



# **Australian Apprenticeships Incentives Program**

## **Program Guidelines**

**Opening and closing date:** Ongoing

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**Commonwealth policy and  
administering entity:** Department of Education, Skills and  
Employment

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**Date guidelines updated:** 1 January 2022

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**Type of grant opportunity:** Demand-driven (eligibility-based)

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## Participating in the Australian Apprenticeships Incentives Program

**The Australian Apprenticeships Incentives Program is designed to encourage employers to take on Australian Apprentices and to assist with the cost of training**

This grant program contributes to the Department of Education, Skills and Employment's Outcome 3 which promotes growth in economic productivity and social wellbeing through access to quality skills and training.



**The Australian Apprenticeships Incentives Program Guidelines are published**

The Department of Education, Skills and Employment publishes the Australian Apprenticeships Incentives Program Guidelines on [GrantConnect](#), as well as on the Department's and Australian Apprenticeships websites.



**An employer or potential Australian Apprentice liaises with an Australian Apprenticeship Support Network provider to enter into an Australian Apprenticeship arrangement**

Australian Apprenticeship Support Network providers are contracted by the Department of Education, Skills and Employment to provide services. Providers are located across Australia and can be found on the Australian Apprenticeships website at [www.australianapprenticeships.gov.au/search-aasn](http://www.australianapprenticeships.gov.au/search-aasn).



**The Australian Apprenticeship Support Network provider facilitates the signing of a Training Contract between the employer and the Australian Apprentice; and undertakes a preliminary assessment to inform the employer, Australian Apprentice, and Registered Training Organisation's potential eligibility for relevant payments**

The State Training Authority-approved Apprenticeship/Traineeship Training Contract is a legally binding agreement that underpins an Australian Apprenticeship. It is also used to inform potential eligibility for payments.



**The Australian Apprentice undertakes both on-the-job and off-the-job training, which are delivered by the employer and the Registered Training Organisation**

The commencement date specified on the Apprenticeship/Traineeship Training Contract is the commencement date of the Australian Apprenticeship. Once signed by all parties, and approved by the relevant State Training Authority, the Training Contract is uploaded on the Department's apprenticeship IT system.



**The effect date or last day of a claim period is reached, and the Australian Apprenticeship Support Network provider provides the claim form for the relevant payment (based on the preliminary assessment) to the employer, Australian Apprentice, or Registered Training Organisation**

The employer, Australian Apprentice, or Registered Training Organisation completes and lodges the claim form with the Australian Apprenticeship Support Network provider.



**The Australian Apprenticeship Support Network provider assesses whether eligibility requirements for the respective payment type are met**

The eligibility requirements and effect dates or claim periods are dependent on the payment type. Specified requirements for claiming payments must also be met.



**If the claim is approved by the Department's apprenticeship IT system, payment is made by direct credit to the employer, Australian Apprentice, or Registered Training Organisation's bank account as identified on the claim form**

Payments may be used at the discretion of the employer, Australian Apprentice, or Registered Training Organisation, unless specified otherwise.



**An employer, Australian Apprentice, or Registered Training Organisation may seek review of an eligibility or payment decision**

The decision can be reviewed by the Australian Apprenticeship Support Network provider and/or the Department.

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## Part A. Introduction

### 1. Program overview

The Australian Government is committed to maintaining a skilled and flexible workforce that will continue to be relevant to Australia's changing workforce needs while retaining Australia's international competitiveness as a training nation. As part of this commitment, the Australian Government provides a range of support for the Australian Apprenticeships Incentives Program (the Program).

The Program aims to encourage training and continued development of a highly skilled Australian workforce by connecting industries and occupations traditionally associated with the apprenticeships system. The Program also targets a broad range of traineeships and apprenticeships in new and emerging industries, particularly where future skills shortages are projected.

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### 2. Purpose of Program Guidelines and the Australian Apprenticeship Support Network

The Program Guidelines (the Guidelines) set out the requirements for the administration and delivery of the Program.

Australian Apprenticeship Support Network providers are contracted by the Department of Education, Skills and Employment (the Department) to support administration of the Program and to provide services to Australian Apprentices, employers and interested stakeholders. These services include the provision of support to employers and Australian Apprentices to enter into a Training Contract, and advice in relation to eligibility for, and access to, assistance under the Program.

Australian Apprenticeship Support Network providers also provide individualised and targeted pre-commencement advice to potential Australian Apprentices and employers, to ensure both find the 'right fit'. This includes testing the potential Australian Apprentice or employer, streaming them into or recommending the right training or employment pathway and matching individuals with like-minded employers.

A Training Contract forms a legally binding agreement between the employer and employee for the training of Apprentices and Trainees leading to nationally recognised qualification. In signing a Training Contract, the parties are bound by the obligations that are specified in the contract, and the legislation of a state or territory in which the Training Contract is to be registered. Training Contracts are approved by the relevant State Training Authority.

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### 3. Program policies and funding

#### 3.1 Interpreting program policies

The policy framework for the Program has been approved by the Minister for Employment, Workforce, Skills, Small and Family Business, on behalf of the Australian Government.

Departmental officers must not waive or amend the Guidelines in any way that would alter the policy intent of the payment detailed in the Guidelines without reference to the Minister or their delegate.

### **3.2 Changes to requirements and funding**

Payments under the Program are available to employers, Australian Apprentices, and Registered Training Organisations. Employer payments are designed to encourage employers to offer employment-based training opportunities.

The requirements and payments available under the Program, including eligibility, availability, and payment, may change during the term of an Australian Apprenticeship in line with Government priorities.

Payments are payable subject to meeting the relevant eligibility requirements at the date the payment is due. However, eligibility for payment does not change throughout an Australian Apprenticeship if:

- a particular qualification; or
- a qualification leading to a particular occupational outcome

is added or removed from an appendix to these Guidelines, even if this occurs after an Australian Apprentice has commenced or recommenced.

### **3.3 Approval to spend public monies**

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

For the purposes of section 23 of the PGPA Act and section 18 of the *Public Governance, Performance and Accountability Rule*, the Deputy Secretary of the Skills and Training Group of the Department has been delegated by the Secretary of the Department to approve the commitment and expenditure of relevant money to make payments to employers, Australian Apprentices and Registered Training Organisations in accordance with the eligibility requirements set out in the Guidelines.

The *Commonwealth Grant Rules and Guidelines 2017* (the CGRGs) are a legislative instrument under the PGPA Act and establish the Australian Government's overarching grants policy framework. In accordance with paragraph 2.3 of the CGRGs, the Program is defined as a 'grant' and is subject to the provisions of the CGRGs.

### **3.4 Payment of claims with effect dates or claim periods prior to 1 January 2019**

These Guidelines refer to payments available from 1 January 2019.

Australian Apprenticeship Support Network providers are required to continue to administer payments previously available under the Program. Where the effect date or claim period was prior to 1 January 2019, Australian Apprenticeship Support 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 January 2019 but the Australian Apprenticeship Commencement date was prior to 1 January 2019, Australian Apprenticeship Support Network providers are required to check whether the Guidelines that were in place at the date of commencement apply.

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## Part B. Primary eligibility requirements and standard requirements for claiming payments

Participants must meet primary eligibility requirements and standard requirements to claim and receive payments under the Program. Additional eligibility requirements must also be met in certain circumstances.

Primary eligibility requirements include:

- the Australian Apprentice's citizenship or residency status; and
- employment and training arrangements; and
- whether the Australian Apprentice has previously completed, commenced but not completed, or is concurrently undertaking a qualification.

To claim payments under the Program, participants must meet standard requirements, including:

- completing the waiting period; and
- meeting effect dates or claim periods; and
- lodging claim forms within time limits; and
- providing the required documentary evidence.

Where specified, eligibility for particular incentive payments may be affected if an Australian Apprentice is:

- an existing worker
- deemed to be part of a Nominated Equity Group
- a custodial Australian Apprentice
- undertaking a qualification:
  - that leads to an occupation on the National Skills Needs List; or
  - that is listed on the Priority Occupations List; or
  - that leads to an occupation on the Additional Identified Skills Shortage List.

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### 1. Primary eligibility requirements

#### 1.1 Citizenship or residency status

##### (a) Overview

The citizenship or residency status requirement supports the development of a skilled Australian workforce.

##### (b) Eligibility requirement

For an employer, Australian Apprentice, or Registered Training Organisation to be eligible for any payment under the Program, the Australian Apprentice must be:

- an Australian citizen; or
- a foreign national with permanent residency; or
- a New Zealand Passport holder with at least six months' residence in Australia

at the date of commencement or recommencement of the Australian Apprenticeship.

### **(c) Residency status for foreign nationals**

The visa granted by the Australian Government Department of Home Affairs determines the residency status of foreign nationals.

## **1.2 Employment and training arrangements**

### **(a) Overview**

Payments available under the Program are payable in respect of an Australian Apprentice whose employment and training arrangements are formally approved as an Australian Apprenticeship by the relevant State Training Authority.

### **(b) Eligibility requirements**

For an employer, Australian Apprentice, or Registered Training Organisation to be eligible for payments under the Program, the Australian Apprentice must be:

- employed in an Australian Apprenticeship arrangement in an Australian state or territory; and
- employed under the terms and conditions of a Training Contract, which must:
  - include a signed Training Plan; and
  - be signed by the Australian Apprentice and the employer; and
  - be formally approved by the State Training Authority; and
- undertaking an accredited training program which:
  - includes both paid work and structured training; and
  - leads to a nationally recognised qualification at the Certificate II, III, IV, Diploma or Advanced Diploma level.

### **(c) Ineligibility for any payment**

The following employment arrangements are not eligible for any payment under the Program:

- employment offered by a private household; or
- casual employment or sub-contracting arrangements; or
- commission-based positions, piece-rate work, or any other employment arrangement which does not guarantee a regular salary; or
- contract or seasonal employment; or
- Supported Wage Arrangements (payment based on a productivity or competency-based arrangement as a proportion of wages set by an award).

### **(d) Ineligibility for employer incentives only**

The following eligibility exclusions apply to employer incentives only.

#### *(i) Business arrangements*

An employer is not eligible to attract employer incentives under the Program if:

- they are also the Australian Apprentice themselves; or
- the Australian Apprentice has a financial interest in their employer's business.

This includes, but is not limited to business arrangements:

- where the Australian Apprentice is:
  - a partner or director in the employer's business; or
  - the trustee of a trust; or
  - a franchisee or a shareholder
- between an Australian Apprentice and a host employer where the Australian Apprentice is employed by a Group Training Organisation.

(ii) Australian Government departments and agencies

An employer is not eligible for any employer incentives under the Program for the duration that the Australian Apprentice is employed by an Australian Government department or agency, including:

- corporate Australian Government entities; or
- non-corporate Australian Government entities, such as departments of state and parliamentary departments

as provided for under the *Public Governance, Performance and Accountability Act 2013*.

A Group Training Organisation is also not eligible for an employer incentive for the duration that the Australian Apprentice is hosted by a host employer where:

- the host employer is an Australian Government department or agency; and
- there is a requirement for the Group Training Organisation to pass on the employer incentive to the host employer.

(iii) State or territory government departments and agencies

An employer is not eligible for any employer incentives under the Program for the duration that the Australian Apprentice is employed by a:

- state or territory government department or agency; or
- department of state or a parliamentary department, and is seconded to a statutory authority, statutory body, body corporate or local government organisation.

A Group Training Organisation is also not eligible for an employer incentive for the duration that the Australian Apprentice is hosted by a host employer where:

- the host employer is a state or territory government department or agency; and
- there is a requirement for the Group Training Organisation to pass on the employer incentive to the host employer.

However, an employer is eligible for employer incentives for the duration that the Australian Apprentice is employed or hosted by a:

- state or territory government body which is a statutory authority, statutory body, or body corporate; or
- local government organisation; or
- statutory authority, statutory body, body corporate or local government organisation and is seconded to a department of state or parliamentary department.

(iv) Foreign entities

An employer is not eligible for any employer incentives under the Program if they are a foreign entity.

A Group Training Organisation is not eligible for an employer incentive for the duration that the Australian Apprentice is hosted by a host employer where:

- the host employer is a foreign entity; and
- there is a requirement for the Group Training Organisation to pass on the employer incentive to the host employer.

### **1.3 Previously completed, incomplete and concurrent qualifications**

#### **(a) Overview**

The Program aims to increase the number of skilled workers available to participate in the Australian workforce. The Program also assists and supports workers to gain new and formally recognised qualifications, and to develop skills relevant to Australia's current and future workforce. Payments are intended to encourage increased employability and workforce participation.

Qualifications that the Australian Apprentice:

- has previously completed; or
- has commenced but not completed; or
- is undertaking concurrently,

affect eligibility for payments, as specified below.

See *Appendix G – Previously completed, incomplete and concurrent qualifications that affect eligibility for payments under the Program* for further information.

#### **(b) Completed qualifications**

An Australian Apprentice that has previously completed a qualification may be eligible for payment under the Program when commencing an Australian Apprenticeship. These are outlined below, for:

- school-based qualifications
- qualifications completed using employment services
- overseas qualifications
- other circumstances.

Each category indicates the type of completed qualification, and the details of the current qualification which is eligible for funding under the Program.

(i) School-based qualifications

Completed qualification	Eligibility of current Australian Apprenticeship for payments	Evidence required
<p><b>Any qualification completed while at school through an Australian Apprenticeship</b></p>	<p>The Australian Apprenticeship will be eligible if it is:</p> <ul style="list-style-type: none"> <li>• being undertaken post-school; and</li> <li>• at a higher level than completed qualification; or</li> <li>• leads to different occupational outcome.</li> </ul>	<ul style="list-style-type: none"> <li>• School or system documentation with the date of leaving school; and</li> <li>• extract from the Department's Apprenticeship IT system or State Training Authority that shows the: <ul style="list-style-type: none"> <li>○ title of the qualification; and</li> <li>○ date of completion.</li> </ul> </li> </ul>
<p><b>Commenced while at school through non-Australian Apprenticeship pathway</b></p> <p>At the Certificate II, III or IV level which was:</p> <ul style="list-style-type: none"> <li>• commenced while at school; or</li> <li>• within 2 years of leaving school.</li> </ul>	<p>The Australian Apprenticeship will be eligible if it is:</p> <ul style="list-style-type: none"> <li>• being undertaken post-school; and</li> <li>• at a higher level than completed qualification; or</li> <li>• leads to different occupational outcome.</li> </ul>	<ul style="list-style-type: none"> <li>• School or system documentation with date of leaving school; and</li> <li>• Original certificate from the RTO; or</li> <li>• Statutory declaration including the: <ul style="list-style-type: none"> <li>○ title of the qualification; and</li> <li>○ name of the awarding institution; and</li> <li>○ date of completion.</li> </ul> </li> </ul>
<p><b>Any qualification completed through a non-Australian Apprenticeship pathway</b></p>	<p><b>Australian Apprenticeship is currently being undertaken while the Australian Apprentice is still at school</b></p> <p>The Australian Apprenticeship will be eligible if it is:</p> <ul style="list-style-type: none"> <li>• being undertaken as an Australian School-based Apprenticeship; and</li> <li>• the qualification leads to: <ul style="list-style-type: none"> <li>○ a different occupational outcome; or</li> <li>○ the same occupational outcome at the same or higher level than the completed qualification.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Original documentation or certified extract showing the: <ul style="list-style-type: none"> <li>○ title of the qualification; and</li> <li>○ date of commencement; and</li> <li>○ date of completion.</li> </ul> </li> </ul>

(ii) Qualifications completed using employment services

Completed qualification	Eligibility of current Australian Apprenticeship for payments	Evidence required
<p><b>Completed through the Australian Skills Vouchers Program</b></p> <p>At the Certificate II level</p>	<p>Any qualification will be eligible.</p>	
<p><b>Completed through the Employment Fund</b></p> <p>Qualification was undertaken while the person was a client of:</p> <ul style="list-style-type: none"> <li>• an Employment Services Provider; or</li> <li>• Job Network; or</li> <li>• Job Services Australia.</li> </ul>	<p>Any qualification will be eligible.</p>	<ul style="list-style-type: none"> <li>• Proof that funding was received; and</li> <li>• Original certificate or certified extract from awarding institution; or</li> <li>• Statutory declaration including the:               <ul style="list-style-type: none"> <li>○ title of the qualification; and</li> <li>○ name of the awarding institution; and</li> <li>○ date of completion.</li> </ul> </li> </ul>
<p><b>Australian Apprentice is a current Stream B or Stream C client of an Employment Services Provider</b></p> <p>At the Certificate II level or higher</p> <p>The Australian Apprenticeship will be eligible if the qualification is:</p> <ul style="list-style-type: none"> <li>• leads to a different occupational outcome; and</li> <li>• is being undertaken with a different employer.</li> </ul>	<p>Any qualification will be eligible.</p>	<p>Documentation from Centrelink or the Employment Services Provider confirming that immediately prior to commencing or recommencing the Australian Apprenticeship, the person was eligible for Employment Services Stream B or Stream C.</p>

(iii) Qualifications completed overseas

Completed qualification	Eligibility of current Australian Apprenticeship for payments	Evidence required
Any overseas qualification	<p><b>The Australian Apprenticeship is eligible if it has a different occupational outcome to the overseas qualification and is:</b></p> <ul style="list-style-type: none"> <li>• At the Certificate III or IV level; and</li> <li>• Occupational outcome is on the National Skills Needs List</li> </ul>	Australian Qualifications Framework assessment not required if the occupational outcome of the completed qualification is different to that of the current qualification
Any overseas qualification	<p><b>The Australian Apprenticeship is eligible if it has the same occupational outcome as the overseas qualification and is:</b></p> <ul style="list-style-type: none"> <li>• At the Certificate III or IV level; and</li> <li>• Occupational outcome is not on the National Skills Needs List</li> </ul>	<p>Australian Apprentice must contact the appropriate authority to determine whether the qualification is recognised under the Australian Qualifications Framework</p> <p>See <i>Appendix H – List of government agencies assisting in assessing overseas qualifications</i> for agencies that assess overseas qualifications</p>

If the overseas qualification is recognised by the Australian Qualifications Framework, the Australian Apprentice must obtain a comparable level Certificate recognised under the Australian Qualifications Framework from the appropriate authority before the Australian Apprenticeship Support Network provider can determine eligibility for payments under the Program.

