 15 month period. The reason that the claim was submitted out of time is that Erin misplaced the forms and forgot to make the claim within the required timeframe. This situation should not be considered an exceptional circumstance and the original decision would be upheld.
4. Review by the Commonwealth Ombudsman

The Commonwealth Ombudsman can investigate complaints about the actions and decisions of Australian Government Agencies.

Where a complaint is investigated by the Commonwealth Ombudsman they are able to make a recommendation to the Department that it reconsiders its action or decision. The Commonwealth Ombudsman cannot compel the Department to comply with those recommendations but the Department will take recommendations into consideration when making a further determination of a claim.

More information on the role of the Commonwealth Ombudsman is available at the Commonwealth Ombudsman website.

<table>
<thead>
<tr>
<th>D. Taxation Issues</th>
</tr>
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</table>
| 1. Goods and Services Tax (GST) | GST does not apply to payments made to employers and Australian Apprentices under the Programme. However, GST did apply to incentives claimed between 1 July 2000 and 31 December 2005.

Payments to RTOs for Tutorial, Mentor and Interpreter Services do attract GST.

A New Tax System (Goods and Services Tax) Act 1999 (the Act), imposes an obligation on the part of the payment recipient to remit GST to the Australian Taxation Office (ATO) in respect of payments received under the Programme (where GST is applicable to the payment), as 'entering into an obligation' represents a taxable supply in cases where the recipient of the payment is registered for the GST. A connection between the payment and the supply is established, for the purpose of the Act, once a claim form is completed for each payment. Payments under the Programme are made in response to the payment recipient (not including Australian Apprentices in receipt of LAFHA) entering into an obligation to do something. |
RTOs claiming financial assistance under the Programme must complete a claim form which constitutes a Tax Invoice for the purposes of the Act once signed by an authorised representative.

2. Legal entity

<table>
<thead>
<tr>
<th>Legal entities include:</th>
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<tbody>
<tr>
<td>• an individual, e.g. Mr John Smith; or</td>
</tr>
<tr>
<td>• a company, e.g. Great Services Pty Ltd; or</td>
</tr>
<tr>
<td>• an incorporated association, e.g. Association Inc; or</td>
</tr>
<tr>
<td>• the trustee of a trust, e.g. Trustee Pty Ltd as trustee for the Smith Family Trust; or</td>
</tr>
<tr>
<td>• partners of a partnership, e.g. Ms Jill Smith and Ms Jane Smith; or</td>
</tr>
<tr>
<td>• a member of an unincorporated association, e.g. Ms Jane Smith on behalf of Club A; or</td>
</tr>
<tr>
<td>• an authority established as a body corporate by legislation, e.g. Australian National University.</td>
</tr>
</tbody>
</table>

A trading name, a business name, an unincorporated association, a partnership name or a trust name are not legal entities.

3. ABN of employer

<table>
<thead>
<tr>
<th>Employers or RTOs making a claim for any payment under the Programme are asked to provide their Australian Business Number (ABN).</th>
</tr>
</thead>
<tbody>
<tr>
<td>The ABN should be the ABN of the Legal Entity.</td>
</tr>
<tr>
<td>Where the employer is employing an Australian Apprentice as part of its function as trustee of a trust, partner/s of a partnership, member of an unincorporated association, or manager of a superannuation fund, the ABN provided should be the ABN of the relevant trust, partnership, unincorporated association, or superannuation fund. These entities are given ABNs even though they are not legal entities.</td>
</tr>
<tr>
<td>The use of an ABN has tax consequences but does not affect the legal obligations of the legal entity under the</td>
</tr>
</tbody>
</table>
| 4. Withholding tax for employers and training providers | Where an ABN is not provided, payments made to the employer or other entity will include a payment made to the Australian Taxation Office. The payment will be made as follows:  
- 51 per cent of the claimed amount shall be paid to the employer or other entity; and  
- 49 per cent shall be withheld and remitted to the ATO. |
| 5. Tax exempt payments | Living Away From Home Allowance (LAFHA) payments to Australian Apprentices are tax exempt and thus are not treated as taxable income. |

### E. Privacy

| 1. Overview | Apprenticeship Network Providers may collect, disclose, make a record or otherwise use personal information for the purposes of administering the Programme. The *Privacy Act 1988* (Cth) and the Australian Privacy Principles govern how personal information is collected, used, disclosed and stored. |
| 2. Use and disclosure of personal information | An individual’s personal information can be collected, disclosed, or otherwise used if the record, disclosure or use of that information is made for the purposes of the Programme, or with the express or implied authorisation of the person to whom the personal information relates. Personal information may be used for research, statistical analysis and policy development where use of this information is reasonably necessary. Personal information may be disclosed to third parties for the purposes of administering and carrying out the functions of the Programme. Third parties include, but are not limited to:  
- Department of Education and Training and other Australian Government departments and agencies;  
- State/Territory government departments and agencies;  
- employees of the Minister’s Office;  
- Apprenticeship Network Providers;  
- Registered Training Organisations;  
- the Contractors or agents of these organisations, department and agencies. Personal information will not be used or disclosed other than as described in these Guidelines, without consent, or unless required or authorised by an Australian law. |
<table>
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<tr>
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<tbody>
<tr>
<td>3. Possible interferences with privacy</td>
<td>The Information Commissioner has powers to investigate possible interferences with privacy, either following a complaint by the individual or of the Commissioner’s own initiative. Further information can be found on the <a href="https://www.oaic.gov.au">Office of the Australian Information Commissioner’s website</a>.</td>
</tr>
</tbody>
</table>
### F. Claim Forms

<table>
<thead>
<tr>
<th>4. Overview</th>
<th>In order to claim a payment under the Programme, the payee must submit a fully completed claim form within the prescribed time limit.</th>
</tr>
</thead>
</table>
| 5. Completing claim forms | Unless otherwise specified, claim forms cannot be signed by the employer and Australian Apprentice until:  
• the waiting period has been completed; and  
• the Training Contract has been formally approved by the STA; and  
• on or after the effect date (for payments with an effect date); or  
• on or after the last day of the claim period (for payments with a claim period).  
Further detailed information about accessing and completing claim forms is available in the *Australian Apprenticeship Support Network Operating Guidelines*. |
| 6. Australian Apprentice or employer does not sign a claim form for payments | Australian Apprentices and employers, where they are the Claimant for a payment, may lodge a claim using alternative evidence where:  
• the Australian Apprentice is no longer employed by the employer, and therefore the Australian Apprentice or employer is not able to sign the claim form for the Claimant; or  
• the Australian Apprentice is not readily available to sign the claim form where the employer is the Claimant.  
Where the Australian Apprentice is readily available for signing the employer’s claim form, it is expected that they will continue to sign claim forms according to the usual procedure.  
The evidence needs to provide reasonable assurance that the individual was employed as an Australian Apprentice at the relevant effect date or for the duration of the claim |
Evidence required

Both of the following are required:

- **STA evidence** - this may be an STA print-out or letter confirming that according to the STA's records, the individual was employed as an Australian Apprentice at the effect date or for the duration of the claim period; and

- **Employer evidence** - this may include evidence in the form of a payroll print, time and wages sheet, payslip or a Separation Certificate. A letter from the employer is not sufficient as it provides no additional evidence to a claim form. The evidence needs to confirm that according to the employer's records the individual was employed as an Australian Apprentice at the effect date or for the duration of the claim period. It does not need to show the wages paid and employers may blank out this information if they wish. The Privacy Commissioner has issued guidelines restricting the use of Tax File Numbers (TFN's) which are available at the Office of the Australian Information Commissioner website. Where the employer provides a PAYG Payment Summary (formerly known as Group Certificate), the Tax File Number (TFN) must be removed; or

- **Claimant Statutory Declaration** – the Statutory Declaration signed by the Claimant must confirm that the individual was employed by the employer as an Australian Apprentice at the effect date or for the duration of the claim period.

Note – as employers are required by law to make and keep wage records and provide pay slips (as described on the Fair Work Ombudsman website), it is expected that a Statutory Declaration will only be relied upon where these records are no longer available (e.g. destroyed by flood or fire). If used, the Statutory Declaration must describe why such records are not
### G. Debt Recovery

1. **Overview**
   Where a payment has been made under the Programme to an ineligible recipient, including where the payment type has since lapsed, the Department shall make every reasonable effort to recover the overpaid amount.

2. **Apprenticeship Network Provider responsibilities**
   Apprenticeship Network Providers are required to notify their State or Territory Contract Manager as soon as practical once they become aware that an overpayment has occurred.

   Apprenticeship Network Providers are not authorised to recover payments on behalf of the Australian Government. Any such recovery action is the responsibility of the Department.

### H. Payment of Claims with Effect Date prior to implementation of these Guidelines

1. **Overview**
   These Guidelines refer to payments available from 1 July 2015.

2. **Apprenticeship Network Provider responsibilities**
   Apprenticeship Network Providers are required to continue to administer payments previously available under the Programme. Where the effect date or claim period was prior to 1 July 2015, Apprenticeship Network Providers are required to use the Guidelines in place at the effect date or claim period.

   Where the effect date or claim period falls after 1 July 2015, but the Australian Apprenticeship commencement date was prior to 1 July 2015, Apprenticeship Network Providers are required to check
whether the Guidelines that were in place at the date of commencement apply.
## II. Apprenticeship Administration

### A. Determining Commencement or Recommencement for AAIP purposes

| 1. Overview | Eligibility for payments under the Programme is based on whether the Training Contract is considered a Commencement or Recommencement.

It is the intention of the Programme to make available one suite of payments per Occupational Outcome. Where an Australian Apprentice enters into a subsequent Training Contract to continue working toward the same Occupational Outcome as a previously incomplete but formally approved Training Contract, the intent is that an Australian Apprentice shall attract payments that fall due on or after the start date of the new Training Contract. |
|---|---|

| 2. Definition of a Commencement | A commencement occurs where an Australian Apprentice begins an Australian Apprenticeship that leads to an occupation that they have not previously commenced under an approved Training Contract or where the new Australian Apprenticeship is at a different level to a previous Australian Apprenticeship (leading to the same occupation). |

**Examples of a commencement**

Courtney has previously commenced but did not complete LMF30502 Certificate III in Furniture Making (Wood Machining) leading to the occupation of Wood Machinist. Courtney subsequently entered into a Training Contract for LMF30402 Certificate III in Furniture Making (Cabinet Making) leading to the occupation of Cabinet Maker. The second Training Contract would be deemed a commencement as it leads to an Occupational Outcome that is different to the first Training Contract. Shannon entered into a Training Contract for WRH30106 |
<table>
<thead>
<tr>
<th>3. Definition of a Recomencement</th>
<th>Certificate III in Hairdressing leading to the occupation of Hairdresser but the training contract was rejected by the STA. Shannon subsequently entered into a new Training Contract, which was approved by the STA, with a different employer for WRH30106 Certificate III in Hairdressing leading to the occupation of Hairdresser. The second Training Contract would be deemed a commencement for the purposes of this Programme as the first Training Contract was not approved by the STA.</th>
</tr>
</thead>
</table>
| 4. Terminology for Occupational Outcome | A recommencement occurs where an Australian Apprentice transfers to another employer to continue working towards an incomplete Training Contract that has been approved by the STA. For the Australian Apprenticeship to be deemed a recommencement, the qualification must be at the same level and lead to the same Occupational Outcome.  

**Example of a recommencement**  
Bailey has previously commenced but did not complete FDF30503 Certificate III in Food Processing (Retail Baking – Cake and Pastry) leading to the occupation of Pastry Cook. Bailey subsequently enters into a Training Contract for SIT31107 Certificate III in Hospitality (Patisserie) that also leads to the occupation of Pastry Cook with a different employer. This is considered a recommencement for the purposes of this Programme. |
|----------------------------------|-------------------------------------------------------------------------------------------------|
| 4. Terminology for Occupational Outcome | To ensure nationally consistent terminology, the six-digit Australian and New Zealand Standard Classification of Occupations (ANZSCO) Occupation code is to be used to determine Occupational Outcomes. Further information is available on the ANZSCO search page.  

