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Government of **Western Australia**
Department of **Training**
and **Workforce Development**

JOBS AND SKILLS WA EMPLOYER INCENTIVE TERMS AND CONDITIONS

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1. THE JOBS AND SKILLS WA EMPLOYER INCENTIVE

The Jobs and Skills WA Employer Incentive (the Incentive) provides financial assistance to Western Australian businesses who employ an apprentice or new entrant trainee, and who have an active training contract registered with the Department of Training and Workforce Development on or after **1 July 2019**.

The Incentive is one of the key strategies to meet Western Australia's targets under the *National Partnership on the Skilling Australians Fund* agreement with the Commonwealth Government.

The aim of the Incentive is to increase apprenticeship and traineeship commencements by providing employers with assistance to meet the costs of employing apprentices and new entrant trainees.

Through targeted loadings, the Incentive also aims to encourage employment of apprentices and new entrant trainees:

- in apprentices and traineeships aligned to the State Priority Occupation List (SPOL);
- in regional Western Australia;
- who are Aboriginal;
- who have a disability; and
- who are aged 21-30 years.

Employer Incentive payments are linked to a registered training contract and based on the nominal term of the apprenticeship or traineeship. Nominal terms of apprenticeships and traineeships are located in the Classification of Prescribed Vocational Education and Training Qualifications (Register of Class A and B qualifications).

By participating in the Incentive program, the employer agrees to comply with the Terms and Conditions. The Terms and Conditions, together with any other documents having contractual force, shall constitute and be known as "this Agreement". Please note that terms used in one document and defined in another shall have the meanings ascribed to them in that other document.

2. ELIGIBILITY FOR THE INCENTIVE

2.1. General eligibility conditions

Employers (including Group Training Organisations) are eligible for the Incentive, provided that the business is not a State or Federal Government agency¹, the apprentice or trainee lives in Western Australia; and the employer has an active training contract registered with the Department of Training and Workforce Development's (the Department) Apprenticeship Office on or after **1 July 2019**.

2.2. Eligibility criteria

Employers who **are eligible** to access the Incentive are:

- employers of new entrant trainees;
- employers of apprentices with assessable wages below the current payroll tax threshold;
- employers within a larger corporate entity who pay apprentice/trainees wages (paying entity) on behalf of employing entities within the same corporate structure;
- Group Training Organisations (GTOs);
- Local Government and Government Trading Enterprises; or
- not for profit organisations.

¹ For a definition of State government agencies see **Appendix 2 – Terms and Definitions**. Approved lists of State and Federal government agencies can be found on the Jobs and Skills WA website jobsandskills.wa.gov.au/employerincentive

Employers who **are not eligible** for the Incentive are:

- employers of existing worker trainees;
- State and Commonwealth government agencies;
- employers of apprentices and trainees who live outside of Western Australia;
- employers of apprentices with assessable wages above the current payroll tax threshold;
- employing entities who do not pay wages directly to their apprentices/trainees (employing entity), but have these wages paid by a related subsidiary entity (paying entity) within a larger corporate group;
- employers who are eligible to receive Incentive payments for their apprentice or trainee from the Construction Training Fund (CTF).

Employers **may be eligible for a partial payment** if:

- they are employing apprentices and their liability for payroll tax changes during the training contract;
- the apprentice or trainee moves in and out of WA during the course of their training contract; and/or
- their eligibility to receive CTF grants changes during the period of the training contract.

2.3 Incentive eligibility and the CTF

Employers who attract a CTF grant payment for an apprentice or trainee are not eligible to claim an Incentive for that apprentice or trainee.² Employers are assessed for CTF grant payments based on the industry and job role of the apprentice or trainee.³

Over the period of the training contract, eligibility to receive CTF grant payments for some apprentices and trainees may change depending on the employer's scope of work. Should the CTF determine an employer is not eligible to receive a CTF grant payment, the employer may be eligible for the Employer Incentive for the periods of CTF exclusion, subject to meeting eligibility requirements.

2.4. Eligibility of apprentices and trainees who reside outside of WA

Employers of apprentices and trainees who reside outside of WA are ineligible for the Incentive. Pro-rated payments may be applied if the apprentice or trainee moves in and out of WA through the course of their training contract. Indian Ocean Territories are included in the northern regional area of WA for the purpose of the Incentive.

WA employers who employ apprentices and new entrant trainees (residing in WA) for jobs located outside WA may be eligible for the Incentive but are not eligible to receive a regional loading.

2.5 Temporary adjustment to eligibility for employers who re-engage a former trainee

Temporary adjustments have been made to eligibility settings to support employers to re-engage with their former trainees.

This temporary adjustment is applicable to training contracts that were terminated or cancelled between 1 March 2020 and 30 June 2021, and the former trainee was a new entrant.

²CTF incentive payments for short courses such as occupational health and safety training do not affect an employer's eligibility for the Employer Incentive.