(iv) Other qualifications and other circumstances

Completed Qualification	Eligibility of current Australian Apprenticeship for payments	Evidence required
<p><b>Certificate in Spoken and Written English</b></p> <p>Through the Adult Migrant English Program</p>	Any qualification will be eligible.	
<b>Certificate I Qualification</b>	Any qualification will be eligible.	
<p><b>Completed more than 7 years ago</b></p> <p>At the Certificate II, III or IV level</p>	The Australian Apprenticeship will be eligible if it leads to a different occupational outcome.	<ul style="list-style-type: none"> <li>• For qualifications completed through an Australian Apprenticeship pathway:</li> <li>• extract from the Department’s apprenticeship IT system or State Training Authority that shows the: <ul style="list-style-type: none"> <li>○ title of qualification; and name of awarding institution; and</li> <li>○ date of completion</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>• For other qualifications:</li> <li>• Original certificate or certified extract from the awarding institution; or</li> <li>• Statutory declaration including the:</li> <li>• title of qualification; and <ul style="list-style-type: none"> <li>○ name of awarding institution; and</li> <li>○ date of completion.</li> </ul> </li> </ul>
<b>Not recognised under Australian Qualification Framework</b>	Any qualification will be eligible.	
<b>An Injury or disability that prevents use of any qualification</b>  At the Certificate II level or higher	Any qualification will be eligible if it: <ul style="list-style-type: none"> <li>• leads to a different occupational outcome; and</li> <li>• is being undertaken with a different employer.</li> </ul>	<ul style="list-style-type: none"> <li>• Letter from a medical practitioner explaining why the Australian Apprentice is unable to work in the occupation for which they are qualified.</li> </ul>
<b>Market-tested qualification</b>  The qualification was: <ul style="list-style-type: none"> <li>• at the Certificate II level or higher, and</li> <li>• since gaining the qualification, the holder has registered as a Job Seeker with Centrelink for 12 months or more.</li> </ul>	Any qualification will be eligible if it: <ul style="list-style-type: none"> <li>• leads to a different occupational outcome; and</li> <li>• is being undertaken with a different employer</li> </ul>	Centrelink documentation showing the Australian Apprentice has been registered as a Job Seeker for 12 months or more

**(c) Incomplete and concurrent qualifications**

An employer, Australian Apprentice, or Registered Training Organisation is eligible to receive payments under the Program where an Australian Apprentice has commenced but not completed, or is concurrently undertaking, any of the following qualifications:

- Qualification not recognised under Australian Qualification Framework
- Certificate in Spoken and Written English through the Adult Migrant English Program
- Certificate I level qualification
- Certificate II, III, or IV level qualification:
  - commenced at school; or
  - cancelled more than seven years prior to commencement of current qualification; or
- Certificate II level or higher qualification commenced while a client of an Employment Services Provider (Stream B or Stream C client); or

- qualification at any level that leads to a different occupational outcome with a different employer, commenced through the Employment Fund while the person was a client of:
  - an Employment Services Provider; or
  - Job Network; or
  - Job Services Australia; or
- Certificate II level qualification commenced through the Australian Skills Voucher Program.

(i) Evidence required

Evidence required to support these claims can include:

- school or system documentation with date of leaving school
- extract from the Department's Apprenticeship IT system or State Training Authority that shows the:
  - title of the qualification; and
  - name of the awarding institution; and
  - date the qualification was commenced or completed
- original certificate or certified extract showing the:
  - title of the qualification; and
  - name of the awarding institution; and
  - date the qualification was commenced or completed or cancelled
- statutory declaration including the:
  - title of the qualification; and
  - name of the awarding institution; and
  - date the qualification was commenced or completed or cancelled
- proof of funding received if the qualification was commenced while the person was a client of an Employment Services Provider
- documentation from Centrelink or an Employment Services Provider confirming that immediately prior to commencing or recommencing the Australian Apprenticeship, the person was eligible for Stream B or Stream C employment services.

## 2. Standard requirements for claiming payments

### 2.1 Waiting period

#### (a) Overview

All payments are subject to a waiting period, unless otherwise specified.

The waiting period ensures the employer and the Australian Apprentice are committed to continuing the Australian Apprenticeship.

#### (b) Definition of waiting period

The waiting period is defined as the greater of:

- Three calendar months from the date of commencement or recommencement; or
- the probationary period as specified by the relevant State Training Authority.

Where an extension to a probationary period has been approved by the relevant State Training Authority, the updated probationary period determines the waiting period.

## **2.2 Effect dates, claim periods, and time limits for lodging a claim**

### **(a) Effect dates**

The effect date is the date a claim becomes payable after the completion of the waiting period, where applicable. Effect dates are specified under their respective incentives.

The Australian Apprentice must be employed by the employer as an Australian Apprentice at the effect date to be able to claim payments, unless otherwise specified.

### **(b) Claim periods**

The defined period of time for which a claim can be made. Claim periods are specified under their respective incentives.

The Australian Apprentice must be employed by the employer as an Australian Apprentice throughout the claim period to be able to claim payments, unless otherwise specified.

### **(c) Time limit for lodging a claim**

All claims must be lodged with the Australian Apprenticeship Support Network within the time limit for a payment to be payable.

The time limit to lodge a claim is specified under their respective incentives.

### **(d) Custodial Australian Apprentices**

Payments are payable to employers of custodial Australian Apprentices if the Australian Apprenticeship is continued following release from custody. The effect date will be the latter of:

- the waiting period; or
- the effect date of the claim; or
- the day after the custodial Australian Apprentice was released from custody.

## **2.3 Lodging claims using claim forms and evidence required**

Payments must be claimed using the claim form specified under their respective incentives.

A claim form cannot be lodged until:

- the employer and Australian Apprentice have co-authorised the claim form, where it is required; and/or
- the waiting period is complete; and
- the:
  - effect date has been reached; or
  - the last day of the claim period has been reached; and
- the State Training Authority has approved the Training Contract; and
- training has commenced.

### **(a) Standard evidence to show training has commenced**

Training is deemed to have commenced when the employer, Australian Apprentice and Registered Training Organisation sign an agreed individual Training Plan for the Australian Apprenticeship. Claims must include evidence to show training has commenced if this has not already been provided for the same Australian Apprenticeship. This evidence may be in the form of:

- a copy of the signed Training Plan, or state or territory equivalent; or
- written advice from the Registered Training Organisation indicating the parties to the Training Plan and the date signed; or
- a completed *RTO Declaration for Australian Government Australian Apprenticeships Employer Incentives*, stating that a Training Plan has been signed; or
- evidence from the State Training Authority that the Training Plan has been completed and signed.

### **(b) Standard evidence to show the Australian Apprenticeship has been successfully completed**

Evidence to show the Australian Apprentice has successfully completed the Australian Apprenticeship must be provided with the claim form, where applicable. This may be in the form of documentation from the State Training Authority that confirms the Australian Apprentice has:

- successfully completed their Australian Apprenticeship; and
- completed all the relevant units of competency relating to on and off-the-job competencies.

Note that a Craft Certificate issued by the New South Wales State Training Authority is insufficient evidence of completion.

## **2.4 Lodging claims using alternative evidence**

Where it is a requirement that the employer and Australian Apprentice needs to co-authorise the claim form, but:

- the Australian Apprentice is no longer employed by the employer and therefore either the Australian Apprentice or employer is unable sign to the claim form; or
- the employer is the claimant, and the Australian Apprentice is not available to sign the claim form,

claims may be lodged using alternative evidence.

Alternative evidence from the State Training Authority and the employer as specified below, are required as part of the claim lodgement to confirm that the Australian Apprentice was employed on the effect date or for the duration of the claim period.

A statutory declaration may only be used where employer evidence is unavailable.

### **(a) State Training Authority evidence**

State Training Authority evidence must be able to confirm that according to the State Training Authority's records, the individual was employed as an Australian Apprentice at the effect date or for the duration of the claim period.

## **(b) Employer evidence**

Employer evidence must be able 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. This may include evidence in the form of a:

- payroll print; or
- time and wages sheet; or
- employment separation certificate.

A letter from the employer is not sufficient evidence.

## **(c) Claimant statutory declaration**

The statutory declaration signed by the claimant must clearly state the individual was employed by the employer as an Australian Apprentice at the effect date or for the duration of the claim period.

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## **3. Additional eligibility considerations**

Eligibility for particular incentive payments may be affected if an Australian Apprentice falls within any of the following categories. The applicability of these additional eligibility considerations is set out in each incentive payment section.

### **3.1 Existing worker**

Consistent with the aim of developing and upskilling the Australian workforce, the existing worker requirement provides incentives where eligible existing workers undertake formal training in areas of skills priority.

#### **(a) Definition of an existing worker**

An existing worker is a person who has had an employment relationship with their employer for more than three full-time equivalent months, including approved leave, on the date of commencement of the Australian Apprenticeship.

The full-time equivalent period of employment is calculated by dividing any period of part-time or casual work by four, and adding that to any full-time periods worked, or by using the following formula:

$$\frac{\text{Part-time or casual periods worked}}{4} + \text{Full-time periods worked}$$

Periods worked do not include:

- any service prior to a break of six months or more in the employment relationship, which was prior to the commencement of the Australian Apprenticeship; and
- any periods of employment where the Australian Apprentice was:
  - employed whilst attending a secondary school as a student; or
  - undertaking a previous Australian Apprenticeship; or
  - participating in a Community Development Program (CDP) project; or
  - participating in the Youth Jobs PaTH Program.

### **(b) Change of circumstances and effect on existing worker status**

For the purposes of assessing existing worker status:

- any period of employment with a previous owner of a business is to be considered as prior employment; and
- a Group Training Organisation and the host employer are regarded as the same employer.

## **3.2 Nominated Equity Group**

The Program provides a pathway for Australians to contribute to the Australian economy. An Australian Apprentice is deemed to be part of a Nominated Equity Group if they meet one of the following criteria:

### **(a) Indigenous Australian Apprentice**

They have declared they are of Aboriginal or Torres Strait Islander origin on the Training Contract in place at the claim effect date.

### **(b) Australian Apprentice with disability**

They have declared they have a disability, impairment, or long-term condition on the Training Contract in place at the claim effect date.

### **(c) School-based Australian Apprentice**

They are:

- enrolled as a secondary student under the relevant State or Territory Education Act as declared on the Training Contract in place at the claim effect date; and
- undertaking an Australian School-based Apprenticeship that has been endorsed as an integral part of the school program by the School Principal, or equivalent for non-secondary school providers.

### **(d) Mature-aged Australian Apprentice**

They are aged 45 years or over at the time of commencement of the Australian Apprenticeship.

### **(e) Rural and regional Australia**

They are undertaking the Australian Apprenticeship at a rural or regional workplace as listed in *Appendix F – Eligible Rural or Regional Postcode List* at the claim effect date.

### **(f) Job seekers facing barriers to employment**

They are an Employment Services Provider Stream B or Stream C client immediately prior to commencing the Australian Apprenticeship as identified in the Training Contract in place at the claim effect date.

## **3.3 Custodial Australian Apprentices**

This initiative applies to people who are serving a prison sentence and commence an Australian Apprenticeship in preparation for release into the community. 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 purposes of the Program.

### 3.4 National Skills Needs List

The Program aims 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.

#### (a) Criteria for inclusion on the National Skills Needs List

A list of eligible National Skills Needs List occupations, and the qualifications that lead to those occupations is included in *Appendix B – National Skills Needs List*.

To be considered for inclusion on the National Skills Needs List, an occupation must:

- be a trade listed in Major Group 3 of the Australian and New Zealand Standard Classification of Occupations (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
  - one of the last two years.

Where the occupation has not been researched in all of the past five years, the occupation must have been assessed as being in national skills shortage for at least half of the occasions the occupation has been researched.

The National Skills Needs List is regularly reviewed to ensure it remains relevant to the needs of industry.

### 3.5 Priority Occupations List

The Program aims to increase Australia's national skills base by providing additional payments where Australian Apprentices are working towards a Priority Occupation.

#### (a) Priority Occupations

The list of eligible Priority Occupations, and the qualifications that lead to those occupations is included at *Appendix D – Priority Occupations*.

The Priority Occupations are:

- Aged Care
- Child Care
- Disability Care Workers
- Enrolled Nurses

Some qualifications listed in *Appendix D – Priority Occupations* can lead to an occupational outcome that is not a Priority Occupation. An Australian Apprentice is eligible for payments only where the occupational outcome they are working towards is a Priority Occupation.

### **3.6 Additional Identified Skills Shortage List**

The Program aims to increase Australia's national skills base through additional payments where Australian Apprentices are working towards an occupational outcome identified as one in greatest shortage in Australia within an Australian Apprenticeships pathway.

#### **(a) Additional Identified Skills Shortage Occupations**

The list of eligible Additional Identified Skills Shortage Occupations, and the qualifications that lead to those occupations, is included in *Appendix C – Additional Identified Skills Shortage Occupations*.

Some qualifications listed in *Appendix C – Additional Identified Skills Shortage Occupations* may lead to one or more of the occupational outcomes that may not be an Additional Identified Skills Shortage List Occupation. An Australian Apprentice will only be eligible for payments where the occupational outcome they are working towards is on the Additional Identified Skills Shortage List.

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## **Part C. Apprenticeship administration for the purposes of the Program**

### **1. Commencement or recommencement of an Australian Apprenticeship**

Whether the Australian Apprenticeship is a commencement or recommencement determines eligibility for certain payments.

Note that the below definitions of a commencement and a recommencement are for the purposes of the Program only and may differ from the definitions used by a State Training Authority.

#### **1.1 Definition of a commencement**

A commencement occurs where an Australian Apprentice begins an Australian Apprenticeship that:

- leads to an occupation they have not previously commenced under an approved Training Contract; or
- is at a different qualification level to a previous Australian Apprenticeship and leads to the same occupational outcome.

The commencement date of employment on the Training Contract is the commencement date of the Australian Apprenticeship.

#### **1.2 Definition of a recommencement**

A recommencement occurs where an Australian Apprentice transfers to a different employer to continue working towards an incomplete qualification as stated on a Training Contract approved by a State Training Authority.

The qualification must be at the same level and lead to the same occupational outcome as the original commencement.

#### **1.3 Determining the occupational outcome**

To ensure nationally consistent terminology, the six-digit ANZSCO code is to be used to determine occupational outcomes.

An assessment of occupational outcome is based on what the Australian Apprentice will be qualified to do once they have completed their Australian Apprenticeship.

Where an occupational outcome has several matches according to ANZSCO, the Australian Apprenticeship Support Network provider must consult with the employer and/or Australian Apprentice to identify which occupational outcome is applicable.