*An assessment of Occupational Outcome should be based on what the Australian Apprentice will be qualified to do once they have completed their Australian Apprenticeship.*  

*Where an Occupational Outcome has a number of matches according to ANZSCO, the Apprenticeship Network Provider will need to consult with the employer* |
B. Change of Ownership

1. Overview

| Where a business changes its legal name, ownership or Australian Company Number (ACN), or takes over the functions or employees of another business under an outsourcing or contracting arrangement, the change does not affect the status of the employment relationship that existing and former employees have with the new business entity. |

2. Eligibility under the Programme

| Where there is a change of ownership, eligibility for all payments under the Programme are assessed as if a continuous employment relationship had been maintained. |

3. Payments due prior to change of ownership

| For the purposes of the Programme and unless specifically stated as part of the bill of sale, payments should be paid to the legal entity at the time of the effect date. Unless otherwise specified, where a claim period overlaps the change of ownership, the payment should be shared between the parties. In this instance, each entity must submit a claim form for the relevant period. |

C. Changes to attendance type

1. Overview

| Where the attendance type of the Australian Apprentice changes during the Australian Apprenticeship, for example, from full-time to part-time, the attendance type as per the date of commencement or the most recent recommencement (if applicable) should be used to assess eligibility. For example, if the Australian Apprenticeship was being undertaken on a part-time basis, and the Australian |
Apprentice converts to full-time employment, the Australian Apprenticeship should be assessed as though it is a part-time Australian Apprenticeship.

D. Returning to previous employer following cancellation or suspension

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>Where an Australian Apprentice’s Training Contract has been cancelled or suspended, and they return to the same employer, eligibility for further payments will depend on the period between the date of cancellation or suspension and the date the Australian Apprentice resumes the Australian Apprenticeship.</th>
</tr>
</thead>
</table>
| 2. Break in Australian Apprenticeship of less than six months | Where there was a period of less than six months between the date of cancellation or suspension and the date of recommencement (where the Australian Apprentice returns to the same employer), eligibility for payments under this Programme are to be assessed as though no break occurred. However, payment effect dates or claim periods cannot occur during the break (except for LAFHA).

*Example of a break of less than six months*

Jessie commenced a full-time Australian Apprenticeship on 7 July 2015 and became suspended on 9 February 2016. During this period, the employer was assessed as eligible for incentives. Jessie returned from suspension on 9 June 2016. The employer will not receive a Recommencement Incentive but will continue to be eligible for incentives available following the return from suspension. |
| 3. Break in Australian Apprenticeship of six months or more | Where six months or more has lapsed between the date of cancellation or suspension and the date of recommencement or return from suspension (where the Australian Apprentice returns to the same employer), eligibility for all payments under this Programme are to be assessed as if this were a new Training Contract with a |
new employer.

*Examples of a break of more than six months*

Cameron commenced a full-time Australian Apprenticeship on 13 March 2010 and cancelled on 29 July 2010. During this time, the employer was assessed as eligible for incentives and Cameron was assessed as eligible for LAFHA. Following the cancellation, Cameron continued to work for this employer and on 1 May 2011, recommenced the Australian Apprenticeship. The nominal duration prescribed by the STA for this qualification is 18 months. As Cameron continued to work for this employer following the cancellation, Cameron is considered to be an existing worker, and the employer is not eligible for incentives and Cameron will not be eligible for further LAFHA payments. If Cameron did not work with this employer following the cancellation on 29 July 2010, and recommenced on 1 May 2011, the employer would be eligible for incentives as if this recommencement was with a new employer. Cameron will not be eligible for LAFHA as this is not the first move from home within three months prior to recommencing the Australian Apprenticeship.
### E. Movement between GTOs and/or host employers

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Overview</td>
<td>Transfers between GTOs and/or host employers will be treated as per the rules below.</td>
</tr>
<tr>
<td>2. Transfers between GTO and host employer or vice versa</td>
<td>For the purposes of this Programme GTOs and the Australian Apprentice’s host employer are to be treated as the same employer. Transfers of employment between GTOs and host employers are to be assessed for eligibility for payments under the Programme as though they were returning to the same employer (refer to Section II.D ‘Returning to Previous Employer Following Cancellation or Suspension’).</td>
</tr>
<tr>
<td>3. Recommencing with a different GTO but remaining with same host employer</td>
<td>An Australian Apprentice who transfers to another GTO but remains in the employment of the same host employer is to be assessed for eligibility for payments under the Programme as though they were returning to the same employer (refer to Section II.D ‘Returning to Previous Employer Following Cancellation or Suspension’).</td>
</tr>
</tbody>
</table>
III. Primary Eligibility

A. Employment and Training Arrangements

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>Payments available under the Programme are payable in respect of an Australian Apprentice whose employment and training arrangements are formally approved by the relevant STA. Australian Apprenticeships may include full-time, part-time and school-based employment and training arrangements.</th>
</tr>
</thead>
</table>
| 2. Eligibility Requirements | To be eligible for payments under the Programme, an Australian Apprentice must be:  
- employed in an Australian Apprenticeship arrangement in a State or Territory of Australia (excluding Norfolk Island); and  
- employed under the terms and conditions of a Training Contract. The Training Contract must be signed by the Australian Apprentice and the employer, and be formally approved by the STA; and  
- undertaking an accredited training programme, which leads to a nationally recognised qualification and includes both paid work and structured training and is responsive to user choice. The Australian Government may still provide incentives where a State or Territory Government does not provide funds for the off-the-job training, provided that the Australian Apprenticeship meets the Programme’s eligibility criteria; and  
- employed in an Australian Apprenticeship at the Certificate II, III, IV, Diploma or Advanced Diploma level. |
3. **Employer who is a trust, trustee or a trustee company**

An employer who is a trust, trustee or a trustee company may be eligible for employer incentives and the Australian Apprentice may be eligible for Living Away From Home Allowance.

Where the employer is a family trust and the Australian Apprentice is a beneficiary, the Australian Apprentice may attract Living Away From Home Allowance provided the Australian Apprentice is not a trustee.

4. **Specific exclusions**

Employment arrangements which are not eligible for any payments under the Programme are:

- employment offered by a private household; or
- structured vocational training positions such as articled clerk or cadetships as these are outside the intended scope of Australian Apprenticeships; or
- employment which does not guarantee the employee a regular wage or salary such as commission-based positions, sub-contracting, casual or piece-rate work; or
- business arrangements between the employer and employee (Australian Apprentice) where the employee is a partner/director in the employer's business, the trustee of a trust, a franchisee or a shareholder who has a substantial financial concern in the business. This includes business arrangements between an employee and a host employer where the employee is employed by a GTO; or
- where the Australian Apprentice is a primary school student. Young people who are primary school students at the commencement of an Australian Apprenticeship and move to secondary school do not attract payments under the Programme while they continue in that Australian Apprenticeship; or
- employment arrangements which specify contract or seasonal employment; or
- where the Australian Apprentice is employed in a Supported Wage Arrangement and is paid according to a productivity or competency based arrangement as a proportion of wages set by an award.

Where there is reasonable doubt about the validity of the employment arrangements, access to payments under the Programme should be rejected.

| 5. Australian Government departments and agencies | Australian Apprentices employed by Commonwealth entities including Corporate Commonwealth entities and Non-Corporate Commonwealth entities under the *Public Governance, Performance and Accountability Act 2013* are not eligible to attract employer incentives or Assistance for Australian Apprentices with Disability.  
This includes Departments of State, Departments of Parliament and Agencies prescribed under the *Public Governance, Performance and Accountability Act 2013*. Departments are listed on the [Department of Finance](#) website.  
Australian Apprentices employed by an Australian Government department or agency may be eligible for Living Away From Home Allowance. |

| 6. State or Territory Government departments or agencies | Australian Apprentices employed by State or Territory Government departments and agencies, that is, Departments of State and Departments of Parliament are not eligible to attract employer incentives or Assistance for Australian Apprentices with.  
This exclusion does not relate to:  
- State or Territory government employers where they are a statutory authority, statutory body or body corporate; or  
- Local Government organisations.  
An Australian Apprentice who is ‘on-loan’ from a Department of State or a Department of Parliament to a statutory authority, statutory body, body corporate or Local Government organisation will not be eligible to attract |
incentives as they are considered to be an employee of the Department of State or Department of Parliament.

If the Australian Apprentice is employed by a Statutory Authority, Statutory Body, (Government) Body Corporate or Local Government organisation and is ‘on loan’ to the Department of State or a Department of Parliament, they may be eligible to attract incentives.

Australian Apprentices employed by a State or Territory Government department or agency may be eligible for Living Away From Home Allowance.

### B. Citizenship Status

| 1. Overview | This Programme is in place to develop a more skilled Australian workforce. The citizenship status requirement assists in the development of a skilled workforce of Australian citizens. |
| 2. Eligibility requirements | To be eligible for payments under the Programme, the Australian Apprentice must be: |
|  | • an Australian citizen; or |
|  | • a foreign national with permanent residency status; or |
|  | • a New Zealand passport holder who has resided in Australia for at least six months; |
|  | at the date of commencement or recommencement of the Australian Apprenticeship. |
| 3. Identifying residency status for foreign nationals | The residency status of foreign nationals is identified by the visa granted to them by the Department of Immigration and Border Protection. Visa information is found at the [Department of Immigration and Border Protection](https://www.immi.gov.au)’s website. |
|  | An Australian Apprentice must meet the citizenship requirements at the commencement or recommencement of the Australian Apprenticeship to be eligible for payments under the Programme. Where an Australian Apprentice is |
granted permanent residency during their Australian Apprenticeship, their eligibility for payments under this Programme remains unchanged.

**C. Existing Worker**

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>Consistent with the aim of developing and increasing the skilled Australian workforce, the existing worker requirement provides incentives where eligible existing workers undertake formal, long-term, high level training in areas of special need.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Defining existing worker</td>
<td>An existing worker is a person who has an employment relationship with the employer for more than three full-time equivalent months (inclusive of approved leave).</td>
</tr>
</tbody>
</table>
| 3. Calculating previous employment duration | The full-time equivalent period of employment calculation shall:  
- exclude periods of employment where the Australian Apprentice was:  
  - employed and attending a secondary school as a student; or  
  - undertaking a previous Australian Apprenticeship; or  
  - participating in a Community Development Employment Projects (CDEP) Programme; and  
- not include any service that has occurred prior to a break of six months or more in the employment relationship prior to the commencement of the Australian Apprenticeship; and  
- be calculated by dividing any period of part-time or casual work by four and adding that to any full time periods worked. |

*Examples of calculating existing worker status*

Riley worked for an employer on a part-time basis from 1 May 2014 to 30 November 2015 while completing
secondary school and continued working part-time after completing school from 1 December 2015 to 1 April 2016. Riley then commenced an Australian Apprenticeship with this employer on 16 April 2016. As the total of applicable full-time equivalent employment periods are less than three months because only the period between 1 December 2015 and 1 April 2016 counted, Riley is not considered to be an existing worker.

Lee worked for an employer on a non-full-time basis from 13 June 2014 until 13 December 2014. After a two month break, Lee returned to work for the same employer on a full-time basis from 15 February 2015 to 31 May 2015. On 1 June 2015, Lee commenced an Australian Apprenticeship with this employer. Lee is considered to be an existing worker (five months full-time equivalent).

<table>
<thead>
<tr>
<th>4. Change of ownership</th>
<th>For the purposes of assessing existing worker status, any period of employment with the previous owner of the business is to be considered as prior employment.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Movement of Australian Apprentices between host employer and GTOs</td>
<td>The GTO and the host employer are regarded as the same employer for the purposes of determining Existing Worker status.</td>
</tr>
</tbody>
</table>
| 6. Eligibility for employer incentives | An existing worker Australian Apprentice undertaking a Certificate II Australian Apprenticeship will not attract incentives for their employer.