## 2. Changes in an employer or Australian Apprentice's circumstances and impact on eligibility

### 2.1 Change of business ownership

#### (a) Definition

For the purposes of the Program, a change of ownership is defined as where a business:

- changes its legal name; or
- changes its ownership; or
- changes its Australian Company Number (ACN); or
- takes over the functions or employees of another business, including through an outsourcing or contracting arrangement,

in such a way that does not affect the status of the employment relationship between the new business entity and existing or former employees.

#### (b) Eligibility under the Program

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

#### (c) Payments due prior to change of ownership

For the purposes of the Program, 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 with the change of ownership, the payment should be shared between the parties. In this instance, each entity should submit a claim form for the relevant period.

### 2.2 Change of Australian Apprentice's attendance type

Where the Australian Apprentice's attendance type changes during the course of the Australian Apprenticeship (for example, from full-time to part-time), eligibility will be assessed based on the attendance type as at:

- the date of commencement; or
- if applicable, the most recent date of recommencement,

unless otherwise specified.

### 2.3 Return to a previous employer following cancellation or suspension

Unless otherwise specified, where an Australian Apprentice returns to the same employer following the cancellation or suspension of their Training Contract, eligibility for further payments will depend on the period between the cancellation or suspension date, and the date the Australian Apprentice returns.

#### (a) Cancellation or suspension of an Australian Apprenticeship of less than six months

Eligibility for payments is assessed as though no break occurred where there was a period of less than six months between the cancellation or suspension date, and the date the Australian Apprentice returns.

However, payment effect dates or claim periods cannot occur during any break in the Australian Apprenticeship, except for the Living Away From Home Allowance.

**(b) Cancellation or suspension of an Australian Apprenticeship of six months or more**

Eligibility for all payments is assessed as though there is a new Training Contract with a new employer where there was a period of six months or more between the cancellation or suspension date, and the date the Australian Apprentice returns.

**2.4 Movement between Group Training Organisations and/or host employers**

**(a) Transfers between a Group Training Organisation and host employer or vice versa**

For the purposes of the Program, Group Training Organisations and the Australian Apprentice's host employer are to be treated as the same employer. As such, transfers of employment between Group Training Organisations and host employers are assessed for eligibility for payments as though they were returning to the same employer.

**(b) Recommencing with a different Group Training Organisation but remaining with the same host employer**

An Australian Apprentice who transfers to another Group Training Organisation but remains in the employment of the same host employer, is assessed for eligibility for payments under the Program as though they were returning to the same employer.

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## Part D. Employer commencement, retention, recommencement, and completion incentives

The employer incentive payments are the:

- Standard Commencement and Completion Incentives
- Recommencement Incentive
- Australian School-based Apprenticeship Commencement Incentive
- Australian School-based Apprenticeship Retention Incentive
- Support for Adult Australian Apprentices
- Rural and Regional Skills Shortage Commencement Incentive
- Additional Identified Skills Shortage Commencement and Completion Incentive
- Mature-Aged Worker Commencement and Completion Incentive
- Declared Drought Area Commencement and Completion Incentive
- Group Training Organisation Certificate II Completion Incentive

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### 1. Standard Commencement and Completion Incentives

#### 1.1 Overview

The Program aims to encourage employers to offer Australian Apprenticeships that provide skills-based training opportunities that will lead to the enhancement of the skilled workforce available within the Australian economy. The Program also aims to encourage employers to retain an Australian Apprentice to the point where they successfully complete their Australian Apprenticeship.

#### 1.2 Eligibility requirements

##### (a) Standard Commencement Incentive

For an employer to be eligible for the Standard Commencement Incentive:

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support.

In addition to the above requirements, additional eligibility requirements apply, depending on whether the Australian Apprentice is undertaking a qualification at the:

- Certificate II level; or
- Certificate III or IV level; or
- Diploma or Advanced Diploma level.

##### (i) Australian Apprentice undertaking a qualification at the Certificate II level

If an Australian Apprentice is undertaking a qualification at the Certificate II level, the employer will be eligible for the Standard Commencement Incentive where the Australian Apprentice is:

- not an existing worker; and

- deemed to be part of a Nominated Equity Group.

(ii) Australian Apprentice undertaking a qualification at the Certificate III or IV level

If an Australian Apprentice is undertaking a qualification at the Certificate III or IV level, the employer will be eligible for the Standard Commencement Incentive where:

- the qualification leads to an occupation on the National Skills Needs List; or
- the qualification is on the Priority Occupations List; and
  - the Australian Apprentice is not an existing worker; and
  - the Australian Apprenticeship is being undertaken on a full-time basis or as an Australian School-based Australian Apprenticeship; or
- the qualification is not listed on the National Skills Needs List or Priority Occupations List; and
  - the Australian Apprentice is not an existing worker; and
  - the Australian Apprenticeship is being undertaken on a full-time basis or as an Australian School-based Australian Apprenticeship.

(iii) Australian Apprentice undertaking a qualification at the Diploma or Advanced Diploma level

If an Australian Apprentice is undertaking a qualification at the Diploma or Advanced Diploma level, the employer will be eligible for the Standard Commencement Incentive where:

- the qualification is listed on the Priority Occupations List; and
- the Australian Apprentice is not an existing worker.

(iv) Recommencement with a second employer prior to the effect date

Where an Australian Apprentice recommenced prior to the six month point of the Australian Apprenticeship, the second employer will be eligible for the Standard Commencement Incentive if all above eligibility requirements are met.

**(b) Standard Completion Incentive**

For an employer to be eligible for a Standard Completion Incentive:

- all primary eligibility requirements must be met; and
- the Australian Apprentice must have been employed as an Australian Apprentice by the employer for at least three months at the date of successful completion.

In addition to the above requirements, additional eligibility requirements apply, depending on whether the Australian Apprentice is:

- not an existing worker; or
- an existing worker.

(i) Australian Apprentice who is not an existing worker

If an Australian Apprentice is not an existing worker, the employer will be eligible for the Standard Completion Incentive where the Australian Apprentice is:

- undertaking a qualification at the Certificate III or IV level; or
- undertaking a qualification at the Diploma or Advanced Diploma level; and
  - that qualification is listed on the Priority Occupations List.

(ii) Australian Apprentice who is an existing worker

If an Australian Apprentice is an existing worker, the employer will be eligible for the Standard Completion Incentive where the Australian Apprentice is:

- undertaking a qualification at the Certificate III or IV level; and
  - that qualification leads to an occupation on the National Skills Needs List; or
  - that qualification is listed on the Priority Occupations List; or
- undertaking a qualification at the Diploma or Advanced Diploma level; and
  - that qualification is listed on the Priority Occupations List.

### 1.3 Payment rates

#### (a) Standard Commencement Incentive

The Standard Commencement Incentive is paid as follows:

Australian Apprenticeship is at the:	Payment
Certificate II qualification level	\$1,250
Certificate III, IV, Diploma or Advanced Diploma qualification level	\$1,500

#### (b) Standard Completion Incentive

The Standard Completion Incentive is paid as follows:

Australian Apprentice is:	Payment
<ul style="list-style-type: none"> <li>• not an existing worker and is:               <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship on a part-time basis; and</li> <li>○ at a Certificate III or IV qualification level that does not lead to an occupation on the National Skills Needs List</li> </ul> </li> <li>• an existing worker; and               <ul style="list-style-type: none"> <li>○ undertaking an Australian Apprenticeship on a part-time basis; and</li> <li>○ at a Certificate III or IV qualification level that leads to an occupation on the Priority Occupations List.</li> </ul> </li> </ul>	\$1,500
<ul style="list-style-type: none"> <li>• not an existing worker; and               <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship:                   <ul style="list-style-type: none"> <li>▪ on a full-time basis; or</li> <li>▪ as an Australian School-based Apprenticeship; and</li> </ul> </li> <li>○ at a Certificate III, IV, Diploma or Advanced Diploma qualification level; or</li> </ul> </li> <li>• not an existing worker; and               <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship:                   <ul style="list-style-type: none"> <li>▪ on a part-time basis at a Diploma or Advanced Diploma qualification level; or</li> </ul> </li> </ul> </li> <li>• an existing worker; and               <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship:                   <ul style="list-style-type: none"> <li>▪ on a full-time basis; or</li> <li>▪ as an Australian School-based Apprenticeship; and</li> </ul> </li> <li>○ at a Certificate III or IV qualification level that leads to an occupation on the National Skills Needs List.</li> </ul> </li> </ul>	\$2,500
<ul style="list-style-type: none"> <li>• an existing worker; and               <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship:                   <ul style="list-style-type: none"> <li>▪ on a full-time basis; or</li> </ul> </li> </ul> </li> </ul>	\$3,000

<ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li> <ul style="list-style-type: none"> <li>▪ as an Australian School-based Apprenticeship; and</li> </ul> </li> <li>○ at a Certificate III, IV, Diploma or Advanced Diploma qualification level, that leads to an occupation on the Priority Occupations List.</li> </ul> </li> </ul>	
<ul style="list-style-type: none"> <li>• an existing worker; and <ul style="list-style-type: none"> <li>○ undertaking the Australian Apprenticeship: <ul style="list-style-type: none"> <li>▪ on a part-time basis; and</li> <li>▪ at a Diploma or Advanced Diploma qualification level that leads to an occupation on the Priority Occupations List.</li> </ul> </li> </ul> </li> </ul>	\$3,000

## 1.4 Claiming payments

For an employer to claim the Standard Commencement or Completion Incentives, all standard requirements for claiming payments must be met.

### (a) Effect dates and time limits for lodging a claim form

The effect dates are:

- Six months from the date of commencement or recommencement for the Standard Commencement Incentive; and
- the date of successful completion for the Standard Completion Incentive.

The time limits for lodging a claim are 12 months from:

- the relevant commencement or recommencement effect date for the Standard Commencement Incentive; and
- the date the State Training Authority issues documentation to confirm the successful completion for the Standard Completion Incentive.

### (b) Claim form

An eligible employer should claim:

- the Standard Commencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236); and
- the Standard Completion Incentive using the *Australian Government Australian Apprenticeships Employer Completion Incentive Claim Form* (Form 1241).

## 1.5 Apprenticeship administration for the purposes of the Standard Commencement Incentive

### (a) Early successful completions

Where an Australian Apprentice successfully completes the Australian Apprenticeship prior to an effect date, the employer will not be eligible for the Standard Commencement Incentive.

## 2. Recommencement Incentive

### 2.1 Overview

The Recommencement Incentive aims to encourage employers to provide opportunities for out-of-trade, unemployed or Australian Apprentices transferring to another employer.

### 2.2 Eligibility requirements

For an employer to be eligible for the Recommencement Incentive:

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support; and
- the State Training Authority must approve:
  - the suspension or cancellation of the previous Training Contract; and
- the registration of the new Training Contract. In addition to the above requirements, the Australian Apprentice must have recommenced an Australian Apprenticeship at the Certificate III, IV, Diploma, or Advanced Diploma level with a different employer.

Additional eligibility requirements apply, depending on the level of the Australian Apprenticeship.

#### (a) Australian Apprentice recommencing at the Certificate III or IV level

If an Australian Apprentice is undertaking a qualification at the Certificate III or IV level, the employer will be eligible for the Recommencement Incentive where:

- The Australian Apprentice is not an existing worker; or
- the qualification leads to an occupation on the National Skills Needs List; or
- the qualification is listed on the Priority Occupations List; and
  - the Australian Apprentice is not an existing worker; and
  - the Australian Apprenticeship is being undertaken on a full-time basis or as an Australian School-based Apprenticeship.

#### (b) Australian Apprentice recommencing at the Diploma or Advanced Diploma level

If an Australian Apprentice is undertaking a qualification at the Diploma or Advanced Diploma level, the employer will be eligible for the Recommencement Incentive where:

- the qualification is listed on the Priority Occupations List; and
- the Australian Apprentice is not an existing worker.

### 2.3 Payment rate

Payment type	Rate
Recommencement Incentive	\$750 payment

### 2.4 Claiming payment

For an employer to claim the Recommencement Incentive, all standard requirements for claiming payments must be met.

**(a) Effect date and time limit for lodging a claim**

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

The time limit for lodging a claim is 12 months from the effect date.

**(b) Claim form**

An eligible employer should claim the Recommencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236).

**(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, evidence from the Registered Training Organisation must be provided where the off-the-job training component has been completed at recommencement.

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### 3. Australian School-based Apprenticeship Commencement Incentive

#### 3.1 Overview

The Australian School-based Apprenticeship Commencement Incentive supports secondary school students' participation in Australian School-based Apprenticeships, and employers to take on an Australian Apprentice in a qualification endorsed by the school.

#### 3.2 Eligibility requirements

For an employer to be eligible for the Australian School-based Apprenticeship Commencement Incentive:

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support; and
- 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 that has been endorsed as an integral part of the school program by the School Principal, or equivalent for non-secondary school providers; and
  - complete the full first three months of the endorsed Australian School-based Apprenticeship.

**(a) Recommencement with a second employer prior to the effect date**

Where an Australian Apprentice recommenced prior to the six month point of the Australian Apprenticeship, the second employer will be eligible for the Australian School-based Apprenticeship Commencement Incentive if all above eligibility requirements are met.

**(b) Second employer eligibility for the Australian School-based Apprenticeship Commencement Incentive for the same Australian Apprentice**

A second employer is eligible for the Australian School-based Apprenticeship Commencement Incentive for the same Australian Apprentice if the Australian Apprentice:

- attracted a Commencement Incentive for an Australian Apprenticeship at the Certificate II level; and

- commenced an Australian School-based Apprenticeship in a different occupational outcome to the first Australian Apprenticeship; and
- the current Australian School-based Apprenticeship is with a different employer.

### 3.3 Payment rate

Payment type	Rate
Australian School-based Apprenticeship Commencement Incentive	\$750 payment

### 3.4 Claiming payment

For an employer to claim the Australian School-based Apprenticeship Commencement Incentive, all standard requirements for claiming payments must be met.

#### (a) Effect date and time limit for lodging a claim

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

The time limit for lodging a claim is 12 months from the effect date.

#### (b) Claim form

An eligible employer should claim the Australian School-based Apprenticeship Commencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236).

## 4. Australian School-based Apprenticeship Retention Incentive

### 4.1 Overview

The Australian School-based Apprenticeship Retention Incentive aims to support employers who provide ongoing employing opportunities for Australian School-based Apprentices and assist young people to transition from school to work.

### 4.2 Eligibility requirements

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

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support; and
- 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 commenced that employment between 1 December and 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; 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.

Where the employment for the Australian School-based Apprenticeship was through a Group Training Organisation, 'same employer' includes a former host employer.

### 4.3 Payment rate

Payment type	Rate
Australian School-based Apprenticeship Retention Incentive	\$750 payment

### 4.4 Claiming payment

For an employer to claim the Australian School-based Apprenticeship Retention Incentive, all standard requirements for claiming payments must be met.

#### (a) Effect date and time limit for lodging a claim

The effect date is the last day of the 12-week period of employment.

The time limit for lodging a claim is 12 months after the last day of the 12-week continuous employment period.

#### (b) Claim form

##### (i) Employment period covered by an Australian Apprenticeship arrangement

An eligible employer should claim the Australian School-based Apprenticeship Retention Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236) 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 Apprenticeship; or
- a different employer employs the former Australian Apprentice in the same or a different Australian Apprenticeship.

##### (ii) Employment period not entirely covered by an Australian Apprenticeship arrangement

An eligible employer should claim the Australian School-based Apprenticeship Retention Incentive using the *Claim Form for Australian School-based Apprenticeships Retention Incentive* (Form 1284) 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.

**(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, the following evidence must be provided:

- documentation to show that the Australian Apprentice has completed secondary school as per the practice of the relevant state or territory; and
- if applicable, documentation to confirm that the employer was a host employer during the period of the Australian Apprenticeship.

## 5. Support for Adult Australian Apprentices

### 5.1 Overview

The Support for Adult Australian Apprentices Commencement incentive aims to remove barriers facing adults who wish to commence an Australian Apprenticeship, and to encourage the upskilling of adult workers through an Australian Apprenticeship.

### 5.2 Eligibility requirements

For an employer to be eligible for the Support for Adult Australian Apprentices Commencement incentive:

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support; and
- the Australian Apprentice must:
  - be aged 21 years or over at the date of commencement; and
  - be undertaking a qualification at the Certificate III or Certificate IV level on a full-time or part-time basis that leads to an occupation listed on the National Skills Needs List at the date of commencement or recommencement; and
  - not be undertaking an Australian School-based Apprenticeship.

An employer is eligible for a maximum of two sets of Support for Adult Australian Apprentice incentives for the same Australian Apprentice if the two qualifications led to different occupational outcomes.