An existing worker Australian Apprentice may attract incentives for their employer where the Australian Apprentice:
- is undertaking a Certificate III or IV Australian Apprenticeship and:
  - the qualification leads to an occupation listed on the NSNL at the date of commencement or recommencement; or
  - the qualification leads to a Priority Occupation at the date of commencement or recommencement; or
  - commenced within 12 months of successfully completing a Certificate II qualification with the same employer and they satisfied the Existing Worker criteria for the Certificate II qualification.
- is undertaking a Diploma or Advanced Diploma Australian Apprenticeship in a qualification that leads to a Priority Occupation. |
|---|---|
| 7. Eligibility for Mature Aged Worker Commencement Incentive | An existing worker Australian Apprentice may attract the Mature Aged Worker Commencement Incentive for their employer where the Australian Apprentice:
- meets the criteria outlined in section III.C.6 above; or
- the nominal full-time duration of the Training Contract (as declared by the relevant STA) is two years or more (pro-rata for part-time Australian Apprenticeships). |
| 8. Eligibility for Support for Adult Australian Apprentices | An existing worker may attract Support for Adult Australian Apprentices for their employer where the Australian Apprentice is undertaking a Certificate III or IV level qualification that leads to an occupation listed on the NSNL. |
9. Assistance for Australian Apprentices with Disability

To attract Assistance for Australian Apprentices with Disability, the employer must:

- be assessed as eligible to receive incentives; or
- have commenced or recommenced at the Certificate III or IV level and meet one of the following:
  - the nominal full-time duration of the Training Contract (as declared by the relevant STA) is two years or more (pro-rata for part-time Australian Apprenticeships); or
  - the Australian Apprentice commenced a Certificate III or IV qualification within 12 months of successfully completing a Certificate II qualification with the same employer and they satisfied the Existing Worker criteria for the Certificate II qualification; or
- have commenced or recommenced at the Diploma or Advanced Diploma level.

D. Previous and Concurrent Qualifications

1. Overview

The aim of the Programme is to increase the number of skilled workers available to participate in the Australian workforce. The intent of the Programme is to provide assistance and support to workers to assist them to gain new, formally recognised, relevant skills needed for Australia’s contemporary workplaces.

To ensure that Programme funding is directed towards increased employability and participation, eligibility for payments may be affected by previous or concurrent qualifications. The effect of previous and concurrent qualifications on eligibility for payments is determined by assessing the current Australian Apprenticeship and the level and Occupational Outcome of the previous qualification. Further information is outlined in this section and at Appendix E.

2. Qualifications that do not affect

There are a number of qualifications that do not affect
eligibility for payments under the Programme.

Certificate I Qualifications

A concurrent, completed or incomplete qualification at the Certificate I level does not affect eligibility for payments.

Qualifications attained more than 7 years ago

Completed qualifications

Certificate II to IV qualifications attained more than seven years ago that led to a different Occupational Outcome than the current Australian Apprenticeship do not affect eligibility for payments.

Evidence to support this includes:

- for qualifications obtained through an Australian Apprenticeship pathway:
  - TYIMS or STA extract showing the name of the qualification, the name of the institution the qualification was completed at, the month and year the qualification was completed; or
- for qualifications attained through a pathway other than an Australian Apprenticeship:
  - original certificate or certified extract from the institution the qualification was completed at; or
  - Statutory Declaration including the name of the qualification, institution the qualification was completed at, the month and year the qualification was completed.

Commenced but not completed Australian Apprenticeships

A previously commenced but not completed Certificate II or higher Australian Apprenticeship which was cancelled more than seven years prior to the commencement of the current Australian Apprenticeship, and which led to a different Occupational Outcome does not affect eligibility for payments.

Evidence to support this includes:

- TYIMS or STA extract showing the name of the qualification, the month and year the qualification was commenced and the month and year the qualification was completed.
was cancelled; or

- original documentation or certified extract showing the name of the qualification, the month and year the qualification was commenced and the month and year the qualification was cancelled.

Non Australian Qualifications Framework (AQF)

Qualifications that are not recognised within the Australian Qualifications Framework (AQF) do not affect eligibility for payments.

Qualifications under the Adult Migrant English Program

A concurrent, completed or incomplete Certificate in Spoken and Written English (CSWE) delivered through the Adult Migrant English Program, does not affect eligibility for payments.

Job Seeker Qualifications

A concurrent, completed or incomplete Certificate II qualification attained through the Australian Skills Vouchers Program does not affect eligibility payments.

A concurrent, completed or incomplete qualification funded or partly funded through the Employment Fund and attained while the Australian Apprentice was an Employment Provider (or previous Job Network or Job Services Australia) client does not affect eligibility for payments.

Evidence to support this includes:

- proof that funding was received; and

- original certificate or certified extract from the institution where the qualification was undertaken; or

- Statutory Declaration including the name of the qualification, institution the qualification was completed at, the month and year the qualification was completed.

A concurrent, completed or incomplete Certificate II or higher qualification that leads to a different Occupational Outcome with a different employer where the Australian Apprentice is a current Employment Provider Stream B or
Stream C client does not affect eligibility for payments. Evidence to support this includes:

- documentation from either Centrelink or the Employment Provider that the Australian Apprentice is eligible for Employment Services Stream B or Stream C, immediately prior to the commencement or recommencement of the current Australian Apprenticeship.

**School Based Qualifications**

Qualifications completed while the Australian Apprentice was a school student where the Australian Apprenticeship being undertaken post school is in either a different Occupational Outcome or higher level qualification to the qualification completed while at school, do not affect eligibility for payments.

Evidence to support this includes:

- school or system documentation of date left school; and
- for qualifications obtained through an Australian Apprenticeship pathway:
  - TYIMS or STA extract showing the name of the qualification, month and year the qualification was completed; or
- for qualifications obtained through a pathway other than an Australian Apprenticeship:
  - original certificate or certified extract from the institution the qualification was completed at; or
  - a Statutory Declaration including the name of the qualification, month and year the qualification was completed.

**Certificate II to IV qualifications through a non Apprenticeship pathway commenced while at school or within two years of completing school**

Certificate II to IV qualifications attained through a pathway other than an Australian Apprenticeship commenced while the Australian Apprentice was a school student or within two years of leaving school where the Australian Apprentice was a school student or within two years of leaving school.
Apprenticeship being undertaken post school is in either a different Occupational Outcome or higher level qualification to the qualification held, does not affect eligibility for payments.

Evidence to support this includes:
- school or system documentation of date left school; and
- original certificate or certified extract from the RTO; or
- a Statutory Declaration including the name of the qualification, the institution the qualification was completed at, and the month and year the qualification was commenced.

**Commenced but not completed Certificate II or higher Australian Apprenticeships**

A previously commenced but not completed Certificate II or higher Australian Apprenticeship which was commenced while the Australian Apprentice was a school student and not continued after the Australian Apprentice left school, where the current Australian Apprenticeship either leads to a different Occupational Outcome or to a higher level qualification, does not affect eligibility for payments.

Evidence to support this includes:
- school or system documentation of date left school; and
- TYIMS or STA extract showing the name of the qualification, the month and year the qualification was commenced and the month and year the qualification was cancelled; or
- original documentation or certified extract showing the name of the qualification, the month and year the qualification was commenced and the month and year the qualification was cancelled.

**Qualifications obtained through a non apprenticeship pathway where the current Australian Apprenticeship is being undertaken while the Australian Apprentice is still at school**
A qualification obtained through a non Australian Apprenticeship pathway does not affect eligibility for payments where:

- the current Australian Apprenticeship is being undertaken as an Australian School-Based Apprenticeship; and
- the qualification leads to a different occupational outcome; or
- if the qualification leads to the same occupational outcome, the qualification is not higher than the qualification being undertaken in the Australian Apprenticeship.

Evidence to support this includes:

- original documentation or certified extract showing the name of the qualification, the month and year the qualification was commenced and the month and year the qualification was completed.

Injury or disability

A Certificate II or higher qualification that led to a different Occupational Outcome that was undertaken with a different employer that can no longer be used due to the Australian Apprentice’s injury or disability does not affect eligibility for payments.

Evidence to support this includes:

- a letter from a medical practitioner outlining why the Australian Apprentice is unable to work in the occupation for which they are qualified.

Unsuccessfully market tested qualifications

A certificate II or higher qualification leading to a different Occupational Outcome with a different employer where the Australian Apprentice has unsuccessfully market tested the qualification and has been registered with Centrelink as a job seeker for 12 months or more since obtaining the qualification does not affect eligibility for payments.
Evidence to support this includes:
- documentation from Centrelink which shows the Australian Apprentice has been registered as a job seeker with Centrelink for 12 months or more.

| 3. Qualifications completed overseas | Where an Australian Apprentice holds a qualification that they obtained overseas and is undertaking a Certificate III or IV qualification leading to an Occupation on the NSNL, they will not be required to have the qualification recognised provided that the previous qualification is for a different Occupational Outcome.

Where the qualification is not a Certificate III or IV qualification leading to an Occupation on the NSNL, the Australian Apprentice must contact the appropriate authority to determine whether the qualification is recognised by the AQF. See Appendix F - List of government agencies assisting in assessing overseas qualifications for a list of government agencies that can provide assistance in assessments of overseas qualifications.

If the qualification is recognised by the AQF, the Australian Apprentice must obtain a comparable level Certificate recognised under the AQF before the Apprenticeship Network Provider can determine eligibility for payments under the Programme. |

### E. Waiting Period

| 1. Overview | A waiting period applies to all payments to employers, unless stated otherwise. |
| 2. Purpose of waiting period | Incentives are not payable during the waiting period. This ensures that the employer and the Australian Apprentice are committed to continuing the Australian Apprenticeship arrangement. |
| 3. Duration of waiting | For the purposes of the Programme, the waiting period is |
**Waiting Period**

Defined as the greater of:

- three calendar months from the date of commencement or recommencement; or

- the probationary period as specified by the STA.
  
  - Note – some STAs allow for the probationary period to be extended by request. Where an extension to the probationary period is approved by the STA, the updated probationary period is used for determining the waiting period.

Trainee Apprentices in NSW have a waiting period of 12 calendar months from the date of commencement due to the nature of the employment relationship.

**Examples of calculation of waiting period**

Brodie commenced an Australian Apprenticeship on 5 January 2010 and the STA probationary period is one month. The waiting period is three calendar months from commencement and expires on 4 April 2010. Claim forms can be signed and dated by Brodie and the employer on or after 5 April 2010.

Sam commenced an Australian Apprenticeship on 15 February 2010 and the STA probation period is six months. The waiting period is six months from commencement and expires on 14 August 2010. Claim forms can be signed and dated by Sam and the employer on or after 15 August 2010.
# F. Time Limits

| 1. Overview | Time limits for lodging applications and/or claim forms apply to all payments available under the Programme. Claims are not payable if an employer, Australian Apprentice or RTO does not lodge a claim with an Apprenticeship Network Provider within the specified time limit. |
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|  2. Calculation of time limit for claims with an effect date | The time limit for lodging these claims is 12 months from:
- the effect date for:
  - Payments available at Commencement; and
  - Payments available for Retention; and
  - Payments available at Recommencement; and
  - Support for Adult Australian Apprentices.
- the date the STA issues documentation to confirm the successful completion for:
  - Payments available at Completion.

**Examples of time limit for incentives**

Alex commenced an Australian Apprenticeship on 5 January 2015 and the waiting period expires on 4 April 2015. The effect date for the Rural and Regional Skills Shortage Incentive is 1 July 2015. The claim form for the Rural and Regional Skills Shortage Incentive must be lodged with the Apprenticeship Network Provider on or before 1 July 2016.

Max commenced an Australian Apprenticeship on 5 July 2015 and the waiting period expires on 4 October 2015. The effect date for the Commencement Incentive is 5 January 2016. The claim form for the Commencement Incentive must be lodged with the Apprenticeship Network Provider on or before 5 January 2017.

Blair successfully completes an Australian Apprenticeship on 15 February 2015. The date the STA issues |
Documentation to confirm that the Australian Apprentice has successfully completed both the on-the-job and off-the-job competencies is 11 April 2015. The claim form for the Completion Incentive must be lodged with the Apprenticeship Network Provider on or before 11 April 2016.

<table>
<thead>
<tr>
<th>3. <strong>Calculation of time limit for claims with claim periods</strong></th>
<th>The time limit for lodging claims with claim periods is 12 months from the first day of the claim period.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. <strong>Custodial Australian Apprentices</strong></td>
<td>For payments that become payable after the Australian Apprentice has been released from custody, the time limit for lodging claims is 12 months from the day after the custodial Australian Apprentice was released from custody.</td>
</tr>
</tbody>
</table>
### IV. Targeted Eligibility

#### A. Trade occupations on the National Skills Needs List

| 1. Overview | The aim of the Programme is to increase the relevant national skills base in Australia by providing additional payments where Australian Apprentices are working towards an Occupational Outcome identified on the National Skills Needs List (NSNL). |
| 2. Criteria for inclusion on the NSNL | To be considered for inclusion on the NSNL, an occupation must:  
  - be a trade listed in Major Group 3 of the ANZSCO; and  
  - have at least 1,500 people employed in the occupation as per census data; and  
  - the occupation must have been assessed as being in national skills shortage for three of the past five years and must include one of the last two years.  
    - Note: where the occupation has not been researched in all of the past five years, then the occupation must have been assessed as being in national skills shortage for at least half of the occasions the occupation has been researched.  
This list is regularly reviewed to ensure that it remains relevant to the needs of industry. The NSNL is published on the [Australian Apprenticeships](https://australianapprenticeships.gov.au) website. |
### 3. NSNL occupations

A list of eligible NSNL occupations is included in *Appendix B – NSNL Occupations*, along with the qualifications that lead to those occupations.

Some qualifications listed in Appendix B – *NSNL Occupations* may lead to one or more Occupational Outcomes that may not be on the NSNL. An Australian Apprentice will only be eligible for the payments where the Occupational Outcome they are working towards is an NSNL occupation.

### 4. Changes to the occupations listed on the NSNL

Where an occupation is added or removed from the NSNL after the Australian Apprentice commenced or recommenced this will not affect eligibility for payments under the Programme for the remainder of that Australian Apprenticeship arrangement.

### B. Priority Occupations

#### 1. Overview

The aim of the Programme is to increase the relevant national skills base in Australia by providing additional payments where Australian Apprentices are working towards a Priority Occupation.
2. Priority Occupations

The eligible Priority Occupations are:

- Aged Care;
- Child Care;
- Disability Care Workers; and
- Enrolled Nurses.

The list of eligible Priority Occupations, along with the qualifications that lead to those occupations is included at Appendix H – Priority Occupations.

Some qualifications listed in Appendix H may lead to one or more Occupational Outcomes that may not be Priority Occupations. An Australian Apprentice will only be eligible for the payments where the Occupational Outcome they are working towards is a Priority Occupation.

3. Changes to Priority Occupations

Where an occupation is added or removed from the Priority Occupations after the Australian Apprentice commenced or recommenced this will not affect eligibility for payments under the Programme for the remainder of that Australian Apprenticeship arrangement.

C. Custodial Australian Apprentices

1. Overview

This initiative applies to people who are serving a prison sentence and commence an Australian Apprenticeship in preparation for release into the community. These Australian Apprentices and their employers shall become eligible to attract payments once the Australian Apprentice is released from custody provided they meet the relevant eligibility requirements.

2. Identifying custodial Australian Apprentices

Custodial Australian Apprentices are those who:

- were in custody at the time of commencement or recommencement; and
- are released from custody on day release, or similar arrangements, in order to participate in an Australian
Apprenticeship.

Australian Apprentices who are required to attend periodic detention that does not coincide with their employment under their Australian Apprenticeship are not considered to be custodial Australian Apprentices for the purpose of the Programme.

*Example of Australian Apprentice serving periodic detention*

From 13 January 2010, Blair was required to serve six months periodic detention. Blair commenced an Australian Apprenticeship on 17 March 2010 where the working hours do not affect Blair’s periodic detention – therefore this is not considered a custodial Australian Apprenticeship.

<table>
<thead>
<tr>
<th>3. Eligibility for employer incentives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incentives may be payable to employers of custodial Australian Apprentices provided that the Australian Apprenticeship is continued following release from custody.</td>
</tr>
<tr>
<td>The effect date will be the latter of:</td>
</tr>
<tr>
<td>• the waiting period; or</td>
</tr>
<tr>
<td>• the effect date of the claim; or</td>
</tr>
<tr>
<td>• the day after the custodial Australian Apprentice was released from custody.</td>
</tr>
<tr>
<td><em>Examples of effect dates for custodial Australian Apprentices</em></td>
</tr>
<tr>
<td>While serving a custodial sentence, Joey was granted day release to undertake an Australian Apprenticeship with a commencement date of 22 October 2010. The waiting period is completed on 21 January 2011 and Joey is released from custody on 23 April 2011. The effect date for the commencement incentive is calculated to be 24 April 2011.</td>
</tr>
<tr>
<td>While serving a custodial sentence, Morgan was granted day release to undertake an Australian Apprenticeship with a commencement date of 31 July 2010. Morgan is released from custody on 14 August 2010 and the waiting</td>
</tr>
</tbody>
</table>
The period is completed on 30 October 2010. The effect date for the commencement incentive is calculated to be 30 January 2011.

| 4. Eligibility for Living Away From Home Allowance | Custodial Australian Apprentices may be eligible for Living Away From Home Allowance. |
| 5. Assistance for Australian Apprentices with Disability | Custodial Australian Apprentices may be eligible for Assistance for Australian Apprentices with Disability. |

## D. Nominated Equity Groups

| 1. Overview | The Programme provides a pathway for Australians to contribute to the Australian economy. Support is available for Australian Apprentices in Nominated Equity Groups who are undertaking a Certificate II qualification. |
| 2. Nominated Equity Groups | Nominated Equity Groups are defined as follows: |
| | **Indigenous Australians** |
| | An Australian Apprentice is considered to be part of the Indigenous Australians Nominated Equity Group if they have declared that they are of Aboriginal or Torres Strait Islander origin on the Apprenticeship/Traineeship Training Contract (Question 14) that is in place at the claim effect date. |
| | **Australian Apprentices with disability** |
| | An Australian Apprentice is considered to be part of the Australian Apprentices with disability Nominated Equity Group if they have declared that they have a disability, impairment or long-term condition on the Apprenticeship/Traineeship Training Contract (Question 17) in place at the claim effect date. |
| | **School-based Australian Apprentices** |
An Australian Apprentice is considered to be part of the School-based Australian Apprentices Nominated Equity Group if they are undertaking an Australian School-based Apprenticeship that has been endorsed by the School Principal or equivalent, and are enrolled as a secondary student under the relevant State or Territory Education Act as declared on the Apprenticeship/Traineeship Training Contract (Question 19) that is in place at the claim effect date.

**Mature aged Australian Apprentices**

An Australian Apprentice is considered to be part of the mature aged Australian Apprentice Nominated Equity Group if they are aged 45 years or over at the time of commencement.

**Australian Apprentices working in a rural or regional area**

An Australian Apprentice is considered to be part of the Australian Apprentices working in rural or regional area Nominated Equity Group if they are undertaking an Australian Apprenticeship in a rural or regional workplace that is listed in *Appendix D – Eligible Rural and Regional Postcode List.*

**Job seekers with severe barriers to employment**

An Australian Apprentice is considered to be part of the job seekers with severe barriers to employment Nominated Equity Group if they are an Employment Provider Stream B or Stream C client immediately prior to commencing the Australian Apprenticeship as identified on the Australian Apprenticeship Sign-Up Form.
V. Employer Incentives

A. Payments Available at Commencement

1. Commencement Incentive

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>The Programme aims to encourage employers to offer Australian Apprenticeships which provide skills-based training opportunities that will lead to the enhancement of the skilled workforce available within the Australian economy.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Rate</td>
<td>The Commencement Incentive is paid at:</td>
</tr>
<tr>
<td></td>
<td>• $1,250 for Australian Apprenticeships leading to a Certificate II qualification; or</td>
</tr>
<tr>
<td></td>
<td>• $1,500 for Australian Apprenticeships leading to a Certificate III, IV, Diploma or Advanced Diploma qualification.</td>
</tr>
<tr>
<td>3. Eligibility criteria</td>
<td>For an employer to be eligible for a Commencement Incentive:</td>
</tr>
<tr>
<td></td>
<td>• the following eligibility criteria from Section III Primary Eligibility must be met:</td>
</tr>
<tr>
<td></td>
<td>• Employment and Training Arrangements; and</td>
</tr>
<tr>
<td></td>
<td>• Citizenship Status; and</td>
</tr>
<tr>
<td></td>
<td>• Existing Worker; and</td>
</tr>
<tr>
<td></td>
<td>• Previous and Concurrent Qualifications; and</td>
</tr>
<tr>
<td></td>
<td>• Waiting Period; and</td>
</tr>
<tr>
<td></td>
<td>• Time Limits; and</td>
</tr>
<tr>
<td></td>
<td>• the Training Contract must be formally approved by the STA; and</td>
</tr>
<tr>
<td></td>
<td>• the Australian Apprentice must be employed by the employer as an Australian Apprentice at the effect date.</td>
</tr>
</tbody>
</table>

Where an Australian Apprentice commences a Certificate II qualification, the Australian Apprentice must be deemed
4. **Additional criteria for Diploma and Advanced Diploma Australian Apprenticeships**

   Diploma and Advanced Diploma Australian Apprenticeships will only attract a Commencement Incentive where the qualification leads to a Priority Occupation.

5. **Additional criteria for part-time Australian Apprenticeships**

   Part-time Australian Apprenticeships will only attract a Commencement Incentive where:
   - the Australian Apprenticeship is being undertaken as an Australian School-Based Apprenticeship; or
   - the qualification being undertaken is at the Certificate II level and the Australian Apprentice is deemed to be a part of a Nominated Equity Group; or
   - the qualification being undertaken is at the Certificate III or IV level and leads to an occupation listed on the NSNL; or
   - the qualification being undertaken is at the Diploma or Advanced Diploma level and leads to a Priority Occupation.

6. **Additional criteria for existing workers**

   Existing worker Australian Apprentices will only attract a Commencement Incentive where the qualification being undertaken is at the Certificate III or IV level and leads to an occupation listed on the NSNL.

7. **Commencement Incentive payable upon Recommencement**

   Where the Australian Apprentice did not complete the first six months of the Australian Apprenticeship with their first employer, their second employer may be eligible to attract the Commencement Incentive.

8. **Effect date**

   The effect date is six months from the date of commencement.
   Where there is a recommencement and the second
An Australian Apprentice who successfully completes prior to the effect date will not attract a Commencement Incentive for their employer.

### 2. Declared Drought Area Commencement Incentive

| 1. Overview | Prolonged drought in a region has a direct effect on the training and employment opportunities of that region.

The Declared Drought Area Commencement Incentive is aimed at offsetting this potential crisis by providing an additional incentive to encourage primary producers who hold an Exceptional Circumstances Certificate to continue to offer skill development and employment opportunities in a declared drought region. |
| 2. Rate | The Declared Drought Area Commencement Incentive is $1,500. |
| 3. Eligibility criteria | For an employer to be eligible for a Declared Drought Area Commencement Incentive, the Australian Apprentice must:  
- be undertaking a Certificate II qualification identified in Appendix A – List of qualifications available as an Australian Apprenticeship as being eligible for the Declared Drought Area payments; and  
- commence their Australian Apprenticeship during the valid time period specified on the Exceptional Circumstances Certificate or within the three months immediately prior to the start of the valid period; and  
- not have previously attracted the Declared Drought... |
Area Commencement Incentive; and

- be hosted to an employer who holds a current Exceptional Circumstances Certificate if employed by a GTO; and
- meet the following eligibility criteria from Section III Primary Eligibility:
  - Employment and Training Arrangements; and
  - Citizenship Status; and
  - Existing Worker; and
  - Previous and Concurrent Qualifications; and
  - Waiting Period; and
  - Time Limits; and
- be employed by the employer as an Australian Apprentice at the effect date; and
- be deemed to be a part of a Nominated Equity Group.