In addition to the above requirements the Australian Apprentice must meet the:

- wage requirements; and
- age requirements,

which are outlined below.

**(a) Wage requirements**

An employer meets the wage requirements if at the date of commencement or recommencement:

- the Australian Apprentice is in receipt of an actual wage paid by the employer; and

- the actual wage must be equal to or greater than the National Minimum Wage.

The actual wage is defined as the ordinary pre-tax weekly or hourly rate and excluding:

- overtime; and
- allowances; and
- penalty rates; and
- leave loadings; and
- superannuation.

The National Minimum Wage is the rate set by the Fair Work Commission and published in the *National Minimum Wage Order*.

Australian Apprentices may be employed under the relevant award for their industry, which defines the terms and conditions of employment, including minimum wages. The minimum wage articulated in an award can, and usually does, differ from the National Minimum Wage.

**(b) Age requirements**

*(i) Commencements recommencements prior to 1 July 2019*

An Australian Apprentice must be aged 25 years or over at the date of commencement, for their employer to be eligible to receive the Support for Adult Australian Apprentices incentive.

*(ii) Recommencements prior to 1 July 2019*

Following a recommencement, an Australian Apprentice must be aged 25 or over at the date of commencement, for their employer to be eligible to receive the Support for Adult Australian Apprentices incentive.

*(iii) Commencements on or after 1 July 2019*

An Australian Apprentice must be aged 21 or over at the date of commencement, for their employer to be eligible to receive the Support for Adult Australian Apprentices incentive.

*(iv) Recommencements on or after 1 July 2019*

Following a recommencement, an Australian Apprentice must be:

- aged 25 years or over at the date of commencement where this date is prior to 1 July 2019; or
- aged 21 years or over at the date of commencement where this date is on or after 1 July 2019,

for their employer to receive the Support for Adult Australian Apprentices incentive.

**(c) Recommencement with a second employer prior to the effect date**

Where an Australian Apprentice recommenced prior to completing the first 12 months, the second employer will be eligible for the Support for Adult Australian Apprentices incentive if all above eligibility requirements are met.

**5.3 Payment rate**

Payment type	Rate
Support for Adult Australian Apprentices incentive	\$4,000 payment

## 5.4 Claiming payments

For an employer to claim the Support for Adult Australian Apprentices incentive, all standard requirements for claiming payments must be met, with the exception of the waiting period.

### (a) Effect date and time limit for lodging a claim

The effect date is 12 months from the date of commencement or recommencement.

The time limit for lodging a claim is 12 months from the effect date.

### (b) Claim form

An eligible employer should claim the Support for Adult Australian Apprentices incentive using the *Claim Form for Support for Adult Australian Apprentices* (Form 1257).

## 5.5 Apprenticeship administration for the purposes of the Support for Adult Australian Apprentices incentive

### (a) Early successful completions

Where an Australian Apprentice successfully completes the Australian Apprenticeship prior to an effect date, the employer will not be eligible for the Support for Adult Australian Apprentices incentive.

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## 6. Rural and Regional Skills Shortage Incentive

### 6.1 Overview

The Rural and Regional Skills Shortage Incentive aims to boost training in rural and regional Australia.

### 6.2 Eligibility requirements

For an employer to be eligible for the Rural and Regional Skills Shortage Incentive:

- all primary eligibility requirements must be met; and
- the employer must not be in receipt of the Disabled Australian Apprentice Wage Support; and
- the Australian Apprentice must:
  - be undertaking a qualification at the Certificate III or IV level that leads to an occupation on the National Skills Needs List at the date of commencement; and
  - be undertaking the Australian Apprenticeship at a rural and regional workplace as listed in *Appendix F – Eligible Rural or Regional Postcode List* at the effect date.

### (a) Recommencement with a second employer prior to the effect date

Where an Australian Apprentice recommenced prior to the six-month point of the Australian Apprenticeship, the second employer will be eligible for the Rural and Regional Skills Shortage Incentive if all above eligibility requirements are met.

### 6.3 Payment rate

Payment type	Rate
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## 6.4 Claiming payment

For an employer to claim the Rural and Regional Skills Shortage Incentive, all standard requirements for claiming payments must be met.

### (a) Effect date and time limit for lodging a claim

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

The time limit for lodging a claim is 12 months from the effect date.

### (b) Claim form

An eligible employer should claim the Rural and Regional Skills Shortage Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236).

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## 7. Additional Identified Skills Shortage Commencement and Completion Incentives

### 7.1 Overview

The Additional Identified Skills Shortage Commencement and Completion Incentives aim to support Australian Apprenticeships in occupations experiencing national skills shortages, and encourage participation in apprenticeships, particularly new workers, school leavers and young people.

### 7.2 Eligibility requirements

#### (a) Additional Identified Skills Shortage Commencement Incentive

For an employer to be eligible for the Additional Identified Skills Shortage Commencement Incentive:

- all primary eligibility requirements must be met; and
- the Australian Apprentice must:
  - not be an existing worker; and
  - be undertaking a qualification at the Certificate III or IV level on a full time or part-time basis that leads to an occupation listed on the Additional Identified Skills Shortage List at the date of commencement.

In addition to the above requirements, the Australian Apprentice must be considered additional to the usual hiring practice of the:

- employer; or
- the host employer, where the employer is a Group Training Organisation,

satisfying the additionality test outlined below.

#### (i) Additionality test

The additionality test determines whether an apprentice is over and above the employer's usual apprentice intake. It is performed for each Australian Apprenticeship at the date of commencement of the Australian

Apprenticeship. Where more than one Australian Apprentice commences on the same day with the employer, the additionality test must be applied **successively** to each Australian Apprenticeship.

An employer meets the additionality test if the following formula equates to a number greater than zero:

A. The number of 'in-training' Australian Apprentices employed by the employer on the commencement date of the Australian Apprenticeship is being considered (including the Australian Apprentice being considered)

MINUS

B. The number of 'in-training' Australian Apprentices employed by the employer **on 30 June 2018**

MINUS

C. The number of Australian Apprentices who have already been assessed as eligible for the Additional Identified Skills Shortage Commencement Incentive

MINUS

D. The number of 'in-training' Australian Apprentices **already** employed by the employer, where the expected completion date for the Australian Apprenticeship is within three months from the date of commencement of the Australian Apprenticeship being considered

The number of 'in-training' Australian Apprentices in A, B and C, is defined as all Australian Apprentices employed by the employer who are undertaking a qualification:

- at the Certificate III or IV level; and
- that leads to an occupation listed on the Additional Identified Skills Shortage List; and

should include all Australian Apprentices:

- regardless of whether they are full-time, part-time, a new worker, or an existing worker; and
- exclude any Australian Apprenticeships that are completed, suspended, cancelled, or withdrawn.

### Additionality test example 1

- Employer ABC commenced three new Australian Apprentices on 6 July 2019. The three new Australian Apprentices:
  - are undertaking a Certificate IV in Automotive Body Repair Technology leading to the occupation of a Vehicle Painter, which is on the Additional Identified Skills Shortage List; and
  - meet all other eligibility requirements.
- The employer already had one in-training Australian Apprentice, with a commencement date of 1 February 2019.
- On 30 June 2018, the employer also employed one Australian Apprentice who was:
  - undertaking a Certificate IV in Automotive Body Repair Technology leading to the occupation of a Vehicle Painter; and
  - subsequently completed their Australian Apprenticeship on 2 December 2018.
- The additionality test is assessed as follows:

	A –	B –	C –	D =	Total	Explanation
First Australian Apprentice	2	1	0	0	1	<ul style="list-style-type: none"> <li>• A is the in-training Australian Apprentice already employed by the employer, plus the first Australian Apprentice being considered.</li> <li>• B is the in-training Australian Apprentice employed on 30 June 2018.</li> <li>• The total is greater than zero, so the first Australian Apprentice meets the additionality test.</li> </ul>
Second Australian Apprentice	3	1	1	0	1	<ul style="list-style-type: none"> <li>• A is the in-training Australian Apprentice already employed by the employer, plus the first and second Australian Apprentice being considered.</li> <li>• B is the in-training Australian Apprentice employed on 30 June 2018.</li> <li>• C is the first Australian Apprentice who has been assessed as meeting the additionality test.</li> <li>• The total is greater than zero, so the second Australian Apprentice meets the additionality test.</li> </ul>
Third Australian Apprentice	4	1	2	0	1	<ul style="list-style-type: none"> <li>• A is the in-training Australian Apprentice already employed by the employer, plus the first, second and third Australian Apprentice being considered.</li> <li>• B is the in-training Australian Apprentice employed on 30 June 2018.</li> <li>• C is the first and second Australian Apprentice who has been assessed as meeting the additionality test.</li> <li>• The total is greater than zero, so the third Australian Apprentice meets the additionality test.</li> </ul>

### Additionality test example 2

- Employer EFG commenced three new Australian Apprentices on 12 July 2019. The three new Australian Apprentices:

- will be undertaking a Certificate III in Arboriculture leading to the occupation of an Arborist, which is on the Additional Identified Skills Shortage List; and
- meet all other eligibility requirements.
- The employer already had one in-training Australian Apprentice who commenced on 31 July 2018. The expected end date for this Australian Apprenticeship is 1 August 2019.
- On 30 June 2018, the employer also employed two Australian Apprentices who were:
  - undertaking a Certificate III in Arboriculture leading to the occupation of an Arborist; and
  - subsequently completed their Australian Apprenticeship on 1 April 2019.
- The additionality test is assessed as follows:

	A –	B –	C –	D =	Total	Explanation
First Australian Apprentice	2	2	0	1	-1	<ul style="list-style-type: none"> <li>● A is the in-training Australian Apprentice already employed by the employer, plus the first Australian Apprentice being considered.</li> <li>● B is the in-training Australian Apprentices employed on 30 June 2018.</li> <li>● D is the in-training Australian Apprentice already employed by the employer, and who is expected to complete their Australian Apprenticeship on 1 August 2019, i.e. within three months from the date of commencement of the first Australian Apprentice (12 July 2019).</li> <li>● The total is not greater than zero, so the first Australian Apprentice does not meet the additionality test.</li> </ul>
Second Australian Apprentice	3	2	0	1	0	<ul style="list-style-type: none"> <li>● A is the in-training Australian Apprentice already employed by the employer, plus the first and second Australian Apprentice being considered.</li> <li>● B is the in-training Australian Apprentices employed on 30 June 2018.</li> <li>● D is the in-training Australian Apprentice already employed by the employer, and who is expected to complete their Australian Apprenticeship within three months from the date of commencement of the first Australian Apprentice.</li> <li>● The total is not greater than zero, so the second Australian Apprentice does not meet the additionality test.</li> </ul>
Third Australian Apprentice	4	2	0	1	1	<ul style="list-style-type: none"> <li>● A is the in-training Australian Apprentice already employed by the employer, plus the first, second and third Australian Apprentice being considered.</li> <li>● B is the in-training Australian Apprentices employed on 30 June 2018.</li> <li>● D is the in-training Australian Apprentice already employed by the employer, and who is expected to complete their Australian Apprenticeship within three months from the date of commencement of the first Australian Apprentice.</li> </ul>

						<ul style="list-style-type: none"> <li>The total is greater than zero, so the third Australian Apprentice meets the additionality test.</li> </ul>
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**(b) Additional Identified Skills Shortage Completion Incentive**

For an employer to be eligible for the Additional Identified Skills Shortage Completion Incentive, the Australian Apprentice must have:

- successfully completed the Australian Apprenticeship for which their employer was eligible for the Additional Identified Skills Shortage Commencement Incentive; and
- been employed as an Australian Apprentice at the date of successful completion by the same employer who was eligible for the Additional Identified Skills Shortage Commencement Incentive.

**7.3 Payment rates**

Payment type	Rate
Additional Identified Skills Shortage Commencement Incentive	\$2,000 payment
Additional Identified Skills Shortage Completion Incentive	\$2,000 payment

**(a) Group Training Organisations**

Where the employer is a Group Training Organisation, the payment must be passed on in full to the host employer.

**7.4 Claiming payments**

For an employer to claim the Additional Identified Skills Shortage Commencement and Completion Incentives, all standard requirements for claiming payments must be met.

**(a) Effect dates and time limits for lodging a claim**

The effect dates are:

- 12 months from the date of commencement for the Additional Identified Skills Shortage Commencement Incentive; and
- the date of successful completion for the Additional Identified Skills Shortage Completion Incentive.

The time limits for lodging a claim are 12 months from:

- the Commencement Incentive effect date, for the Additional Identified Skills Shortage Commencement Incentive; and
- the date the State Training Authority issues documentation to confirm the successful completion of the Australian Apprenticeship, for the Additional Identified Skills Shortage Completion Incentive.

**(b) Claim forms**

An eligible employer should claim:

- the Additional Identified Skills Shortage Commencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236); and
- the Additional Identified Skills Shortage Completion Incentive using the *Employer Completion Incentives Claim Form* (Form 1241).

### **(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, a written statement confirming that the payment will be passed on to the host employer must be provided, where the employer is a Group Training Organisation.

## **7.5 Apprenticeship administration for the purposes of the Additional Identified Skills Shortage Commencement and Completion Incentives**

### **(a) Group Training Organisations**

An employer will not be eligible for the Additional Identified Skills Shortage Commencement or Completion Incentives if the Australian Apprentice is no longer hosted by the host employer at the time of commencement.

### **(b) Suspensions**

#### *(i) Suspensions of less than six months*

An employer will be eligible for the Additional Identified Skills Shortage Commencement or Completion Incentives if there was a period of less than six months between the date of suspension and the date the Australian Apprentice returns:

- to the same employer; or
- where the employer is a Group Training Organisation, to the same host employer.

Where the Australian Apprenticeship is suspended prior to the effect date for the Additional Identified Skills Shortage Commencement Incentive, the employer becomes eligible for the Commencement Incentive on the 365th day of the apprenticeship.

#### *(ii) Suspensions of six months or more*

An employer of an Australian Apprentice will not be eligible for the Additional Identified Skills Shortage Commencement or Completion Incentives if prior to the effect date for the payment there was a period of six months or more between the date of suspension and the date the Australian Apprentice returns to the same employer or host employer.

### **(c) Cancellations**

Where an Australian Apprenticeship is cancelled prior to the effect date and the Australian Apprentice subsequently returns to the same employer or recommences with a different employer, neither the first nor second employer will be eligible for the Additional Identified Skills Shortage Incentive.

### **(d) Early successful completions**

Where an Australian Apprentice successfully completes the Australian Apprenticeship prior to the Additional Identified Skills Shortage Commencement Incentive effect date, the employer will not be eligible for the Additional Identified Skills Shortage Commencement and Completion Incentives.

## **8. Mature Aged Worker Commencement and Completion Incentives**

### **8.1 Overview**

The Mature-Aged Worker Commencement Incentive aims to support employers who employ mature-aged workers who are experiencing disadvantage.

## 8.2 Eligibility requirements

### (a) Mature Aged Worker Commencement Incentive

For an employer to be eligible for the Mature Aged Worker Commencement Incentive:

- all primary eligibility requirements must be met; and
- the employer must not:
  - have previously received the Mature Aged Worker Commencement Incentive; and
  - be in receipt of the Disabled Australian Apprentice Wage Support; and
- the Australian Apprentice must:
  - be aged 45 or over at the date of commencement of the Australian Apprenticeship; and
  - meet one of the following requirements:
    - 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; or
    - is in receipt of one or more of the following Centrelink or Department of Veteran's Affairs income support payments for the entire three-month calendar period immediately prior to the date of commencement of the Australian Apprenticeship:

Centrelink	Department of Veteran's Affairs
<ul style="list-style-type: none"> <li>• Carer Payment</li> <li>• CDEP Supplementary Payment</li> <li>• Age Pension</li> <li>• Disability Support Pension</li> <li>• Mature Age Allowance</li> <li>• JobSeeker Payment</li> <li>• Parenting Payment</li> <li>• Partner Allowance</li> <li>• Special Benefit</li> <li>• Special Needs Pension</li> <li>• Widow Allowance</li> <li>• Widow B Pension</li> <li>• Wife Pension</li> </ul>	<ul style="list-style-type: none"> <li>• War or Defence Widow/er Pension</li> <li>• Department of Veteran's Affairs Income Support Supplement</li> <li>• Service Pension</li> <li>• Income Support Supplement</li> </ul>

#### (i) Existing workers

If an Australian Apprentice is an existing worker, the employer will be eligible for the Mature Aged Worker Commencement Incentive where the Australian Apprentice is:

- undertaking a qualification at the Certificate III or IV level that:
  - leads to an occupation listed on the National Skills Needs List at the time of commencement or recommencement; or
  - leads to an occupation on the Priority Occupations List at the date of commencement or recommencement; or
  - was commenced within 12 months of successfully completing a qualification at the Certificate II level; and
    - they were not an existing worker for the qualification at the Certificate II level; or

- undertaking a qualification at the Diploma or Advanced Diploma level that leads to an occupation on the Priority Occupations List; or
- the nominal full-time duration (or part-time equivalent) of the Training Contract as declared by the relevant State Training Authority is two years or more.

(ii) Previously completed, incomplete or concurrent qualification

In addition to the above requirements, if an Australian Apprentice holds a previously completed, incomplete or concurrent qualification that results in the Australian Apprenticeship only being eligible for post-commencement incentives, the employer will be eligible to receive the Mature Aged Worker Commencement Incentive where the Australian Apprentice has:

- undertaken an Australian Apprenticeship at the Certificate II level, which was eligible to attract the Commencement Incentive, and is now undertaking an Australian Apprenticeship at the Certificate III, IV, Diploma or Advanced Diploma level; or
- attained a qualification at the Certificate II level through a pathway other than an Australian Apprenticeship, and the Australian Apprenticeship at the Certificate III, IV, Diploma or Advanced Diploma level is relevant to the qualification held.

(iii) Recommencement with a second employer prior to the effect date

Where an Australian Apprentice recommenced prior to the six-month point of the Australian Apprenticeship, the second employer will be eligible for the Mature Aged Worker Commencement Incentive if all above eligibility requirements are met.

**(b) Mature Aged Worker Completion Incentive**

For an employer to be eligible for the Mature Aged Worker Completion Incentive, the Australian Apprentice must have successfully completed the Australian Apprenticeship for which their employer was eligible for the Mature Aged Worker Commencement Incentive.

**8.3 Payment rates**

Payment type	Rate
Mature Aged Worker Commencement Incentive	\$750 payment
Mature Aged Worker Completion Incentive	\$750 payment

**8.4 Claiming payments**

For an employer to claim the Mature Aged Worker Commencement and Completion Incentives, all standard requirements for claiming payments must be met.

**(a) Effect dates and time limits for lodging a claim**

The effect dates are:

- six months from the date of commencement or recommencement for the Mature Aged Worker Commencement Incentive; and
- the date of successful completion for the Mature Aged Worker Completion Incentive.

The time limits for lodging a claim are 12 months from:

- the relevant commencement or recommencement effect date for the Mature Aged Worker Commencement Incentive; and
- the date the State Training Authority issues documentation to confirm the successful completion for the Mature Aged Worker Completion Incentive.

**(b) Claim forms**

An eligible employer should claim:

- the Mature Aged Worker Commencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236).
- the Mature Aged Completion Incentive using the *Employer Completion Incentives Claim Form* (Form 1241).

**(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, the following evidence with respect to the requirement that the Australian Apprentice met must be provided:

Requirement met by the Australian Apprentice	Additional evidence required
Was not in paid employment for the three years immediately prior to the commencement of the Australian Apprenticeship	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
Was a Stream B or Stream C client with an Employment Provider immediately prior to the commencement of the Australian Apprenticeship	Documentation from either Centrelink or the Employment Provider confirming the receipt of such assistance immediately prior to commencing the Australian Apprenticeship
Was made redundant within the year immediately prior to the date of commencement of the Australian Apprenticeship	A copy of correspondence between the former employer and employee confirming the offer and acceptance of redundancy
Was in receipt of one or more of the following Centrelink or Department of Veteran’s Affairs income support payments for the entire three-month calendar period immediately prior to the date of commencement of the Australian Apprenticeship	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 calendar period immediately prior to the date of commencement of the Australian Apprenticeship

## 9. Declared Drought Area Commencement and Completion Incentives

### 9.1 Overview

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

The Declared Drought Area Commencement and Completion Incentives are aimed at 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.

## 9.2 Eligibility requirements

### (a) Declared Drought Area Commencement Incentive

For an employer to be eligible for the Declared Drought Area Commencement Incentive:

- all primary eligibility requirements must be met; and
- the employer must not:
  - have previously not received the Declared Drought Area Commencement Incentive; and
  - be in receipt of the Disabled Australian Apprentice Wage Support; and
- the Australian Apprentice must:
  - be undertaking a qualification at the Certificate II level listed in *Appendix A – List of qualifications available as an Australian Apprenticeship* as being eligible for the Declared Drought Area Commencement Incentive; and
  - not be an existing worker; and
  - be deemed to be part of a Nominated Equity Group; and
  - be employed or hosted by an employer who holds a current Exceptional Circumstances Certificate if employed by a GTO; and
  - have commenced the 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.

#### (i) Recommencement with a second employer prior to the effect date

Where an Australian Apprentice recommenced prior to the six-month point of the Australian Apprenticeship, the second employer will be eligible for the Declared Drought Area Commencement Incentive if all above eligibility requirements are met.

### (b) Declared Drought Area Completion Incentive

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

## 9.3 Payment rates

Payment type	Rate
Declared Drought Area Commencement Incentive	\$1,500 payment
Declared Drought Area Completion Incentive	\$1,500 payment

Where an Australian Apprentice is employed by a Group Training Organisation, the Group Training Organisation must pass on the Declared Drought Area Commencement and Completion Incentives to the host employer.

## 9.4 Claiming payments

For an employer to claim the Declared Drought Area Commencement Incentive, all standard requirements for claiming payments must be met.

### (a) Effect dates and time limits for lodging a claim

The effect dates are:

- six months from the date of commencement or recommencement for the Declared Drought Area Commencement Incentive; and
- the date of successful completion for the Declared Drought Area Completion Incentive.

The time limits for lodging a claim are 12 months from:

- the relevant commencement or recommencement effect date for the Declared Drought Area Commencement Incentive; and
- the date the State Training Authority issues documentation to confirm the successful completion for the Declared Drought Area Completion Incentive.

**(b) Claim forms**

An eligible employer should claim:

- the Declared Drought Area Commencement Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236); and
- the Declared Drought Area Completion Incentive using the *Employer Completion Incentives Claim Form* (Form 1241).

**(c) Additional required evidence**

In addition to the standard evidence that must be provided with a claim form, the following evidence must be provided:

- 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.

## 10. Group Training Organisation Certificate II Completion Incentive

### 10.1 Overview

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. Group Training Organisations play an important role in supporting Australian Apprentices from disadvantaged backgrounds and those who are not well-supported in the labour market generally.

### 10.2 Eligibility requirements

For a Group Training Organisation to be eligible for the Group Training Organisation Certificate II Completion Incentive:

- all primary eligibility requirements must be met; and
- the Group Training Organisation must:
  - have been eligible for the Standard Commencement Incentive for this Australian Apprenticeship; and
  - not previously have received the Group Training Certificate II Completion Incentive; and
  - not be in receipt of the Disabled Australian Apprentice Wage Support
- the Australian Apprentice must:
  - not be an existing worker; and
  - be deemed to be part of a Nominated Equity Group; and
  - have successfully completed an Australian Apprenticeship at the Certificate II level; and
  - have been hosted by a host employer at the time of the successful completion; and
  - have been employed by a Group Training Organisation listed on the Group Training National Register.

### 10.3 Payment rate

Payment type	Rate
Group Training Organisation Certificate II Completion Incentive	\$1,000 payment

### 10.4 Claiming payment

For a Group Training Organisation to claim the Group Training Organisation Certificate II Completion Incentive, all standard requirements for claiming payments must be met.

#### (a) Effect date and time limit for lodging a claim

The effect date is the date of successful completion.

The time limit for lodging a claim is 12 months from the date the State Training Authority issues documentation to confirm the successful completion.

#### (b) Claim form

An eligible Group Training Organisation should claim the Group Training Organisation Certificate II Completion Incentive using the *Australian Government Australian Apprenticeships Employer Incentive Form* (Form 1236).

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## Part E. Assistance for Australian Apprentices with Disability

### 1. Disabled Australian Apprentice Wage Support

#### 1.1 Overview

The Disabled Australian Apprentice Wage Support aims 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.

#### 1.2 Eligibility requirements

##### (a) Initial eligibility assessment

For an employer to be initially eligible for the Disabled Australian Apprentice Wage Support:

- all primary eligibility requirements must be met; and
- the employer must:
  - be paying a suitable wage of at least \$104.30 per week, or its part-time equivalent for the duration they are receiving the Disabled Australian Apprentice Wage Support; and
  - not be receiving any other form of Australian Government or State Government wage subsidy or equivalent assistance for the same Australian Apprentice, with the exception of the Boosting Apprenticeship Commencements and Completing Apprenticeship Commencements wage subsidies; and
  - not be in receipt of any of the employer commencement, retention, recommencement, and completion incentives under the Program, with the exception of the Additional Identified Skills Shortage Commencement and Completion incentives and Support for Adult Australian Apprentices; and
- *Form 1288 (Application Form: Assistance for an Australian Apprentices with Disability)* must be completed in a timely manner; and
- the disability is not described as a lack of language, literacy, or numeracy skills.

Employers of Australian Apprentices who have been diagnosed with Attention Deficit Disorder (ADD) or Attention Deficit Hyperactive Disorder (ADHD) are eligible to attract the Disabled Australian Apprentice Wage Support.

In addition to the above requirements:

- the Australian Apprentice's capacity to work must be initially assessed as per the requirements below; and
- if the Australian Apprentice is an existing worker, the relevant requirements below must be met.

##### (i) Assessment of Australian Apprentice's capacity to work

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)*. In completing the form, the assessment must be undertaken by a medical practitioner or registered psychologist.

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
- three months earlier for Australian Apprentices with a temporary disability.

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 submitted in conjunction with *Form 608*, in place of a medical assessment by a medical practitioner or registered psychologist.

The completed *Form 608* or *Form 608a* in conjunction with *Form 608* 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 if they are provided suitable support by the employer.

*(ii) Existing workers*

If the Australian Apprentice is an existing worker, the Australian Apprentice must have:

- commenced or recommenced a qualification 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 State Training Authority, is two years or more (pro-rata for part-time Australian Apprenticeships); or
  - the Australian Apprentice commenced within 12 months of successfully completing a qualification at the Certificate II level with the same employer; or
- commenced or recommenced a qualification at the Diploma or Advanced Diploma level.

**(b) Ongoing eligibility assessment**

Employers who are seeking continuation of the Disabled Australian Apprentice Wage Support must provide evidence that the Australian Apprentice is progressing satisfactorily towards a successful completion of their Australian Apprenticeship.

*(i) Australian Apprentice with a permanent disability*

Employers of Australian Apprentices with a permanent disability 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 and the Registered Training Organisation delivering the Australian Apprentice's training; or
- have the Employment Service Provider complete and sign a new *Form 608a* in conjunction with a new *Form 608*, where the Australian Apprentice has a valid Job Capacity Assessment or Employment Services Assessment.

(ii) Australian Apprentice with a temporary disability

Employers of Australian Apprentices with a temporary disability must have their eligibility reassessed at the expiration of the approved disability period by submitting:

- 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 completed in conjunction with *Form 608*, in place of a medical assessment by a medical practitioner or registered psychologist.

**(c) Circumstances where an employer is eligible for the Disabled Australian Apprentice Wage Support for a second Australian Apprenticeship**

An employer may receive the Disabled Australian Apprentice Wage Support for a second Australian Apprenticeship for the same Australian Apprentice where:

- the Australian Apprentice is undertaking a qualification at the Certificate III or IV level that leads to an occupation listed on *Appendix B – National Skills Needs List Occupations*; or
- the previous eligibility period of the Disabled Australian Apprentice Wage Support occurred while the Australian Apprenticeship was being undertaken while at school and the employer did not continue to receive the Disabled Australian Apprentice Wage Support after leaving school; or
- the previous eligibility period of the Disabled Australian Apprentice Wage Support was for a qualification at the Certificate II level and the Australian Apprentice:
  - successfully completed the qualification at the Certificate II level; and
  - is currently undertaking the qualification at the Certificate III level or higher which was commenced within 12 months of completing the Certificate II level qualification.

If the Australian Apprentice previously attracted the Disabled Australian Apprentice Wage Support for an Australian Apprenticeship that was cancelled or withdrawn around the time of the conclusion of the waiting period, the Australian Apprenticeship Support Network provider should consult with their state or territory contract manager for a determination.

**(d) Circumstances where an Australian Apprentice becomes disabled, or their disability becomes apparent during their Australian Apprenticeship**

The Australian 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 the Disabled Australian Apprentice Wage Support 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 the Disabled Australian Apprentice Wage Support, it is not the intention of the Australian Government to recover any incentives that the employer had claimed in good faith before the Disabled Australian Apprentice Wage Support eligibility was assessed. The Disabled Australian Apprentice Wage Support can be claimed from the date the Australian Apprenticeship Network Provider approves eligibility for the Disabled Australian Apprentice Wage Support and will not be backdated to the commencement date.

### 1.3 Payment rate

Payment type	Rate
Disabled Australian Apprentice Wage Support	\$104.30 per week in arrears

The Disabled Australian Apprentice Wage Support is paid for the following time periods:

- 12 months in the case of a long-term or permanent disability; or
- a specific period in the case of temporary disability,

for a full-time Australian Apprentice, or on a pro-rata basis according to the hours worked for a part-time Australian Apprentice.

### 1.4 Claiming payments

For an employer to claim the Disabled Australian Apprentice Wage Support payment, *Form 1288* must be approved.

Where the Training Contract has not yet been approved by the State Training Authority, payments may only be made for up to three months from the date of commencement or recommencement pending approval of the Training Contract from the State Training Authority.

Claims can only be made in respect of Australian Apprentices who were employed as an Australian Apprentice during the claim period and are not payable if the Australian Apprentice is on worker's compensation for one week or more.

#### (a) Claim periods and time limit for lodging a claim

The time limit for lodging claims is 12 months from the first day of the claim period.

#### (b) Claim forms

An eligible employer must claim the Disabled Australian Apprentice Wage Support using the *Disabled Australian Apprentice Wage Support Claim Form (Form 1238)*.

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## 2. Off-the-job Tutorial, Mentor, and Interpreter Assistance

### 2.1 Overview

The Off-the-job Tutorial, Mentor, and Interpreter Assistance is provided to support Australian Apprentices with disability who are experiencing difficulty with the off-the-job component of their Australian Apprenticeship.

Type of assistance	Description
Tutorial assistance	Provided to an Australian Apprentice by a tutor in addition to the standard off-the-job training for an Australian Apprenticeship.
Mentor assistance	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.

Interpreter assistance	Provided by an interpreter to assist an Australian Apprentice to understand aspects of the off-the-job training and is in most cases provided to Australian Apprentices with disabilities such as visual or hearing impairment.
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## 2.2 Eligibility requirements

For a Registered Training Organisation to be eligible for the Tutorial, Mentor, and Interpreter Assistance:

- the employer of the Australian Apprentice must be assessed as eligible for the Disabled Australian Apprentice Wage Support, even if the employer chooses not to claim it; and
- the Australian Apprentice must be experiencing difficulties with the off-the-job training component of their Australian Apprenticeship; and
- an occupational assessment must have been undertaken through the completion of:
  - *Form 608 (Occupational Assessment for an Australian Apprentice with Disability)*; or
  - *Form 608a (Evidence of Completion of a Job Capacity Assessment or an Employment Services Assessment for an Australian Apprentice with Disability)*, in conjunction with *Form 608*; and
- the Australian Apprentice must not be in receipt of assistance for tutorial, mentor or interpreter services funded by another source.

## 2.3 Payment rates

The Tutorial, Mentor and Interpreter Assistance is paid in arrears as follows, and are inclusive of the Goods and Services Tax:

Type of service	Payment rate
Tutorial services	\$38.50 per hour, up to a maximum of \$5,500 per year <ul style="list-style-type: none"> <li>• The number of hours of tutorial assistance provided each week must not exceed the total number of hours of off-the-job training.</li> <li>• Tutorial hours must be additional to the off-the-job training hours.</li> </ul>
Mentor or interpreter services	\$38.50 per hour, up to a maximum of \$5,500 per year 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.

For the purposes of the Tutorial, Mentor and Interpreter Assistance, a year commences on the date deemed by the Australian Apprenticeship Network provider to be the commencement date of eligibility for disability assistance.

If the Registered Training Organisation makes a case proposing financial assistance of more than the stipulated hourly rate or yearly maximum, the proposal must be referred to the state or territory contract manager for determination.