<table>
<thead>
<tr>
<th>4. Australian Apprentices employed by a GTO</th>
<th>Where an Australian Apprentice is employed by a GTO, the GTO must pass on the Declared Drought Area Commencement Incentive to the host employer.</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Effect date</td>
<td>The effect date is six months from the date of commencement.</td>
</tr>
<tr>
<td></td>
<td>Where there is a recommencement prior to the six month point of the Australian Apprenticeship, the second employer may be eligible to attract the Declared Drought Area Commencement Incentive. In this instance, the effect date will be six months from the date of recommencement.</td>
</tr>
<tr>
<td></td>
<td>Where there has been a Change of Ownership or a period of suspension during the first six months, the effect date is calculated to be on the 182nd day of the Australian Apprenticeship.</td>
</tr>
</tbody>
</table>
### 3. Rural and Regional Skills Shortage Incentive

| 1. Overview | The Government provides the Rural and Regional Skills Shortage Incentive to boost training in rural and regional Australia. This incentive is available to rural and regional employers who employ an Australian Apprentice who is undertaking a Certificate III or IV qualification that leads to an occupation on the NSNL. |
| 2. Rate | The Rural and Regional Skills Shortage Incentive is $1,000. |
| 3. Eligibility criteria | For an employer to be eligible for a Rural and Regional Skills Shortage Incentive, the Australian Apprentice must:  
  - be undertaking a Certificate III or IV level qualification that leads to an occupation listed on the NSNL at the date of commencement; and  
  - be undertaking the Australian Apprenticeship at a rural and regional workplace as listed in Appendix D – Eligible Rural and Regional Postcode List (for GTO’s the host employers workplace address must be in a rural and regional area) as at the date of commencement or recommencement; and  
  - meet the following eligibility criteria from Section III Primary Eligibility:  
    - A. Employment and Training Arrangements; and  
    - B. Citizenship Status; and  
    - C. Existing Worker; and  
    - D. Previous and Concurrent Qualifications; and  
    - E. Waiting Period; and  
    - F. Time Limits; and  
  - have been employed by the employer as an Australian Apprentice at the effect date; and  
  - the Training Contract must be formally approved by the STA. |
4. Effect date

The effect date is six months from the date of commencement.

Where there is a recommencement prior to the six month point of the Australian Apprenticeship, the second employer may be eligible to attract the Rural and Regional Skills Shortage Incentive. In this instance, the effect date will be six months from the date of recommencement.

Where there has been a Change of Ownership or a period of suspension during the first six months, the effect date is calculated to be on the 182nd day of the Australian Apprenticeship.

<table>
<thead>
<tr>
<th>4. Mature Aged Worker Commencement Incentive</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Overview</td>
</tr>
<tr>
<td>2. Rate</td>
</tr>
<tr>
<td>3. Eligibility criteria</td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
</tr>
</tbody>
</table>
• where a previous or concurrent qualification results in the Australian Apprenticeship only attracting post commencement incentives, the Mature Aged Worker Commencement Incentive will be payable where the 
Australian Apprentice:

  o has undertaken an Australian Apprenticeship at the Certificate II level which was eligible to attract the Commencement Incentive, and is now undertaking a Certificate III or IV, Diploma or Advanced Diploma Australian Apprenticeship; or

  o has attained a Certificate II qualification through a pathway other than an Australian Apprenticeship and the Certificate III, IV, Diploma or Advanced Diploma Australian Apprenticeship is relevant to the qualification held; and

• meets one of the following criteria:

  o is in receipt of one or more of the following Centrelink or Department of Veterans' Affairs (DVA) income support payments for the entire three month calendar period immediately prior to the date of commencement of the Australian Apprenticeship:

    Centrelink payments

    Carer Payment; or

    CDEP Supplementary Payment; or

    Age Pension; or

    Disability Support Pension; or

    Mature Age Allowance; or

    Newstart Allowance; or

    Parenting Payment; or

    Partner Allowance; or

    Special Benefit; or

    Special Needs Pension; or

    Widow Allowance; or
Widow B Pension; or  
Wife Pension; or  
**DVA payments**  
War/Defence Widow/er Pension; or 
DVA Income Support Supplement (ISS); or  
Service Pension; or  
Income Support Supplement; or  
- not be in paid employment at any time during the three years immediately prior to the commencement of the Australian Apprenticeship; or 
- be a Stream B or Stream C client with an Employment Provider immediately prior to the commencement of the Australian Apprenticeship; or 
- have been made redundant within the year immediately prior to the date of commencement of the Australian Apprenticeship; and  
- have had the Training Contract approved by the STA; and  
- have been employed by the employer as an Australian Apprentice at the effect date.

| 4. **Effect date** | The effect date is six months from the date of commencement.  
Where there is a recommencement prior to the six month point of the Australian Apprenticeship, the second employer may be eligible to attract the Mature Aged Worker Commencement Incentive. In this instance, the effect date will be six months from the date of recommencement.  
Where there has been a Change of Ownership or a period of suspension during the first six months, the effect date is calculated to be on the 182nd day of the Australian Apprenticeship. |
## 5. Australian School-based Apprenticeship Commencement Incentive

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>It is the intention of the Australian Government that the Programme supports secondary school students’ participation in Australian School-based Apprenticeships. This payment provides an additional incentive to employers to take on an Australian Apprentice in a qualification endorsed by the school.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Rate</td>
<td>The Australian School-based Apprenticeship Commencement Incentive is $750.</td>
</tr>
</tbody>
</table>
| 3. Eligibility criteria | For an employer to be eligible for an Australian School-based Apprenticeship Commencement Incentive, the Australian Apprentice must:  
  - be enrolled as a secondary student under the relevant State or Territory Education Act; and  
  - be undertaking an Australian School-based Apprenticeship at the Certificate II, III, IV, Diploma or Advanced Diploma level that has been endorsed by the School Principal, or equivalent for non-secondary school education providers, as an integral part of the school programme; and  
  - complete the full first three months of the endorsed Australian School-based Apprenticeship; and  
  - meet the following eligibility criteria from Section III Primary Eligibility:  
    - A. Employment and Training Arrangements; and  
    - B. Citizenship Status; and  
    - C. Existing Worker; and  
    - D. Previous and Concurrent Qualifications; and  
    - E. Waiting Period; and  
    - F. Time Limits; and  
  - be employed by the employer as an Australian Apprentice at the effect date; and |
<table>
<thead>
<tr>
<th>4. Circumstances where an Australian Apprentice may attract more than one Australian School-based Apprenticeship Commencement Incentive</th>
<th>the Training Contract must be formally approved by the STA.</th>
</tr>
</thead>
<tbody>
<tr>
<td>An Australian School-based Apprentice may attract a second Australian School-based Apprenticeship Commencement incentive if:</td>
<td></td>
</tr>
<tr>
<td>• they attracted a Commencement incentive for a Certificate II Australian Apprenticeship; and</td>
<td></td>
</tr>
<tr>
<td>• they commence an Australian School-based Apprenticeship in a different Occupational Outcome; and</td>
<td></td>
</tr>
<tr>
<td>• the current Australian School-based Apprenticeship is with a different employer.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>5. Effect date</th>
<th>The effect date is six months from the date of commencement.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where there is a recommencement prior to the six month point of the Australian Apprenticeship, the second employer may be eligible to attract the Australian School-based Apprenticeship Commencement Incentive. In this instance, the effect date will be six months from the date of recommencement.</td>
<td></td>
</tr>
<tr>
<td>Where there has been a Change of Ownership or a period of suspension during the first six months, the effect date is calculated to be on the 182nd day of the Australian Apprenticeship.</td>
<td></td>
</tr>
</tbody>
</table>

B. Payments Available for Retention

1. Australian School-based Apprenticeship Retention Incentive

| 1. Overview | The aim of this policy is to support employers who provide ongoing employment opportunities for Australian School-based Apprentices, thereby assisting young people in making the transition from school to work. |
The Australian Government will provide an incentive for an employer who continues to employ an Australian School-based Apprentice after the student has completed secondary school, to provide the opportunity to successfully complete the Australian Apprenticeship, or provide ongoing employment for the young person.

### 2. Rate

The Australian School-based Apprenticeship Retention Incentive is $750.

### 3. Eligibility criteria

For an employer to be eligible for an Australian School-based Apprenticeship Retention Incentive, the Australian Apprentice must have:

- completed at least three calendar months of the endorsed Australian School-based Apprenticeship before completing secondary school; and
- been eligible to attract the Australian School-based Apprenticeship Commencement Incentive; and
- finished study at a secondary school, regardless of the level of success; and
- not attracted the Australian School-based Apprenticeship Retention Incentive for this Australian Apprenticeship; and
- been employed for 12 consecutive weeks and commencement of that employment occurred during the period 1 December to 30 June following the completion of secondary school, in one of the following situations:
  - the same employer continues to employ the former Australian School-based Apprentice in the same or a different Australian Apprenticeship; or
  - a different employer employs the former Australian Apprentice in the same or a different Australian Apprenticeship. The new employer must meet the eligibility criteria from *Section III Primary Eligibility*; or
  - the former Australian School-based Apprentice is employed for a minimum of 15 hours per week in a paid and lawful employment arrangement, other
than an Australian Apprenticeship, with the same employer with whom they undertook their Australian School-based Apprenticeship.

4. Australian School-based Apprentices employed by GTOs

Where the employment for the Australian School-based Apprenticeship was through a GTO, ‘same employer’ includes a former host employer.

5. Effect date

The effect date is at the conclusion of the 12 week period of employment.

6.

C. Payments Available at Recommencement

1. Recommencement Incentive

1. Overview

The Government wishes to encourage employers to provide opportunities for out-of-trade, unemployed and transferring Australian Apprentices undertaking Certificate III, IV, Diploma or Advanced Diploma qualifications to complete their training.

2. Rate

The Recommencement Incentive is $750.

3. Eligibility criteria

For an employer to be eligible for a Recommencement Incentive:

- the Australian Apprentice must have recommenced a Certificate III, IV, Diploma or Advanced Diploma level Australian Apprenticeship (as defined in Section II.B Determining Commencement or Recommencement for AAIP purposes); and

- the following eligibility criteria from Section III Primary Eligibility must be met:
  - A. Employment and Training Arrangements; and
  - B. Citizenship Status; and
  - C. Existing Worker; and
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
</table>
|   | o D. Previous and Concurrent Qualifications; and  
|   | o E. Waiting Period; and  
|   | o F. Time Limits; and  
|   | • the STA must approve:  
|   | o the termination, suspension or cancellation of the  
|   | previous Training Contract; and  
|   | o the registration of the new or transferred Training  
|   | Contract with the new employer; and  
|   | • the Australian Apprentice must have been employed by  
|   | the employer as an Australian Apprentice at the effect  
|   | date.  
| 4. **Additional criteria for Diploma and Advanced Diploma Australian Apprenticeships** | Diploma and Advanced Diploma Australian Apprenticeships will only attract a Recommencement Incentive where the qualification leads to a Priority Occupation. |
| 5. **Additional criteria for Part-time Australian Apprenticeships** | Part-time Australian Apprenticeships will only attract a Recommencement incentive where:  
|   | • the qualification being undertaken is at the Certificate III or IV level and leads to an occupation listed on the NSNL; or  
|   | • the Australian Apprenticeship is being undertaken as an Australian School-Based Apprenticeship; or  
|   | • the qualification being undertaken is at the Diploma or Advanced Diploma level and leads to a Priority Occupation. |
| 6. **Additional criteria for Existing Workers** | Existing workers who recommence in an Australian Apprenticeship will only be eligible for the Recommencement Incentive where the qualification being undertaken is at the Certificate III or IV level and leads to an occupation listed on the NSNL. |
| 7. **Specific exclusions** | NSW Trainee Apprentices do not attract a Recommencement Incentive. |
8. Maximum number of Recommencement Incentives

As there is no limit to the number of times an Australian Apprentice can recommence their Australian Apprenticeship, there is no limit to the number of times an Australian Apprentice may attract a Recommencement Incentive for their employer.