## 2.4 Claiming payments

For a Registered Training Organisation to claim the Tutorial, Mentor, and Interpreter Assistance, *Form 1288 (Application Form: Assistance for an Australian Apprentices with Disability)* must be approved.

Where the Training Contract has not yet been approved by the State Training Authority, payments may only be made for up to three months from the date of commencement or recommencement pending approval of the Training Contract from the State Training Authority.

**(a) Claim periods and time limit for lodging a claim**

The time limit for lodging claims is 12 months from the first day of the claim period.

**(b) Claim form**

An eligible Registered Training Organisation must claim the Tutorial, Mentor, and Interpreter Assistance using the *Form 1244 (Mentor/Interpreter and/or Tutorial Assistance for an Australian Apprentice with Disability Claim Form/Tax Invoice)*.

Claim forms must be signed and dated after the last date of the claim period.

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## Part F. Employer wage subsidies

### 1. Australian Apprentice Wage Subsidy

#### 1.1 Overview

The Australian Apprentice Wage Subsidy is a trial subsidy that aims to support apprenticeships in skills needs occupations in rural and regional areas. The Australian Apprentice Wage Subsidy also aims to encourage new employers to participate in apprenticeships, and to re-engage previous employers.

#### 1.2 Eligibility requirements

For an employer to be eligible for the Australian Apprentice Wage Subsidy:

- all primary eligibility requirements must be met; and
- the Australian Apprentice must:
  - have signed-up and commenced on or after the eligibility date which is either:
    - 1 January 2019 for Phase 1; or
    - 1 July 2019 for Phase 2; and
  - be within the first 1,630 sign-ups to occur on or after the eligibility date; and
  - be undertaking the Australian Apprenticeship on a full-time basis; and
  - be undertaking a qualification at the Certificate III or IV level which 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 F – Eligible Rural and Regional Postcode List* at the date of commencement; and
  - be employed under the:
    - modern award for Phase 1; or
    - state or other arrangements for the relevant Award (Phase 1 for modern award only; Phase 2 for state or other arrangements) for their occupation; and
  - not be an existing worker; and
- the employer is not receiving any other form of Australian Government or state or territory government wage subsidy or equivalent assistance for the Australian Apprentice.

In addition to the above requirements, the Australian Apprentice must be considered additional to the employer's usual practice in accordance with the applicable requirements below:

##### (a) Employer who is a small business

An employer who employs fewer than 20 full-time equivalent people at the date of commencement is eligible for the Australian Apprentice Wage Subsidy.

##### (b) Employer who is a medium or large business

For an employer who employs 20 or more full-time equivalent people at the date of commencement to be eligible for the Australian Apprentice wage Subsidy, they:

- must not have previously employed the individual who is the Australian Apprentice; and
- must not have previously employed the Australian Apprentice in the three-year period prior to the eligibility date.

### **(c) Employer who is a Group Training Organisation**

Group Training Organisations are eligible for the Australian Apprentice Wage Subsidy where the Australian Apprentice's host employer at the time of commencement:

- meets the above eligibility criteria; and
- employs fewer than 20 full-time equivalent people.

### **1.3 Payment rate**

The Australian Apprentice Wage Subsidy reimburses part of an Australian Apprentice's minimum award wage rate at the following rates:

<b>Minimum award wage rate on the:</b>	<b>Percentage</b>
Day of commencement of the first year of the Australian Apprenticeship	75 per cent
Day of commencement of the second year of the Australian Apprenticeship	50 per cent
Day of commencement of the third year of the Australian Apprenticeship	25 per cent

Any changes to the award wage rate during each year of the Australian Apprenticeship will not affect the Australian Apprentice Wage Subsidy rate. Although an employer may pay higher than the minimum award wage rate, the Australian Apprentice Wage Subsidy is based on the minimum award wage rate and is the amount that will be reimbursed.

More information on the Award (Phase 1 – modern award) wage rate can be found on the Fair Work Ombudsman website.

#### **(a) Group Training Organisations**

Group Training Organisations must pass on the Australian Apprentice Wage Subsidy in full to the host employer.

Where the Australian Apprentice is no longer hosted to the host employer identified on the Apprenticeship/Traineeship Training Contract, the Australian Apprentice is not eligible to continue to attract the Australian Apprentice Wage Subsidy for the Group Training Organisation .

### **1.4 Claiming payments**

For an employer to claim the Australian Apprentice Wage Subsidy, all standard requirements for claiming payments must be met.

#### **(a) Effect dates and time limit for lodging a claim**

An eligible employer can claim the Australian Apprentice Wage Subsidy at the effect date corresponding to the following points of the Australian Apprenticeship:

1. 6-month point
2. 12-month point
3. 18-month point
4. 24-month point
5. 30-month point
6. 36-month point

The time limit for lodging a claim is 12 months from the corresponding effect date.

**(b) Claim form**

An eligible employer should claim the Australian Apprentice Wage Subsidy using the *Australian Apprentice Wage Subsidy Claim Form*.

**(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, the following evidence must also be attached:

- payroll prints, time and wages sheets or payslips, which confirms the Australian Apprentice's weekly or hourly pay rate at the date of commencement of the first, second or third year of the Australian Apprenticeship, whichever is applicable to the particular claim; and
- a written statement from the Group Training Organisation confirming that the payment will be passed on to the host employer, where the Australian Apprentice is hosted by a host employer.

## **1.5 Apprenticeship administration for the purposes of the Australian Apprentice Wage Subsidy**

**(a) Suspensions**

*(i) Suspensions of less than six months*

Where the Australian Apprenticeship is suspended and the Australian Apprentice subsequently returns to the same employer or host employer, the employer or Group Training Organisation will be eligible for the Australian Apprentice Wage Subsidy where there was a period of less than six months between the date of suspension and the date of recommencement.

*(ii) Suspensions of more than six months*

Where the Australian Apprenticeship is suspended, and the Australian Apprentice subsequently returns to the same employer or host employer, the employer or Group Training Organisation will not be eligible for the Australian Apprentice Wage Subsidy where a period of six months or more has elapsed between the date of suspension and the date of recommencement.

**(b) Cancellations**

Where the Australian Apprenticeship is cancelled, and the Australian Apprentice subsequently returns to the same employer or recommences with a different employer, neither the first nor second employer will be eligible for the Australian Apprentice Wage Subsidy.

**(c) Change of employer**

If an Australian Apprentice recommences an Australian Apprenticeship with a second employer, neither the first nor second employer are eligible for the Australian Apprentice Wage Subsidy.

**(d) Change of ownership**

If the business employing the Australian Apprentice undergoes a change of ownership, the new business must meet the eligibility requirements of the Australian Apprentice Wage Subsidy in its own right.

### (e) Early successful completions

Where an Australian Apprentice successfully completes the Australian Apprenticeship prior to an effect date, the employer will not be eligible for the Australian Apprentice Wage Subsidy.

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## 2. Boosting Apprenticeship Commencements wage subsidy

### 2.1 Overview

The Boosting Apprenticeship Commencements wage subsidy aims to support employers to engage new apprentices and trainees to build a pipeline of skilled workers to support sustained economic recovery.

### 2.2 Eligibility requirements

For an employer to be eligible for the Boosting Apprenticeship Commencements wage subsidy:

- all primary eligibility requirements must be met, with the exception of the previously completed, incomplete and concurrent qualifications requirements; and
- the Australian Apprentice must have commenced or recommenced the Australian Apprenticeship between 5 October 2020 and 31 March 2022 inclusive; and
- the Australian Apprentice must not be undertaking a qualification that supersedes a qualification they had previously completed; and
- the employer must not be in receipt of any other form of Australian Government wage subsidy or equivalent assistance for the same Australian Apprentice.

In addition to the above requirements, an Australian Apprentice who is an existing worker must meet the relevant requirements below.

#### (a) Existing workers

##### (i) Commencing a trades-based Australian Apprenticeship

If an Australian Apprentice is an existing worker, the employer will be eligible for the Boosting Apprenticeship Commencements wage subsidy if the existing worker commences in a trades-based Australian Apprenticeship as determined in *Appendix E – Trades-Based Australian Apprenticeships*.

##### (ii) Commencing a non-trades-based Australian Apprenticeship

For commencements on or after 28 October 2020, where the Australian Apprentice commences in a non-trades-based Australian Apprenticeship, the employer or host employer (if the employer is a Group Training Organisation) as identified by the Australian Business Number will only be eligible for the Boosting Apprenticeship Commencements wage subsidy for up to and including 30 existing workers who:

- transfer from a casual employment arrangement to a part-time or full-time Australian Apprenticeship;  
or
- transfer from a part-time employment arrangement to a full-time Australian Apprenticeship.

## 2.3 Payment rate

Payment type	Rate
Boosting Apprenticeship Commencements wage subsidy	50 per cent of an Australian Apprentice's gross wage for the 12-month period from the date of commencement or recommencement; and up to a maximum of \$7,000 per eligible Australian Apprentice per quarter (which equates to \$28,000 for the 12-month period)

For the purposes of the Boosting Apprenticeship Commencements wage subsidy, gross wage is defined as the total amount an employer pays an Australian Apprentice including:

- allowances; and
- overtime; and
- penalty rates; and
- any other amount, before any deductions are made.

### (a) Group Training Organisations

Group Training Organisations must pass on the Boosting Apprenticeship Commencements wage subsidy in full to the host employer.

Where an Australian Apprentice is no longer hosted by a host employer, the Group Training Organisation will retain the Boosting Apprenticeship Commencements wage subsidy over this period while they remain employed by the Group Training Organisation.

## 2.4 Claiming payments

For an employer to be able to claim the Boosting Apprenticeship Commencements wage subsidy:

- all standard requirements for claiming payments must be met, with the exception of the waiting period; and
- the employer must:
  - advise their intent to claim the Boosting Apprenticeship Commencements wage subsidy using the *Boosting Apprenticeship Commencements Registration Form*, or through any other means specified by the Department; and
  - ensure that they have received the Single Touch Payroll factsheet from their Australian Apprenticeship Support Network provider; and
  - register and use Single Touch Payroll for wage reporting to the Australian Taxation Office, unless the Australian Taxation Office has granted an exemption. Wages must be fully and accurately reported via Single Touch Payroll for the quarter, **before** a claim for the Boosting Apprenticeship Commencements wage subsidy is lodged for that quarter.

### (a) Claim periods and time limits

An eligible employer will be able to claim the Boosting Apprenticeship Commencements wage subsidy at the following dates:

For any wages paid in the following time periods	Date claim can be lodged from	Time limit
From 5 October 2020 to 31 December 2020	1 January 2021	30 June 2022
From 1 January 2021 to 31 March 2021	1 April 2021	
From 1 April 2021 to 30 June 2021	1 July 2021	
From 1 July 2021 to 30 September 2021	1 October 2021	
From 1 October 2021 to 31 December 2021	1 January 2022	
From 1 January 2022 to 31 March 2022	1 April 2022	
From 1 April 2022 to 30 June 2022	1 July 2022	30 June 2023
From 1 July 2022 to 30 September 2022	1 October 2022	
From 1 October 2022 to 31 December 2022	1 January 2023	
From 1 January 2023 to 31 March 2023	1 April 2023	

### (b) Claim form

An eligible employer should claim the Boosting Apprenticeship Commencements wage subsidy using the *Boosting Apprenticeship Commencements Claim Form*, or through any other means specified by the Department.

### (c) Additional evidence required

In addition to the standard evidence that must be provided with a claim form, wage evidence must also be attached. This can be in the form of a payroll print, time and wages sheet, payslip, or payroll summaries which must be able to confirm:

- the legal name or Australian Business Number of the employer making the claim for the Boosting Apprenticeship Commencements wage subsidy; and
- a date range aligning to the period claimed for in the claim form.

Further, where the Australian Apprentice is hosted by a host employer, a written statement from the Group Training Organisation confirming that the payment will be passed on to the host employer.

#### (i) Time limits to providing additional evidence

Where an employer provides incomplete, insufficient, or incorrect wage evidence when claiming the Boosting Apprenticeship Commencements wage subsidy, the employer must provide the required additional wage evidence within 10 days of the Australian Apprenticeship Support Network provider requesting this additional wage evidence. In making the request, the Australian Apprenticeship Support Network provider may set a timeframe of less than 10 days, provided the reduced timeframe is made clear to the employer.

If the employer does not provide the required additional evidence within the specified timeframe, the employer has an additional 10 days (or otherwise specified by the Australian Apprenticeship Support Network provider) to provide the required additional evidence, after which the claim will be assessed on the basis of the evidence available to the Australian Apprenticeship Support Network provider.

## **2.5 Apprenticeship administration for the purposes of the Boosting Apprenticeship Commencements wage subsidy**

### **(a) Change of Australian Apprentice's attendance type**

Where an Australian Apprentice is an existing worker and commenced a non-trades-based Australian Apprenticeship, their employer is not eligible for the Boosting Apprenticeship Commencements wage subsidy if the Australian Apprentice:

- had transferred from a part-time employment arrangement to a full-time Australian Apprenticeship; and
- after commencement, subsequently transfers from a full-time Australian Apprenticeship to a part-time Australian Apprenticeship.

### **(b) Suspensions**

An employer will be eligible to receive the Boosting Apprenticeship Commencements wage subsidy until the date of suspension and upon return from suspension. However, an employer is not eligible to claim the Boosting Apprenticeship Commencements wage subsidy for any period where the Australian Apprentice is suspended

An employer is not eligible to claim the Boosting Apprenticeship Commencements wage subsidy for any period where the Australian Apprentice is suspended.

An employer will be eligible for the Boosting Apprenticeship Commencements wage subsidy upon the Australian Apprentice's return from suspension where:

- the employer was initially eligible for the Boosting Apprenticeship Commencements wage subsidy; and
- the Australian Apprenticeship was suspended for less than six months.

The employer will not be eligible where the suspension was for a period of six months or more.

However, an employer is only eligible to claim the Boosting Apprenticeship Commencements wage subsidy in relation to wages paid in the 12-month period from the date of commencement or recommencement, regardless of any period of suspension.

### **(c) Cancellations**

Where an Australian Apprenticeship is cancelled, an employer will be eligible for the Boosting Apprenticeship Commencements wage subsidy if:

- the same Australian Apprentice subsequently returns to the same employer; or
- the employer subsequently recommences a different Australian Apprentice.

An employer will be eligible to receive the Boosting Apprenticeship Commencements wage subsidy until the date of cancellation.

### **(d) Early successful completions**

Where an Australian Apprentice successfully completes early and the employer has not claimed the full allocation of the Boosting Apprenticeship Commencements wage subsidy, the employer will be eligible to attract the Boosting Apprenticeship Commencements wage subsidy until the date of successful completion.

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## 3. Completing Apprenticeship Commencements wage subsidy

### 3.1 Overview

The Completing Apprenticeship Commencements wage subsidy provides transitional support for the second and third year of an Australian Apprenticeship to all employers who were eligible for and received the Boosting Apprenticeship Commencements wage subsidy for the same Australian Apprenticeship.

### 3.2 Eligibility requirements

For an employer to be eligible for the Completing Apprenticeship Commencements wage subsidy:

- all primary eligibility requirements must be met, with the exception of the previously completed, incomplete and concurrent qualifications requirements; and
- the employer must:
  - have been eligible for the Boosting Apprenticeship Commencements wage subsidy for:
    - the same Australian Apprenticeship; and
    - the full 12-month period immediately prior to the eligibility assessment for the Completing Apprenticeship Commencements wage subsidy; and
  - not be in receipt of any other form of Australian Government wage subsidy or equivalent assistance for the same Australian Apprentice.

### 3.3 Payment rates

The Completing Apprenticeship Commencements wage subsidy reimburses part of an Australian Apprentice's gross wage at the following rates:

Time period	Rate
First 12-month period	10 per cent of an Australian Apprentice's gross wage up to a maximum of \$1,500 per quarter (which equates to \$6,000 for the 12-month period)
Second 12-month period	5 per cent of an Australian Apprentice's gross wage up to a maximum of \$750 per quarter (which equates to \$3,000 for the 12-month period)

### 3.4 Claiming payments

For an employer to be able to claim the Completing Apprenticeship Commencements wage subsidy:

- all standard requirements for claiming payments must be met, with the exception of the waiting period; and
- the employer must register and use Single Touch Payroll for wage reporting to the Australian Taxation Office, unless the Australian Taxation Office has granted an exemption. Wages must be fully and accurately reported via Single Touch Payroll for the quarter, before a claim for the Completing Apprenticeship Commencements wage subsidy is lodged for that quarter.