9. Effect date

The effect date is three months from the date of recommencement.

Where there has been a Change of Ownership or a period of suspension during the first three months, the effect date is calculated to be on the 91st day from the date of recommencement.

D. Payments Available at Completion

1. Completion Incentive

1. Overview

The Government wishes to encourage employers to retain an Australian Apprentice to the point where they successfully complete their Australian Apprenticeship.

2. Rates

The Completion Incentive is paid at:

**New workers:**
- $2,500 for Australian Apprenticeships leading to a Certificate III, IV, Diploma or Advanced Diploma qualification.

**Existing workers:**
- $2,500 for Australian Apprenticeships leading to a Certificate III or IV qualification in an occupation listed on the NSNL.
- $3,000 for Australian Apprenticeships leading to a Certificate III, IV, Diploma or Advanced Diploma qualification in a Priority Occupation.

**Part-time workers:**
- $1,500 for Australian Apprenticeships leading to a
| 3. Eligibility criteria | For an employer to be eligible for a Completion Incentive the Australian Apprentice must:  
\- successfully complete a Certificate III, IV, Diploma or Advanced Diploma Australian Apprenticeship; and  
\- meet the following eligibility criteria from Section III Primary Eligibility:  
  \- A. Employment and Training Arrangements; and  
  \- B. Citizenship Status; and  
  \- C. Existing Worker; and  
  \- D. Previous and Concurrent Qualifications; and  
  \- E. Waiting Period; and  
  \- F. Time Limits; and  
\- have been employed as an Australian Apprentice by the employer for at least three months at the date of successful completion; and  
\- have been employed as an Australian Apprentice at the date of successful completion. |
| 4. Additional criteria for Diploma and Advanced Diploma Australian Apprenticeships | Diploma and Advanced Diploma Australian Apprenticeships will only attract a Completion Incentive where the qualification leads to a Priority Occupation. |
| 5. Additional criteria for part-time Australian Apprenticeships | Part-time Australian Apprenticeships may attract the relevant ‘new worker’ or ‘existing worker’ Completion Incentive payment rate where:  
\- the qualification being undertaken is at the Certificate III or IV level and leads to an occupation listed on the NSNL; or  
\- the Australian Apprenticeship is being undertaken as an Australian School-Based Apprenticeship; or  
\- the qualification being undertaken is at the Diploma or Advanced Diploma level and leads to a Priority Occupation. |
Part-time Australian Apprenticeships at the Certificate III or IV level which do not meet the rules above may attract the ‘part-time’ workers Completion Incentive rate.

### 6. Additional criteria for existing workers

Existing worker Australian Apprenticeships will only be eligible to attract a Completion Incentive where the qualification being undertaken is at the:

- Certificate III or IV level and leads to an occupation on the NSNL; or
- Certificate III, IV, Diploma or Advanced Diploma level and leads to a Priority Occupation.

### 7. Effect date

The effect date is the date of successful completion.

## 2. Declared Drought Area Completion Incentive

### 1. Overview

Prolonged drought in a region has a direct effect on the training and employment opportunities of that region.

The Declared Drought Area Completion Incentive is aimed at offsetting this potential crisis by providing an additional incentive to primary producers who hold an Exceptional Circumstances Certificate to encourage them to continue to offer skill development and employment opportunities in a declared drought region.

### 2. Rate

The Declared Drought Area Completion Incentive is $1,500.

### 3. Eligibility criteria

For an employer to be eligible for a Declared Drought Area Completion Incentive, the Australian Apprentice must have successfully completed the Certificate II for which they attracted the Declared Drought Commencement Incentive.

### 4. Australian Apprentices employed by a GTO

Where an Australian Apprentice is employed by a GTO, the GTO must pass on the additional Declared Drought Area Completion Incentive to the host employer at the time of completion.

### 5. Effect date

The effect date is the date of successful completion.
3. Mature Aged Worker Completion Incentive

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>Some mature aged workers face particular barriers to employment and training. The Mature Aged Worker Completion Incentive aims to encourage employers to employ mature aged workers.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Rate</td>
<td>The Mature Aged Worker Completion Incentive is $750.</td>
</tr>
<tr>
<td>3. Eligibility criteria</td>
<td>For an employer to be eligible for a Mature Aged Worker Completion Incentive, the Australian Apprentice must have successfully completed the Australian Apprenticeship for which they attracted the Mature Aged Worker Commencement Incentive.</td>
</tr>
<tr>
<td>4. Effect date</td>
<td>The effect date is the date of successful completion.</td>
</tr>
</tbody>
</table>

4. GTO Certificate II Completion Incentive

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>Many people who are disadvantaged in the labour market are unable to compete for Australian Apprenticeships at higher Certificate levels and rely on completing a qualification at the Certificate II level to improve their labour market prospects. GTOs play an important role in supporting Australian Apprentices from disadvantaged backgrounds and those that are not well supported in the labour market generally.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Rate</td>
<td>The GTO Certificate II Completion Incentive is $1,000.</td>
</tr>
</tbody>
</table>
| 3. Eligibility criteria | For a GTO to be eligible for a GTO Certificate II Completion Incentive, the Australian Apprentice must:  
  • have successfully completed a Certificate II Australian Apprenticeship; and  
  • meet the following eligibility criteria from Section III Primary Eligibility:  
    o A. Employment and Training Arrangements; and  
    o B. Citizenship Status; and |
E. Support For Adult Australian Apprentices

1. Overview
Support for Adult Australian Apprentices (SAAA) aims to remove barriers for Adult Australian Apprentices (aged 25 or over) and to encourage up-skilling by adult workers through an Australian Apprenticeship.

2. Rate
The SAAA payment is $4,000.

3. Eligibility criteria
To be eligible to attract SAAA for their employer, an Australian Apprentice must:
- be aged 25 or over at the date of commencement; and
- be undertaking a full-time or part-time Certificate III or IV qualification that leads to an occupation listed on the NSNL at the date of commencement or recommencement; and
- meet the following eligibility criteria from Section III
Primary Eligibility:
- A. Employment and Training Arrangements; and
- B. Citizenship Status; and
- D. Previous and Concurrent Qualifications; and
- F. Time Limits; and
  - the Training Contract must be formally approved by the STA; and
  - be employed by the employer as an Australian Apprentice at the effect date; and
  - be in receipt of an ‘actual wage’ paid by the employer at the date of commencement or recommencement, which is equal to or greater than the National Minimum Wage.

4. Actual wage
   ‘Actual wage’ is defined as:
   - the ordinary weekly rate (before tax) and excluding overtime, allowances, penalty rates, leave loading and superannuation.

   The National Minimum Wage is set by Fair Work Australia and may change from time to time. Further information about the National Minimum Wage rate can be found on the [Fair Work Ombudsman](https://www.fairwork.gov.au) website.

5. Specific exclusions from eligibility
   An Australian Apprenticeship will not attract SAAA where:
   - the Australian Apprenticeship is being undertaken as an Australian School-Based Apprenticeship; or
   - the Australian Apprentice is employed by a Commonwealth or State Government department or agency.

6. Effect date
   The effect date is twelve months from the date of commencement or recommencement (for both eligible full-time and part-time Australian Apprenticeships).
   Where there has been a Change of Ownership or a period of suspension during the first twelve months, the effect date is calculated to be on the 365th day of the Australian
7. Early successful completions
An Australian Apprentice who successfully completes prior to the effect date will not attract SAAA for their employer.

8. Maximum sets of SAAA
Subject to meeting the eligibility criteria, an Australian Apprentice may attract a maximum of two sets of SAAA payments for their employer for different Occupational Outcomes.

F. Claiming Employer Incentives

1. Payments Available at Commencement and Recommenement and Support For Adult Australian Apprentices

   1. Overview
   This section details the process for claiming payments outlined in Section V.A – Payments Available at Commencement, Section V.C – Payments Available at Recommenement and Section V.E – Support For Adult Australian Apprentices.

   2. Claiming payments available at Commencement and Recommenement and Support For Adult Australian Apprentices
   An eligible employer should claim payments available at Commencement and Recommenement using the Australian Government Australian Apprenticeships Employer Incentive Form (Form 1236).
   Where an employer is eligible for more than one payment (eg. the Commencement Incentive and the Declared Drought Area Commencement Incentive) they should claim all payments at the same time using the same Form 1236.
An eligible employer should claim Support For Adult Australian Apprentices using the *Claim Form For Support For Adult Australian Apprentices* (Form 1257).

The employer may not lodge Form 1236 or Form 1257 until:

- the waiting period has been completed; and
- the STA has approved the Training Contract; and
- training has commenced; and
- on or after the effect date.

Training is deemed to have commenced when the employer, Australian Apprentice and RTO sign an agreed individual training plan for the Australian Apprenticeship.

Evidence that the training has commenced may be in the form of:

- a copy of the signed training plan (or jurisdictional equivalent); or
- a fully completed *RTO Declaration for Australian Government Australian Apprenticeships Employer Incentives* (Form 1237) stating that a negotiated training plan has been signed; or
- evidence from the STA that the training plan has been completed.

### 3. Additional evidence for claiming the Declared Drought Area Commencement Incentive

In addition to the requirements in section V.F.1.2, the following evidence to support the claim must be included:

- a copy of the Exceptional Circumstances Certificate; and
- if employed by a GTO, a written statement confirming that the payment will be forwarded to the host employer.

### 4. Additional evidence for claiming the Mature Aged Worker

In addition to the requirements in section V.F.1.2, the following evidence to support the claim must be included:

- where the Australian Apprentice has been in receipt of a specified Centrelink or Veterans’ Affairs income
| Commencement Incentive | support payment, the evidence is to be in the form of an income statement from Centrelink or the Department of Veterans’ Affairs confirming payment of one or more of these income support payments covering the entire three month period immediately prior to the commencement of the Australian Apprenticeship; or  
| | • where the Australian Apprentice has not been in paid employment for the three years immediately prior to the commencement of the Australian Apprenticeship, the evidence may be in the form of a Statutory Declaration stating that the Australian Apprentice was NOT in paid employment for the three years immediately prior to the commencement of the Australian Apprenticeship; or  
| | • where the Australian Apprentice was a Stream B or Stream C client with an Employment Provider immediately prior to the commencement of the Australian Apprenticeship, the evidence is to be in the form of documentation on letterhead from either Centrelink or the Employment Provider confirming the receipt of such assistance immediately prior to commencing the Australian Apprenticeship; or  
| | • where the Australian Apprentice was made redundant within the year immediately prior to the commencement of the Australian Apprenticeship, the evidence is to be in the form of copies of letters between the former employer and employee confirming the offer and acceptance of redundancy.  
| | In addition to the requirements in section V.F.1.2, the following evidence to support the claim must be included:  
| 5. Additional evidence for claiming the Australian School-based Apprenticeship Commencement | • a signed *Evidence of Endorsement of Australian School-based Apprenticeships Form* (Form 1285) or other state or system form as agreed with the Australian Government.  
|
Incentive

6. Additional evidence for claiming the Recommencement Incentive

If the off-the-job training component of the Australian Apprenticeship has been completed at Recommencement, evidence from the RTO must be provided.

2. Payments Available for Retention

7. Overview

This section details the process for claiming payments outlined in Section V.B – Payments Available for Retention.