**(a) Claim periods and time limits**

For any wages paid in the following time periods	Date claim can be lodged from	Time limit
From 5 October 2021 to 31 December 2021	1 January 2022	30 June 2022
From 1 January 2022 to 31 March 2022	1 April 2022	
From 1 April 2022 to 30 June 2022	1 July 2022	30 June 2023
From 1 July 2022 to 30 September 2022	1 October 2022	
From 1 October 2022 to 31 December 2022	1 January 2023	
From 1 January 2023 to 31 March 2023	1 April 2023	
From 1 April 2023 to 30 June 2023	1 July 2023	30 June 2024
From 1 July 2023 to 30 September 2023	1 October 2023	
From 1 October 2023 to 31 December 2023	1 January 2024	
From 1 January 2024 to 31 March 2024	1 April 2024	
From 1 April 2024 to 30 June 2024	1 July 2024	30 June 2025
From 1 July 2024 to 30 September 2024	1 October 2024	
From 1 October 2024 to 31 December 2024	1 January 2025	
From 1 January 2025 to 31 March 2025	1 April 2025	

**(b) Claim form**

An eligible employer should claim the Completing Apprenticeship Commencements wage subsidy using the *Boosting Apprenticeship Commencements Claim Form*, or through any other means specified by the Department.

**(c) Additional evidence required**

In addition to the standard evidence that must be provided with a claim form, wage evidence must also be attached. This can be in the form of a payroll print, time and wages sheet, payslip, or payroll summaries which must be able to confirm:

- the legal name or Australian Business Number of the employer making the claim for the Completing Apprenticeship Commencements wage subsidy; and
- a date range aligning to the period claimed for in the claim form.

Further, where the Australian Apprentice is hosted by a host employer, a written statement from the Group Training Organisation confirming that the payment will be passed on to the host employer.

*(i) Time limits to providing additional evidence*

Where an employer provides incomplete, insufficient, or incorrect wage evidence when claiming the Completing Apprenticeship Commencements wage subsidy, the employer must provide the required additional wage evidence within 10 days of the Australian Apprenticeship Support Network provider requesting this additional wage evidence. In making the request, the Australian Apprenticeship Support Network provider may set a timeframe of less than 10 days, provided the reduced timeframe is made clear to the employer.

If the employer does not provide the required additional evidence within the specified timeframe, the employer has an additional 10 days (or otherwise specified by the Australian Apprenticeship Support Network provider) to provide the required additional evidence, after which the claim will be assessed on the basis of the evidence available to the Australian Apprenticeship Support Network provider.

### **3.5 Apprenticeship administration for the purposes of the Completing Apprenticeship Commencements wage subsidy**

#### **(a) Change of Australian Apprentice's attendance type**

Where an Australian Apprentice is an existing worker and commenced a non-trades-based Australian Apprenticeship under the Boosting Apprenticeship Commencements wage subsidy, their employer is not eligible for the Completing Apprenticeship Commencements wage subsidy if the Australian Apprentice:

- had transferred from a part-time employment arrangement to a full-time Australian Apprenticeship; and
- after commencement, subsequently transfers from a full-time Australian Apprenticeship to a part-time Australian Apprenticeship.

#### **(b) Suspensions**

An employer will be eligible to receive the Completing Apprenticeship Commencements wage subsidy until the date of suspension and upon return from suspension. However, an employer is not eligible to claim the Completing Apprenticeship Commencements wage subsidy for any period where the Australian Apprentice is suspended.

An employer will be eligible for the Completing Apprenticeship Commencements wage subsidy upon the Australian Apprentice's return from suspension where:

- the employer was initially eligible for the Completing Apprenticeship Commencements wage subsidy; and
- the Australian Apprenticeship was suspended for less than six months.

The employer will not be eligible where the suspension was for a period of six months or more.

However, an employer is only eligible to claim the Completing Apprenticeship Commencements wage subsidy in relation to wages paid in the 24-month period from the date they commence receiving the Completing Apprenticeship Commencements wage subsidy, regardless of any period of suspension.

#### **(c) Cancellations**

Where an Australian Apprenticeship is cancelled, an employer will be eligible for the Completing Apprenticeship Commencements wage subsidy if the same Australian Apprentice subsequently returns to the employer.

An employer will be eligible to receive the Completing Apprenticeship Commencements wage subsidy until the date of cancellation.

#### **(d) Early successful completions**

Where an Australian Apprentice successfully completes early and the employer has not claimed the full allocation of the Completing Apprenticeship Commencements wage subsidy, the employer will be eligible to attract the Completing Apprenticeship Commencements wage subsidy until the date of successful completion.

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## Part G. Payments to Australian Apprentices

### 1. Living Away From Home Allowance

#### 1.1 Overview

The Living Away From Home Allowance provides assistance to Australian Apprentices who are required to move away from their parent's or guardian's residence to take up or remain in an Australian Apprenticeship. The Living Away From Home Allowance is available during the first three years of an Australian Apprenticeship.

#### 1.2 Eligibility requirements

For an Australian Apprentice to be eligible for the Living Away From Home Allowance payment:

- all primary eligibility requirements must be met; and
- the Australian Apprentice must:
  - be within 36 months of the commencement date of their Australian Apprenticeship (whether full-time or part-time); and
  - not have a current claim for Youth Allowance, Austudy, or ABSTUDY; or
  - not receive rental or accommodation assistance from Centrelink or free or subsidised quarters or board from their employer; or
  - move away from home to:
    - attend block release off-the-job training, as state and territory governments may provide assistance in these circumstances; or
    - undertake a course initiated by their employer that is not part of the Australian Apprenticeship; or
    - attend boarding school.

In addition to the above requirements, the Australian Apprentice must meet the residential criteria outlined below.

##### (a) Residential criteria

An Australian Apprentice meets the residential criteria if they:

- move from their parent or guardian's home for the first time:
  - within three months before 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
- demonstrate that if they had not moved, one of the following criteria would have applied:
  - more than 90 minutes travel time each way between work and home; or
  - unreasonable travel delays; or
  - limited or unsuitable transport arrangements; or
  - prohibitive transport costs.

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

Where a Group Training Organisation is the employer, the host employer's workplace address is to be used when considering residential criteria.

(i) Homelessness

An Australian Apprentice who is homeless may be eligible for the Living Away From Home Allowance as it is recognised that the lack of stable housing is a major impediment to completion of an Australian Apprenticeship.

(ii) Custodial Australian Apprentices

Australian Apprentices who have been released from a custodial sentence may become eligible for the Living Away From Home Allowance if they meet the homelessness criteria.

**(b) Australian School-based Apprentices post-boarding school**

Australian School-based Apprentices who commenced their Australian Apprenticeship while at boarding school will be eligible to receive the balance of the remaining Living Away From Home Allowance from the date they establish a new residence which is away from their parent's or guardian's home, when they continue with the qualification leading to the same occupational outcome post-school.

**(c) Eligibility for the Living Away From Home Allowance for more than one registration**

(i) Progression from a Certificate II to a Certificate III or IV

An Australian Apprentice is eligible for the balance of the 36-month Living Away From Home Allowance entitlement if they:

- commence an Australian Apprenticeship at the Certificate III or IV level with the same employer; and
- within 12 months of successfully completing an Australian Apprenticeship at the Certificate II level, for which they were eligible for the Living Away From Home Allowance.

(ii) Commencement of a second Australian Apprenticeship after a withdrawal or cancellation

An Australian Apprentice is eligible for the Living Away From Home Allowance for a further 36 months from the commencement of the subsequent Australian Apprenticeship if prior to the three-month point, they withdrew or cancelled the previous Australian Apprenticeship. In these instances, the subsequent Australian Apprenticeship is deemed to be the first Australian Apprenticeship.

(iii) Post-Australian School-based Apprenticeships

Australian Apprentices who received the Living Away From Home Allowance while undertaking an Australian School-based Apprenticeship will be eligible to receive the Living Away From Home Allowance for a further 36 months if they:

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

### 1.3 Payment rates

The Living Away From Home Allowance is paid in arrears at the following rates:

Time period	Rate
First 12-month period from the date of commencement	\$77.17 per week
Second 12-month period	\$38.59 per week
Third 12-month period	\$25.00 per week

Where an Australian Apprentice moves away from their parent or guardian's home after commencing the Australian Apprenticeship, they will be eligible for the Living Away From Home Allowance from the date of establishing the new residence until 36 months from the date of commencement of the Australian Apprenticeship.

### 1.4 Applying for the Living Away From Home Allowance

To apply for the Living Away From Home Allowance, an Australian Apprentice must:

- complete an *Application for Living Away From Home Allowance* (Form 530); and
- attach the evidence specified below.

An application should be received within 12 months of the date the Australian Apprentice became eligible for the Living Away From Home Allowance.

An application form received more than 12 months from the date an Australian Apprentice became eligible for the Living Away From Home Allowance may be approved subject to meeting the eligibility requirements.

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

#### (a) Evidence required

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

- a 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 or legal guardian home.
- proof of their current residential address which may be in the form of:
  - a rental receipt or
  - any local government or statutory authority document; or
  - a statutory declaration from the owner of the residential premises; or
  - a document from the real estate agent from whom the Australian Apprentice is renting the property.

If an Australian Apprentice is applying for the Living Away From Home Allowance on the grounds of homelessness, they 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:
  - a social worker; or
  - a medical practitioner or other professional health worker; or
  - a police worker; or
  - a trained youth counsellor employed by a government-registered agency; or
  - a minister of religion; or
  - an appropriate Centrelink delegate; or

a Centrelink Placement, Employment and Training provider.

## 1.5 Claiming payments

Where the Training Contract has not been approved by the State Training Authority, the Living Away From Home Allowance can be paid for three months from the date of commencement or recommencement.

### (a) Claim periods and time limits for lodging a claim

The claim periods are determined by the Australian Apprentice (that is, the regularity in which claim forms are lodged).

The time limit for lodging claims is 12 months of the first day of the claim period.

Late claims (that is, claims received more than 12 months after the Australian Apprentice became eligible for the Living Away From Home Allowance) may be approved subject to meeting eligibility criteria. The claim can only be backdated 12 months from the date it was received.

### (b) Claim forms

An eligible Australian Apprentice must claim the Living Away From Home Allowance using the *Living Away From Home Allowance (LAFHA) Claim Form (Form 1238)*.

Claim forms must be:

- signed and dated on or after the last day of the claim period; and
- received by the Apprenticeship Network Provider within 12 months of the first day of the claim period.

Where the employer is a Group Training Organisation, either the host employer or the Group Training Organisation can sign the claim form.

## 1.6 Apprenticeship Administration for the purposes of the Living Away From Home Allowance

### (a) Suspensions and cancellation rules

The Living Away From Home Allowance may continue to be paid for three months from the date of suspension or cancellation provided that the Australian Apprentice:

- maintains their Living Away From Home residence; and
- does not resume living at their parent’s or guardian’s home on an ongoing basis; and
- has not lodged a claim for Youth Allowance, Austudy, or ABSTUDY.

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

## **(b) Receipt of other allowances**

An Australian Apprentice may not receive the Living Away From Home Allowance and the following support at the same time:

- Youth Allowance; or
- Austudy; or
- ABSTUDY.

Any existing claims for Youth Allowance, Austudy, or ABSTUDY must be cancelled with Centrelink prior to making a claim for the Living Away From Home Allowance.

An Australian Apprentice who wishes to make a claim for Youth Allowance/Austudy/ABSTUDY must cancel their Living Away From Home Allowance prior to doing so.

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## **2. Additional Identified Skills Shortage Apprentice Commencement and Completion payments**

### **2.1 Overview**

The Additional Identified Skills Shortage Apprentice Commencement and Completion payments aim to support Australian Apprenticeships in occupations experiencing national skills shortages and encourage participation in apprenticeships, particularly new workers, school leavers, and young people.

### **2.2 Eligibility requirements**

#### **(a) Additional Identified Skills Shortage Apprentice Commencement payment**

For an Australian Apprentice to be eligible for the Additional Identified Skills Shortage Apprentice Commencement payment:

- all primary eligibility requirements must be met; and
- the Australian Apprentice must:
  - not be an existing worker; and
  - be undertaking a qualification at the Certificate III or IV level that leads to an occupation listed on the Additional Identified Skills Shortage List.

#### **(b) Additional Identified Skills Shortage Apprentice Completion payment**

For an Australian Apprentice to be eligible for the Additional Identified Skills Shortage Apprentice Completion payment, the Australian Apprentice must have:

- successfully completed the Australian Apprenticeship for which they were eligible for the Additional Identified Skills Shortage Apprentice Commencement payment; and
- been employed as an Australian Apprentice at the date of successful completion by the same employer they commenced the Australian Apprenticeship with.

## 2.3 Payment rate

Payment type	Rate
Additional Identified Skills Shortage Apprentice Commencement payment	\$1,000 payment
Additional Identified Skills Shortage Apprentice Completion payment	\$1,000 payment

## 2.4 Claiming payments

For an Australian Apprentice to claim the Additional Identified Skills Shortage Apprentice Commencement and Completion payments, all standard requirements for claiming payments must be met.

### (a) Effect dates and time limits for lodging a claim

The effect dates are:

- 12 months from the date of commencement for the Additional Identified Skills Shortage Commencement Incentive; and
- the date of successful completion for the Additional Identified Skills Shortage Completion Incentive.

The time limits for lodging a claim are 12 months from:

- the Commencement Incentive effect date, for the Additional Identified Skills Shortage Commencement Incentive;
- the date the State Training Authority issues documentation to confirm the successful completion, for the Additional Identified Skills Shortage Completion Incentive.

### (b) Claim forms

An eligible Australian Apprentice should claim the:

- Additional Identified Skills Shortage Apprentice Commencement payment; and
- Additional Identified Skills Shortage Apprentice Completion payment,

using the *Additional Identified Skills Shortage Apprentice Payments Claim Form*.

## 2.5 Apprenticeship administration for the purposes of the Additional Identified Skills Shortage Apprentice Commencement and Completion payments

### (a) Group Training Organisations

An Australian Apprentice will not be eligible for the Additional Identified Skills Shortage Apprentice Commencement or Completion payments if the Australian Apprentice is no longer hosted by the host employer at the time of commencement.

### (b) Suspensions

#### (i) Suspensions of less than six months

An Australian Apprentice will be eligible for the Additional Identified Skills Shortage Apprentice Commencement or Completion payment if there was a period of less than six months between the date of suspension and the date the Australian Apprentice returns:

- to the same employer; or

- where the employer is a Group Training Organisation, to the same host employer.

Where the Australian Apprenticeship is suspended prior to the effect date for the Additional Identified Skills Shortage Commencement Incentive, the apprentice becomes eligible for the Commencement Incentive on the 365<sup>th</sup> day of the apprenticeship.

(ii) Suspensions of six months or more

An Australian Apprentice will not be eligible for the Additional Identified Skills Shortage Apprentice Commencement or Completion payment if, prior to the effect date for the payment, there was a period of six months or more between the date of suspension and the date the Australian Apprentice returns to the same employer or host employer.

(c) **Cancellations**

An Australian Apprentice will not be eligible for the Additional Identified Skills Shortage Apprentice Commencement or Completion payment if, prior to the effect date for the payment, the Australian Apprenticeship is cancelled, and the Australian Apprentice subsequently returns to the same employer or recommences with a different employer.

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## Part H. General administrative matters

### 1. How payments are made

Once the effect date or last day of a claim period has been reached, Australian Apprenticeship Support Network providers provide the claim form to the recipient.

If all eligibility requirements and requirements to claim payments are met, payments will be made by direct credit to the recipient's bank account as identified on the claim form.

Payments may be used at the discretion of the recipient, unless specified otherwise.

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### 2. Withholding or refusing payment and suspect claims

The Guidelines establish processes for withholding or refusing payments, as well as managing suspect claims.

#### 2.1 Right to withhold or refuse payment

The Department reserves the right to withhold or refuse payment, or require return of payments made in situations including, but not limited to, where:

- it is considered that the Australian Apprenticeship does not provide a valid or genuine employment and training opportunity for the Australian Apprentice; or
- fraud or manipulation of the Guidelines has occurred to maximise payments which would otherwise not have been payable, such as:
  - releasing an Australian Apprentice and re-engaging the same or a new Australian Apprentice; or
  - coercing or directing an employee to commence an Australian Apprenticeship; or
- the employer or Australian Apprentice has engaged in abusive or criminal conduct during the Australian Apprenticeship.

#### 2.2 Suspect claims

Australian Apprenticeship Support Network providers are required to advise the Department as soon as practicable if they become aware of:

- allegations of fraudulent activities or attempts to manipulate the Program by an employer, Australian Apprentice or Registered Training Organisation 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; 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.

## 3. Debt recovery

### 3.1 Departmental responsibilities

Where a payment has been made under the Program to an ineligible recipient, including where the payment type has since lapsed, the Department must make every reasonable effort to recover the overpaid amount.

### 3.2 Australian Apprenticeship Support Network provider responsibilities

Australian Apprenticeship Support Network providers are required to notify their State or Territory Contract Manager as soon as practicable once they become aware that an overpayment has occurred.

Australian Apprenticeship Support Network providers are not authorised to recover payments on behalf of the Australian Government.

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## 4. Waivers and review of decisions

### 4.1 Overview

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

In the interests of procedural fairness, a claimant can seek review of a decision by either the Australian Apprenticeship Support Network Provider or the Department.

The claimant can also seek investigation of the decision by the Commonwealth Ombudsman.

### 4.2 Notification of ineligibility

Where a claimant is assessed as not eligible for a payment, their Australian Apprenticeship Support Network provider must provide advice in writing, which must:

- include a clear and concise explanation of the decision, with reference to the relevant section of the Guidelines and outline of the intent of the policy; and
- explain that the only basis for a review is where:
  - they consider that an incorrect decision has been made; or
  - they consider that there have been exceptional circumstances.

### 4.3 Process for the review of a decision

#### (a) Claimant requests a review of a decision

If a claimant requests a review of a decision, this must be made in writing directly to the Australian Apprenticeship Support Network provider in the first instance. The request must:

- outline:
  - why the claimant considers the decision to be incorrect; or
  - what the exceptional circumstances are; and
- provide any additional evidence that may support a review of the case.

### **(b) Review by the Australian Apprenticeship Support Network provider**

Where the claimant considers that an incorrect decision has been made, the Australian Apprenticeship Support Network provider must re-examine the decision based on the policies and procedures of the Program, taking into account the reasons that the claimant has put forward for review of the decision as well as any additional information provided.

If the Australian Apprenticeship Support 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; or
- upholds the original decision, the decision must be reviewed by the Department; or
- receives a request for review on the basis of exceptional circumstances, refer the matter to the Department for review.

### **(c) Review by the Department**

The decision must be reviewed by the Department where:

- the original decision is upheld by the Australian Apprenticeship Support Network provider; or
- the claimant has put forward exceptional circumstances as the basis for the review.

The Australian Apprenticeship Support Network provider must forward the evidence provided by the claimant, as well as all relevant documentation to their state or territory contract manager.

In reviewing the decision, the Department must take into account the policies and intent of the Program. The Department has an overarching obligation to ensure the policy intent of the Program is achieved. To this end, the Department has some scope to waive the Program rules in line with exceptional circumstances provisions only, to determine if a claimant would have been eligible if it were not for the exceptional circumstances highlighted.

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

If unsuccessful, the notification must 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; and
- advise the claimant if they are dissatisfied with the outcome, they have the right to ask the Commonwealth Ombudsman to review the decision.

### **(d) 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 can make a recommendation to the Department that it reconsider 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.

#### 4.4 Consideration of exceptional circumstances

The Department is the only entity that has the capacity to consider exceptional circumstances when reviewing a decision. Exceptional circumstances are circumstances that are unusual, uncommon, or unexpected, including:

- an unexpected event that has affected the claimant, such as a natural disaster or other serious unforeseen disruption to the business; or
- circumstances which mean requirements under the Program cannot be met, such as an Australian Apprentice being affected by illness, injury, or trauma.

The Department must consider all declarations and supporting documentation when reviewing a decision and balance the rights of the claimant with the prudent use of public monies and program administration. When considering a request for a waiver of the Program Guidelines the following issues are to be taken into account:

- Has the claim been disrupted by unusual, uncommon, or unexpected events that have impacted the ability to provide supporting evidence or take necessary actions within the required time limits? If yes, then exceptional circumstances may be in play.
- Would the claimant be eligible for the payment if the claimed exceptional circumstances had not occurred? This determines the claimant's eligibility for the payments in dispute.
- Are the exceptional circumstances out of the control of the claimant? If yes, then exceptional circumstances may be in play.
- Could the claimant have reasonably been expected to do more to ensure that the claim was approved? If not, then exceptional circumstances may be in play.
- Did the Australian Apprenticeship Support Network provider, the Department or any of its agents provide timely and appropriate advice, information, and service to enable the recipient to meet the requirements for the approval of the claim? If not, then exceptional circumstances may be in play.

##### *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 it 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 applied for the Living Away From Home Allowance 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 the Living Away From Home Allowance is approved and backdated for a 12-month period. Erin has asked for the claim to be reviewed so that it can be backdated for the full 15-month period. The reason that the claim was not submitted within the required timeframe was that Erin had misplaced the forms and forgot to make the claim. This situation should not be considered an exceptional circumstance and the original decision would be upheld.

## 5. Taxation

### 5.1 Goods and Services Tax

The Goods and Services Tax (GST) does not apply to payments made to employers and Australian Apprentices under the Program. However, GST does apply to Registered Training Organisations who are in receipt of the Tutorial, Mentor, and Interpreter Services payment.

*A New Tax System (Goods and Services Tax) Act 1999* (the GST 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 Program (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 GST.

For the purposes of the GST Act, a connection between the payment and the supply is established once a claim form is completed for each payment. Payments under the Program are made in response to the payment recipient (not including Australian Apprentices in receipt of the Living Away From Home Allowance) entering into an obligation with the Australian Government.

Registered Training Organisations claiming payments under the Program must complete a claim form which constitutes a tax invoice for the purposes of the GST Act once signed by an authorised representative.

### 5.2 Australian Business Number of an employer

Employers or Registered Training Organisations making a claim for any payment under the Program are asked to provide their Australian Business Number (ABN). The ABN should be the ABN of the legal entity.

Legal entities include:

- an individual
- a company
- a trustee of a trust
- a cooperative
- partners of a partnership
- an authority established as a body corporate by legislation

A trading name, business name, unincorporated association, partnership name or trust name is not a legal entity.

Where the employer is employing an Australian Apprentice as part of its function as trustee of a trust, partner 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.

The use of an ABN has tax consequences but does not affect the legal obligations of the legal entity under the contract or its entitlement to receive incentives.

## 5.3 Tax withholding

### (a) Employers

Where an ABN is not provided, the full payment will be divided into 2 parts – a payment to the employer, and tax withheld and remitted to the Australian Taxation Office (ATO). The full payment will be divided as follows:

- 53 per cent of the claimed amount paid to the employer or other entity; and
- 47 per cent withheld and remitted to the ATO.

### (b) Australian Apprentices

The following payments are to be treated as taxable income:

- the Additional Identified Skills Shortage Apprentice Commencement payment; and
- the Additional Identified Skills Shortage Apprentice Completion payment.

A Tax File Number Declaration must be provided to avoid tax being withheld at the highest marginal rate, as required by the ATO.

## 5.4 Tax-exempt payments

The Living Away From Home Allowance paid to Australian Apprentices is tax-exempt and is therefore not treated as taxable income.

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## 6. Conflicts of interest

Conflicts of interest for Australian Government staff are handled as set out in the Australian Public Service Code of Conduct (Section 13 (7)) of the *Public Service Act 1999*.

Australian Apprenticeship Support Network provider Conflict of Interest management plans are approved by the Department as part of the tender process and are included as part of the Contract between the Department and AASN providers.

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## 7. Privacy

### 7.1 Overview

Australian Apprenticeship Support Network providers may collect, disclose, make a record, or otherwise use personal information for the purposes of administering the Program. The *Privacy Act 1988* and the Australian Privacy Principles (APPs) govern how personal information is collected, used, disclosed, and stored. The Department's contracts with Australian Apprenticeship Support Network providers also contain obligations regarding privacy.

The Information Commissioner has powers to investigate possible interferences with privacy, either following a complaint by the individual or on the Commissioner's own initiative.

## **7.2 Use and disclosure of personal information**

An individual's personal information can be collected, disclosed, or otherwise used if the recording, disclosure or use of that information is made for the purposes of the Program 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 Program. Third parties include, but are not limited to:

- the Department of Education, Skills and Employment (or any of its successor departments) and other Australian Government departments and agencies, such as the Australian Taxation Office; or
- state or territory government departments and agencies; or
- staff of the minister's office; or
- Australian Apprenticeship Support Network providers; or
- Registered Training Organisations; or
- the contractors or agents of these organisations, departments, and agencies.

Personal information will not be used or disclosed without consent other than as described in these Guidelines, or unless required or authorised by Australian law.

## **7.3 Possible interferences with privacy**

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.

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## Part I. Glossary

### **Actual wage**

The ordinary weekly wage calculated at a weekly or hourly rate before tax, and excluding:

- overtime; and
- allowances; and
- penalty rates; and
- leave loading; and
- superannuation.

This differs from 'gross wage'.

### **Australian and New Zealand Standard Classification of Occupations (ANZSCO)**

List of standard classifications for occupations developed for use in Australia and New Zealand. Further information is on the Australian Bureau of Statistics website.

### **Australian Apprentice**

A person who is:

- employed under a Training Contract that has been registered with, and validated by, their State/Territory Training Authority; and
- undertaking paid work and structured training which commonly comprises both on and off the job training; and
- undertaking a negotiated training program that involves obtaining a nationally recognised qualification.

In some states and territories, Australian Apprentices may be referred to as apprentices or trainees.

### **Australian Apprenticeship**

The contracted employment and training arrangement between an Australian Apprentice and an employer.

In some states and territories, Australian Apprenticeships may be referred to as apprenticeships or traineeships.

### **Australian Apprenticeship Support Network providers**

Australian Apprenticeship Support Network providers are organisations contracted by the Department to deliver Australian Apprenticeship Support Services. The Australian Apprenticeship Support Network Operating Guidelines outline the operating processes for providers.

### **Australian Apprenticeship Support Network Contract**

The contract between the Department and Australian Apprenticeship Support Network providers that stipulates the conditions under which Australian Apprenticeship Support Services are delivered.

### **Australian Qualifications Framework (AQF)**

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 on the Australian Qualifications Framework website.

### **Australian Skills Voucher Program**

The Australian Skills Voucher Program was a Commonwealth government student-centred funding program, where funding followed the student to the training provider through the voucher. The Program was included Work Skills Vouchers and Business Skills Vouchers.

### **Claimant**

The person or entity making the claim. Can include:

- employers
- Australian Apprentices
- Registered Training Organisations

### **Claim period**

The defined period of time for which a claim can be made.

### **Commonwealth entity**

A Department of State, or a Parliamentary Department, or a listed entity or body corporate established by a law of the Commonwealth. See section 10 of the *Public Governance, Performance and Accountability Act 2013*.

### **Commonwealth Grants Rules and Guidelines**

The *Commonwealth Grants Rules and Guidelines* establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.

### **Department**

Refers to the Australian Government Department of Education, Skills and Employment, or any of its successor departments.

### **Effect date**

The date that a claim becomes payable subject to the completion of the waiting period, where applicable.

An effect date is dependent on the commencement date of the Australian Apprenticeship, and the time spent in the Australian Apprenticeship thereafter, except for during periods of suspension.

### **Eligibility requirements**

Mandatory requirements which must be met to qualify for payment. Assessment requirements may apply in addition to eligibility requirements.

### **Employment Fund**

The Employment Fund is a flexible pool of funds available to all jobactive providers to offer support tailored to the needs of participants, employers, and the local labour market.

### **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 of the Training Contract, not its date of registration.

### **Full-time equivalent**

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.

### **Grant**

For the purposes of the Commonwealth Grants Rules and Guidelines, a 'grant' is an agreement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth:

- under which relevant money or other Consolidated Revenue Fund (CRF) money is to be paid to a grantee other than the Commonwealth; and
- which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.

**GrantConnect**

GrantConnect is the Australian Government's whole-of-government grants information system, which centralised the publication and reporting of Commonwealth grants in accordance with the *Commonwealth Grants Rules and Guidelines*.

**Grant program**

A group or one or more grant opportunities under a single Portfolio Budget Statement Program.

**Group Training National Register**

Identifies all Group Training Organisations which have complied with national standard set by Vocational Education and Training Ministers and are eligible to use the Group Training National logo.

All Group Training Organisations listed on this National Register have been recognised as compliant against the National Standards for Group Training Organisations, by State/Territory Training Authorities.

The Register can be found on the Group Training National Register website.

**Group Training Organisation (GTO)**

An organisation that employs Australian Apprentices under a Training Contract and places them with host employers. The Group Training Organisation undertakes the employer responsibilities for the quality and continuation of the Australian Apprentices' employment and training, including payment of Australian Apprentices' wages. The Group Training Organisation also manages the additional care and support necessary to achieve the successful completion of the Training Contract.

A Group Training Organisation is not the same as a labour hire company.

**Guidelines**

The *Australian Apprenticeships Incentives Program Guidelines*.

**Gross wage**

The total amount an employer pays an Australian Apprentice before deductions are made, including:

- allowances; and
- overtime; and
- penalty rates; and
- any other amount.

This differs from 'actual wage'.

**Medical Practitioner**

A person registered or licensed as a medical practitioner under a law of a state or territory that provides for the registration or licensing of medical practitioners but does not include a person so registered or licensed:

- a. whose registration, or license to practise, as a medical practitioner in any state or territory has been suspended, or cancelled, following an inquiry relating to his or her conduct; and
- b. who has not, after that suspension or cancellation, again been authorised to register or practise as a medical practitioner in that state or territory.

**National Skills Needs List (NSNL)**

A list of trade occupations identified as being in national skills shortage. The full list is at *Appendix B – National Skills Needs List*.

**Nominated Equity Groups**

For the purposes of the Program, Nominated Equity Groups are:

- Indigenous Australian Apprentices
- Australian Apprentices with disability

- School-based Australian Apprentices
- Mature-aged Australian Apprentices
- Australian Apprentices working in a rural or regional area
- Job seekers with barriers to employment

### **Occupational outcome**

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 on the Australian Bureau of Statistics website.

### **Part-time**

Part-time provisions vary across Australian 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 undertaken on a part-time basis.

### **PBS Program**

Described within the entity's Portfolio Budget Statement, PBS Programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS Programs often comprise several lower levels and more publicly recognised programs, some of which will be Grant Programs. A PBS Program may have more than one Grant Program associated with it, and each of these may have one or more grant opportunities.

### **Registered Training Organisation (RTO)**

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.

### **Secondary School**

For the purposes of the Program '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.

### **State or Territory Contract Manager**

The person in each of the Department's state or territory offices responsible for the day-to-day administration of the Australian Apprenticeship Support Network Contract.

### **State or Territory Training Authority**

The State or Territory Government body responsible for the operation of the Vocational Education and Training system, including Australian Apprenticeships, within that state or territory.

### **Stream B or Stream C Client**

An Employment Services 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.

### **Successful completion**

Successful completion occurs when the State Training Authority 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.

### **Training Contract**

A formal contract approved by the relevant State or Territory Training Authority that established 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 Program. The Training Contract is a state or territory requirement.

**VET Quality Framework (VQF)**

The VET Quality Framework aims to achieve 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 Australian Skills Quality Authority website.

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## Part J. Appendices

All appendices to the Guidelines are available on the Department's website.

Appendix	Description
Appendix A – List of qualifications available as an Australian Apprenticeship	Lists all qualifications available as an Australian Apprenticeship.
Appendix B – National Skills Needs List	Lists all occupations that are on the National Skills Needs List and the qualifications that may potentially lead to those occupations.
Appendix C – Additional Identified Skills Shortage List	Lists all occupations that are on the Additional Identified Skills Shortage List and all the qualifications that may potentially lead to those occupations.
Appendix D – Priority Occupations	Lists the qualifications in the Priority Occupations List.
Appendix E – Trades-Based Australian Apprenticeships	Lists the qualifications available as a trades-based Australian Apprenticeship for the purposes of Boosting Apprenticeship Commencements.
Appendix F – Eligible Rural and Regional Postcode List	Lists the postcodes that are considered to be rural and regional for the purposes of the Program.
Appendix G – Previously completed, incomplete and concurrent qualifications that affect eligibility for payments under the Program	Details the effect of previous and concurrent qualifications on eligibility for payments under the Program.
Appendix H – List of government agencies assisting in assessing overseas qualifications	Lists the Australian Government and state or territory agencies that can provide assistance in having qualifications obtained overseas assessed for recognition within the AQF.