8. Claiming payments available for Retention – Australian School-based Apprenticeship Retention Incentive

Employment period covered by an Australian Apprenticeship arrangement

The employer can claim the Australian School-based Apprenticeship Retention Incentive using the Australian Government Australian Apprenticeships Employer Incentive Form (Form 1236) after 12 weeks of continuous employment has been completed where:

- the 12 week employment period following completion of secondary school is entirely covered through an Australian Apprenticeship arrangement; and
- the same employer continues to employ the former Australian School-based Apprentice in the same or a different Australian Apprenticeship; or
- a different employer employs the former Australian Apprentice in the same or a different Australian Apprenticeship.

Employment period not entirely covered by an Australian Apprenticeship arrangement

The employer must lodge a Claim Form for Australian School-based Apprenticeships Retention Incentive (Form 1284) after 12 weeks of continuous employment has been completed where:
the 12 week employment period following completion of secondary school is not entirely covered through an Australian Apprenticeship arrangement; or

- the former Australian School-based Apprentice is employed for a minimum of 15 hours per week in an employment arrangement other than an Australian Apprenticeship by the same employer with whom they undertook their Australian School-based Apprenticeship.

**Evidence**

The following evidence to support the claim, whether lodged on Form 1236 or Form 1284, must be provided:

- documentation to show that the Australian Apprentice has completed secondary school according to the practice of the relevant jurisdiction; and

- if applicable, documentation to confirm that the employer was a host employer during the period of the Australian Apprenticeship.

The claim form must be lodged within 12 months of the last day of the 12 week continuous employment period.

### 3. Payments Available at Completion

<table>
<thead>
<tr>
<th>1. Overview</th>
<th>This section details the process for claiming payments outlined in Section V.D – Payments Available at Completion.</th>
</tr>
</thead>
</table>

| 2. Claiming payments available at Completion | An eligible employer should claim payments available at Completion using the Employer Completion Incentives Claim Form (Form 1241) after the STA has formally signed off the Australian Apprentice as having successfully completed the Australian Apprenticeship. Where an employer is eligible for more than one payment (eg. the Completion Incentive and the Mature Aged Worker Completion Incentive) they should claim all payments at the same time using the same Form 1241. |
Evidence that the Australian Apprentice has successfully completed the Australian Apprenticeship must be provided with the claim form. This may be in the form of documentation from the STA that confirms that the Australian Apprentice has:

- completed the period of the Training Contract, including any formally approved extensions; and
- passed all the relevant units of competency relating to on and off the job competencies. Note that Craftsmen Certificates in NSW are insufficient evidence of completion.

In addition to the requirements in section V.F.3.2, where the employer is a GTO, the following evidence must also be attached:

- a written statement confirming that the Declared Drought Area Completion Incentive will be forwarded to the host employer; and
- a copy of the Exceptional Circumstances Certificate for the final host employer (if different to host employer at commencement).

### VI. Living Away From Home Allowance

#### A.

1. **Overview**

The Living Away From Home Allowance (LAFHA) provides assistance to eligible Australian Apprentices during the first three years of an Australian Apprenticeship where they are required to move away from their parent’s or guardian’s home in order to take up or remain in an Australian Apprenticeship.

2. **Eligibility requirements**

To be eligible for LAFHA, an Australian Apprentice must:

- meet the following eligibility criteria from Section III Primary Eligibility:
- A. Employment and Training Arrangements; and
- B. Citizenship Status; and
- C. Existing Worker; and
- D. Previous and Concurrent Qualifications; and
- E. Time Limits; and

- be undertaking an Australian Apprenticeship at the Certificate II level or above; and
- be within the first 36 months of their Australian Apprenticeship (regardless of full-time or part-time participation); and
- meet the residential criteria outlined below or be homeless.

### 3. Specific exclusions from eligibility

An Australian Apprentice will not be eligible for LAFHA if:

- they have lodged a claim for Youth Allowance, Austudy or Abstudy with Centrelink and their claim is still current (see section VI.10. LAFHA and Youth Allowance/ Austudy / ABSTUDY for further information); or
- they receive rental or accommodation assistance from Centrelink or free or subsidised quarters/board from their employer; or
- they move away from home to:
  - attend block release off-the-job training. State or Territory Governments may provide assistance in these circumstances; or
  - undertake a course initiated by their employer that is not part of their Australian Apprenticeship; or
  - attend boarding school.

### 4. Residential criteria

An Australian Apprentice will satisfy the residential criteria provided that:

- they move from their parental or legal guardian’s home for the first time:
  - within the three months prior to commencing or recommencing an Australian Apprenticeship; or
  - to remain in an Australian Apprenticeship; or
to pursue essential supplementary on-the-job training with another employer; and

they can demonstrate that one of the following eligibility criteria would have applied if they had remained in the parental/legal guardian’s home:

- they would have to travel more than 90 minutes each way between work and home; or
- they would have to cope with unreasonable travel delays; or
- there would have been limited or unsuitable transport arrangements; or
- they would face prohibitive transport costs.

For Australian School-based Apprentices, moving to boarding school does not satisfy the residential criteria.

Where an Australian Apprentice is employed by a GTO, the host employer’s workplace address is to be used when considering the residential criteria.

<table>
<thead>
<tr>
<th>5. Homelessness</th>
<th>As it is recognised that the lack of a stable residential location is a major impediment to the successful completion of an Australian Apprenticeship, an Australian Apprentice who is homeless may be eligible for LAFHA.</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Custodial Australian Apprentices</td>
<td>Custodial Australian Apprentices may become eligible for LAFHA if they meet the homelessness criteria after they have been released from custody.</td>
</tr>
</tbody>
</table>
| 7. Eligibility for LAFHA for more than one registration | Subject to meeting the eligibility criteria, an Australian Apprentice may be eligible to attract LAFHA for more than one registration in the following circumstances:  
  - they commence a Certificate III or IV Australian Apprenticeship within 12 months of successfully completing a Certificate II Australian Apprenticeship, for which they were eligible for LAFHA, with the same employer (in these instances, the Australian Apprentice will only attract the balance of the 36 months entitlement).  
  - they withdrew from or cancelled the previous Australian Apprenticeship |

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Apprenticeship prior to the three month point. In these instances, the subsequent Australian Apprenticeship is deemed to be the first Australian Apprenticeship.

- they previously received LAFHA for an Australian School-based Apprenticeship where:
  - the Australian Apprentice completed at least three calendar months of the Australian School-based Apprenticeship prior to leaving school; and
  - the Australian Apprentice did not continue the same Occupational Outcome upon leaving school; and
  - they commence an Australian Apprenticeship in a different Occupational Outcome or at a higher level.

### 8. Applying for LAFHA

To apply for LAFHA, an Australian Apprentice must complete an *Application for Living Away From Home Allowance* (Form 530).

Applications should be received within 12 months of the date the Australian Apprentice became eligible for LAFHA.

#### Evidence required

An Australian Apprentice must attach the following evidence to their application to support their claim:

- a Statutory Declaration (*Appendix G – Commonwealth Statutory Declaration*) from the parent or legal guardian stating:
  - their residential address; and
  - that the Australian Apprentice resided at that address immediately prior to moving to take up the Australian Apprenticeship; and
  - this is the first time the Australian Apprentice has moved away from home; and
  - the date the Australian Apprentice moved from the parental/legal guardian home.

- proof of their current residential address which may be in the form of:
  - a rental receipt; or
  - a Statutory Declaration from the owner of the
residential premises; or
  o any local government or statutory authority
document (for example, a utility account, that is,
gas, water, electricity or phone showing the name
and current residential address of the Australian
Apprentice); or
  o a document from the real estate agent from whom
the Australian Apprentice is renting the property.

To support their claim on the grounds of homelessness, an
Australian Apprentice must attach the following information
to their application:

  • a personal statement of their circumstances, including
    all details of other support received; and
  • a statement containing an objective, independently
    investigated account verifying the Australian
    Apprentice’s homelessness status from one of the
    following:
      o a social worker; or
      o a medical practitioner or other professional health
        worker; or
      o a police worker; or
      o a trained youth counsellor employed by a
government-registered agency; or
      o a minister of religion; or
      o an appropriate Centrelink delegate; or
      o a Department of Social Services Jobs Placement,
        Employment and Training provider; and
  • if they wish, a supporting statement from one or both
    parents or legal guardian or any other person who has
    firsthand knowledge of the Australian Apprentice’s
    situation.

A NSW Trainee Apprentice must attach a copy of the
approval letter from the STA to their application.

9. Applications
received more
than 12 months
after the

Application Forms received more than 12 months from the
date an Australian Apprentice became eligible for LAFHA
may be approved subject to meeting the eligibility criteria.
Australian Apprentice became eligible for LAFHA

Consistent with the time limits for lodging claims, the eligibility period can only be backdated 12 months from the date the application was received.

10. LAFHA and Youth Allowance/Austudy/ABSTUDY

Under the Social Security Act 1991, section 552, the multiple entitlements exclusion rule prohibits an Australian Apprentice from attracting LAFHA and Youth Allowance/Austudy/ABSTUDY at the same time.

An Australian Apprentice who has a current entitlement for Youth Allowance/Austudy/ABSTUDY must cancel that existing claim with Centrelink before making a claim for LAFHA.

Similarly, an Australian Apprentice who is currently in receipt of LAFHA must seek to cancel their LAFHA prior to making a claim for Youth Allowance/Austudy/ABSTUDY.

11. LAFHA rates and eligibility periods

Subject to meeting the eligibility requirements, LAFHA will be paid as follows:

- First Year LAFHA at the rate of $77.17 per week for the first 12 months from the date of commencement;
- Second Year LAFHA at the rate of $38.59 per week for the second 12 month period;
- Third Year LAFHA at the rate of $25.00 per week for the third 12 month period.

Where an Australian Apprentice moves away from the parental or guardian’s residential home at a date subsequent to the commencement date, subject to meeting the eligibility requirements, they will only attract LAFHA for the period between the date of establishing a new residence and 36 months from the commencement date of the Australian Apprenticeship.

12. Australian School-based Apprentices

Australian School-based Apprentices may be eligible to attract LAFHA subject to meeting the eligibility criteria.

Australian Apprentices who commence their Australian Apprenticeship while at boarding school shall be eligible to
receive the balance of LAFHA remaining at the date they establish a new residence (away from their parental/guardian home) when they continue the same Occupational Outcome post school.

Australian Apprentices who received LAFHA while undertaking an Australian School-based Apprenticeship may be eligible for another 36 months of LAFHA post school if:

- they completed at least three calendar months of the Australian School-based Apprenticeship prior to leaving school; and
- they did not continue the same Occupational Outcome upon leaving school; and
- they commence an Australian Apprenticeship in a different Occupational Outcome or at a higher level.

<table>
<thead>
<tr>
<th>13. Claiming LAFHA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Once the application for LAFHA has been approved, an Australian Apprentice must lodge a Living Away From Home Allowance (LAFHA) Claim Form (1238) to receive LAFHA payments.</td>
</tr>
<tr>
<td>An Australian Apprentice shall determine the regularity in which they lodge claim forms, provided the claim forms are received by the Apprenticeship Network Provider within the specified time limit.</td>
</tr>
<tr>
<td>Where the Training Contract has not been approved by the STA, LAFHA can be paid for three months from the date of commencement or recommencement prior to approval.</td>
</tr>
<tr>
<td>The recipient must be advised that:</td>
</tr>
<tr>
<td>- payments will only be paid in arrears; and</td>
</tr>
<tr>
<td>- claim forms must be signed and dated on or after the last day of the claim period; and</td>
</tr>
<tr>
<td>- claim forms must be received by the Apprenticeship Network Provider within 12 months of the first day of the claim period; and</td>
</tr>
<tr>
<td>- where the Australian Apprentice is employed by a</td>
</tr>
</tbody>
</table>
GTO, either the host employer or the GTO shall sign the claim form.

<table>
<thead>
<tr>
<th>14. Cancellation or suspension of Training Contract</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where an Australian Apprentice becomes out of trade, unemployed or is placed on workers compensation, LAFHA may continue to be paid for three months from the date of cancellation or suspension provided that the Australian Apprentice:</td>
</tr>
<tr>
<td>• maintains their LAFHA residence; and</td>
</tr>
<tr>
<td>• does not resume living at their parental/legal guardian’s home on an ongoing basis; and</td>
</tr>
<tr>
<td>• has not lodged a claim for Youth Allowance/Austudy/ABSTUDY.</td>
</tr>
</tbody>
</table>

Where an Australian Apprenticeship has been cancelled the Australian Apprentice must also be registered with Centrelink as a jobseeker.

VII. Assistance For Australian Apprentices with Disability

A. Disabled Australian Apprentice Wage Support

<table>
<thead>
<tr>
<th>1. Overview</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Government wishes to encourage employers to provide Australian Apprenticeships to people with disabilities who are able to participate in open employment with a level of suitable support and training.</td>
</tr>
<tr>
<td>This initiative provides wage support as an alternative to employer incentives (listed in Section V - Employer Incentives), to employers who provide Australian Apprenticeships to people with disabilities.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAAWS is paid at the rate of $104.30 per week for a full-time Australian Apprentice or on a pro-rata basis according</td>
</tr>
</tbody>
</table>
3. **Eligibility criteria for initial assessment**

For an employer to be eligible for DAAWS:

- the following eligibility criteria from Section III Primary Eligibility must be met:
  - A. Employment and Training Arrangements; and
  - B. Citizenship Status; and
  - C. Existing Worker; and
  - D. Previous and Concurrent Qualifications; and
  - E. Time Limits; and

- The Australian Apprentice’s capacity to work must be assessed and confirmed through:
  - The completion of Form 608 (*Occupational Assessment for an Australian Apprentice with Disability*) assessing the Australian Apprentice’s capacity to undertake the employment-based duties of the Australian Apprenticeship. The assessment must be undertaken by a medical practitioner or registered psychologist.
  - Where the Australian Apprentice has a current and valid [Job Capacity Assessment](#) or an Employment Services Assessment, a completed Form 608a (*Evidence of Completion of a Job Capacity Assessment or an Employment Services Assessment for an Australian Apprentice with Disability*) may be attached to Form 608 in lieu of a medical assessment by a medical practitioner or registered psychologist.

- The completed Form 608 or 608a must indicate that:
  - the Australian Apprentice has a disability which will impact upon their capacity to perform the employment-based duties of the Australian Apprenticeship position; and
  - the Australian Apprentice’s medication or basic self-management strategies have been assessed and it has been determined that they do not overcome the impact of the disability on the performance of the employment-based duties of the Australian Apprenticeship position; and
  - the Australian Apprentice will be able to carry out the duties of the occupation given suitable support;
and
- the employer must be paying a suitable wage of at least $104.30 per week or its part-time equivalent. Consistent with this, for any period in which the employer does not pay wages of at least this amount, the employer is not eligible to claim DAAWS; and
- Forms 608 and Form 1288 (*Application Form: Assistance for an Australian Apprentice with Disability*) must be completed in a timely manner. At the time of application, Form 608 must have been completed:
  - less than six months earlier for Australian Apprentices with a permanent or long-term disability; or
  - less than three months earlier for Australian Apprentices with a temporary disability.

### 4. Eligibility period

Subject to meeting the eligibility criteria outlined above, an Australian Apprentice may be approved to attract DAAWS for their employer for:
- 12 months for long-term or permanent disability; or
- a specific period in the case of temporary disability.

### 5. Assessment for continuing support for DAAWS

Employers who are seeking continuation of DAAWS funding must provide evidence that the Australian Apprentice is progressing satisfactorily towards a successful completion of their Australian Apprenticeship as follows:
- for Australian Apprentices with a permanent disability who are seeking continuation at the 12 month point, the employer must:
  - have their Australian Apprentice undertake a medical assessment by a medical practitioner or registered psychologist on Form 608; or
  - provide a letter detailing the progress of the Australian Apprentice countersigned by the Australian Apprentice and the RTO delivering the Australian Apprentice’s training; or
  - have the Employment Services Provider complete and sign a new Form 608a and attach it to a new
Form 608 (where the Australian Apprentice has a valid Job Capacity Assessment or Employment Services Assessment).

- for Australian Apprentices with a temporary disability, eligibility must be reassessed at the expiration of the approved disability period. The employer must submit:
  - a new Form 1288; and
  - a new Form 608.

Where the Australian Apprentice has a current and valid Job Capacity Assessment or Employment Services Assessment, a new Form 608a may be attached to Form 608 in lieu of a medical assessment by a medical practitioner or registered psychologist.

| 6. Specific exclusions | An Australian Apprentice will not be eligible to attract DAAWS where:
| | - they are a NSW Trainee Apprentice; or
| | - they are participating in a Supported Wage System or Supported Wage Arrangement where they are paid according to a productivity/competency based arrangement as a proportion of the parent award; or
| | - their employer is receiving any other form of Australian Government or State Government wage subsidy or equivalent assistance for the Australian Apprentice.
|  | Please note that DAAWS should not be approved where the disability is described as a lack of language, literacy or numeracy skills.
|  | An employer is not eligible to receive DAAWS and the Employer Incentives outlined in Section V. However, an employer may attract Support For Adult Australian Apprentices as well as DAAWS.

| 7. Attention Deficit Disorder and Attention Deficit Hyperactive Disorder | Australian Apprentices who have been diagnosed with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactive Disorder (ADHD) are eligible to attract DAAWS assistance. |
| 8. Circumstances where an Australian Apprentice may attract DAAWS for a subsequent Australian Apprenticeship | An Australian Apprentice who has previously attracted DAAWS, may attract DAAWS for a second Australian Apprenticeship where:
- the Australian Apprentice is undertaking a Certificate III or IV qualification that leads to an occupation listed on the NSNL; or
- the previous period of DAAWS eligibility occurred while undertaking an Australian Apprenticeship while at school and they did not continue to attract DAAWS after leaving school; or
- the previous period of DAAWS eligibility was for a Certificate II; and
  - they successfully completed the Certificate II Australian Apprenticeship; and
  - they are currently undertaking a Certificate III or higher Australian Apprenticeship; and
  - they commenced the Certificate III Australian Apprenticeship within 12 months of completing the Certificate II.

If the Australian Apprentice previously attracted DAAWS for an Australian Apprenticeship that was cancelled or withdrawn around the time of the conclusion of the waiting period, the Apprenticeship Network Provider should consult with their State/Territory Contract Manager for a determination. |
|---|---|
| 9. Circumstances where an Australian Apprentice becomes disabled or their disability becomes apparent during their Australian Apprenticeship | The Government recognises that an Australian Apprentice may become disabled during their Australian Apprenticeship or that a disability may become apparent as the work duties become difficult. In these cases, an employer may apply for DAAWS after the Australian Apprenticeship has commenced or recommenced. The application process is the same as that outlined above.

In these cases, an employer incentive may have been paid before the disability occurred or became apparent. If an employer successfully applies for DAAWS it is not the
intention of the Australian Government to recover any incentives that the employer had claimed in good faith before DAAWS eligibility was assessed. DAAWS can be claimed from the date the Apprenticeship Network Provider approves DAAWS eligibility and will not be backdated to the commencement date.

10. Claiming DAAWS

Once Form 1288 has been approved, the employer must lodge Form 1239 (*Disabled Australian Apprentice Wage Support Claim Form*) to receive DAAWS payments.

The employer shall be advised that:

- DAAWS can only be paid in arrears; and
- DAAWS may be paid for up to three months from the date of commencement or recommencement pending the Training Contract being approved by the STA; and
- claims must be received by the Apprenticeship Network Provider within 12 calendar months of the first day of the claim period; and
- claims can only be made in respect of Australian Apprentices who were employed as an Australian Apprentice during the claim period; and
- claims can only be made in respect of Australian Apprentices who were paid wages of at least $104.30 (or pro-rata for part-time) by the employer during the claim period; and
- DAAWS is not payable if the Australian Apprentice is on worker’s compensation for one week or more.

B. Off-the-job Tutorial, Mentor and Interpreter Assistance

1. Overview

This assistance is provided to support Australian Apprentices with disability who are experiencing difficulty with the off-the-job component of their Australian Apprenticeship.
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<th>2. <strong>What is tutorial assistance</strong></th>
<th>Tutorial Assistance is provided to an Australian Apprentice by a tutor in addition to the standard off-the-job training for an Australian Apprenticeship.</th>
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<tr>
<td>3. <strong>What is mentor assistance</strong></td>
<td>Mentor Assistance is provided to an Australian Apprentice to assist with organisational or personal issues which impact upon the ability of the Australian Apprentice to undertake their off-the-job training. Mentoring may take place on or off-the-job but should address difficulties experienced with the off-the-job component of the training.</td>
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<td>4. <strong>What is interpreter assistance</strong></td>
<td>Interpreter Assistance is provided by an interpreter to assist an Australian Apprentice to comprehend aspects of the off-the-job training and is in most cases provided to Australian Apprentices with disabilities such as visual or hearing impairment.</td>
</tr>
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| 5. **Eligibility criteria** | To be eligible to attract Tutorial, Mentor and Interpreter Assistance, an Australian Apprentice must:  
- be assessed as eligible for DAAWS for that Australian Apprenticeship (even if the employer chooses not to claim DAAWS); and  
- be experiencing difficulties with the off-the-job training component of their Australian Apprenticeship; and  
- have an occupational assessment (Form 608 or 608a) which supports the provision of those tutorial, mentor or interpreter services; and  
- not be in receipt of assistance for tutorial, mentor or interpreter services funded by another source. This does not include assistance provided under the Australian Apprenticeships Mentoring Programme. An Australian Apprentice may be eligible to attract both Off-the-job Tutorial, Mentor and Interpreter Assistance and assistance under the Australian Apprenticeships Mentoring Programme. |
| 6. **Entitlement for tutorial, mentor** | The RTO delivering the off-the-job training to an Australian Apprentice with disability who satisfies the DAAWS |
eligibility may claim financial assistance on the following basis:

- for tutorial services for the Australian Apprentice at $38.50 an hour (inclusive of GST), up to a maximum of $5,500 a year (inclusive of GST). The number of hours of tutorial services provided each week must not exceed the total number of hours of off-the-job training. Tutorial hours must be additional to the off-the-job training hours.

- for mentor or interpreter services for the Australian Apprentice at $38.50 an hour (inclusive of GST), up to a maximum of $5,500 a year (inclusive of GST). The combined number of hours of mentor and interpreter services provided each week must not exceed the total number of hours that the Australian Apprentice spends in off-the-job training.

A year for this purpose commences on the date deemed by the Apprenticeship Network Provider to be the commencement date of eligibility for disability assistance.

If the RTO makes a case proposing financial assistance of more than the permitted hourly rate or annual maximum, the proposal must be referred to the State/Territory Contract Manager for determination.

| 7. Claiming tutorial, mentor and interpreter assistance | Once the Application Form (Form 1288 has been approved, the RTO must submit Form 1244 (Mentor/Interpreter and/or Tutorial Assistance for an Australian Apprentice with Disability Claim Form/Tax Invoice) for any assistance provided.

The RTO must also be advised that:

- Tutorial, Mentor and Interpreter Assistance will only be paid in arrears; and

- claim forms must be signed and dated after the last date of the claim period; and

- claim forms must be received by the Apprenticeship Network Provider within 12 months of the first day of |
- where the Training Contract has not yet been approved by the STA, claims can only be paid for up to three months from the date of commencement or recommencement pending STA approval of the Training Contract.
## VIII. Appendices

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<td>Also identifies which of those qualifications may be eligible for specific incentives or may lead to an NSNL occupation.</td>
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<td><strong>Appendix G – Statutory Declaration Template</strong></td>
<td>Provides a template for the preparation of a Statutory Declaration which may be used to support a claim for payments as specified in the Guidelines.</td>
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<td><strong>Appendix H – Priority Occupations</strong></td>
<td>Provides a list of the qualifications in the Priority Occupations of Aged Care, Child Care, Disability Care Workers and Enrolled Nurses.</td>
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