³ See <https://ctf.wa.gov.au> for detailed information about eligibility for CTF Funding Support.

If an employer enters into a new training contract with their former trainee within six months of the termination of the former training contract, the trainee will continue to be recognised as a new entrant.

As a result of this temporary adjustment, and if all other eligibility requirements outlined above are met, the employer may be eligible to receive the Employer Incentive.

3. INCENTIVE PAYMENTS

Incentive payments are:

- associated with the employment of an individual apprentice or trainee; and
- based on the nominal term of the apprenticeship or traineeship, as prescribed on the **Register of Class A and B qualifications** (apprenticeship and traineeship list).

3.1. Base Incentive payments

The **base Incentive payment amounts** available to employers are outlined in the tables below. Incentive payment amounts are set at the rate applicable at the training contract lodgement date.

Apprenticeships				
Nominal Term*	Commencement Payment (\$) **	Mid-point Payment (\$)	Completion Payment (\$)	Total (\$)
24 months	1,700.00	1,275.00	1,275.00	4,250.00
36 months	2,550.00	1,912.50	1,912.50	6,375.00
42 months	2,975.00	2,231.25	2,231.25	7,437.50
48 months	3,400.00	2,550.00	2,550.00	8,500.00

Table 1: Base Incentive Payments (Apprenticeships)

* The full time nominal term as stated on the Register of Class A and B qualifications. Part time apprentices will receive the same Incentive payment as full time apprentices, with payments spread over a longer period.

** Commencement payments are made six months after the commencement of the apprenticeship.

Traineeships*			
Nominal Term**	Commencement Payment (\$)***	Completion Payment (\$)	Total (\$)
6 months	0.00	1,062.50	1,062.50
9 months	0.00	1,593.75	1,593.75
12 months	1,062.50	1,062.50	2,125.00
18 months	1,593.75	1,593.75	3,187.50
24 months	2,125.00	2,125.00	4,250.00

Table 2: Base Incentive Payments (New Entrant Traineeships)

* There are no mid-point Incentive payments for trainees.

** The full time nominal term as stated on the Register of Class A and B qualifications. Part time trainees will receive the same Incentive payment as full time trainees, with payments spread over a longer period.

*** Commencement payments are made six months after the commencement of the traineeship.

**** Traineeships of more than 24 months duration will attract the Incentive payment rate of \$2,125 per year, based on the nominal term of the traineeship.

3.2. Additional loading payments

In addition to the Incentive amounts outlined above, employers may be eligible to receive loadings for target groups. Each loading is calculated as a percentage of the applicable Incentive amount, and multiple loadings may be applied.

Applicable loadings are claimed at Incentive milestones, as outlined in **Table 1** (Apprenticeships) and **Table 2** (Traineeships) above.

Loading payments are available for employers of apprentices and new entrant trainees in the following target groups:

Target group	Loading	Payment conditions
Apprenticeships and traineeships aligned to the State Priority Occupation List (SPOL)	10%	Applied at the time the training contract is registered.
Aboriginal apprentices and trainees	10%	Applied at the time the training contract is registered or can be applied post-registration when declared by the apprentice or trainee.
Apprentices and trainees with a disability	10%	Applied at the time the training contract is negotiated or can be applied post-registration when declared by the apprentice or trainee.
Apprentices and trainees who are living and working in South Regional Western Australia: Goldfields–Esperance, Great Southern, Mid-West, Peel, South West, Wheatbelt	10%*	Applied at the commencement of the training contract and updated each time the apprentice or trainee changes residential address.
Apprentices and trainees who are living and working in North Regional Western Australia: Pilbara, Kimberley, Gascoyne and Indian Ocean Territories	20%*	Applied at the commencement of the training contract and updated each time the apprentice or trainee changes residential address.
Apprentices aged between 21 and 30 years of age	50%	Applied to the commencement payment only.

Table 3: Employer Incentive – Additional priority loadings

* The regional loading takes into account the location of the job and the residential address of the apprentice or trainee. A WA employer who employs an apprentice or new entrant trainee in a job located outside of WA may be eligible to receive the Incentive but is not eligible to receive a regional loading.

3.3. Payment conditions

To receive Incentive payments, employers must meet the following payment conditions:

- the apprentice or trainee has an active training contract registered in WA;
- the apprentice or trainee is undertaking training (either on or off the job) at the milestone payment point (see **Tables 1 and 2** above)
- as payments are milestone based, Incentive payments will only be released to employers where validation checks are met; and
- claim each milestone within 12 months of it falling due.

Milestone payments will be apportioned as follows:

Category	6 months after commencement	Mid-way through nominal term	On completion
Apprenticeship	40%	30%	30%
New entrant traineeship (6 and 9 months in duration)	0%	0%	100%
New entrant traineeship (12 months or greater in duration)	50%	0%	50%

Table 4: Employer Incentive - Milestone Payments Schedule

Please note that employers of part-time apprentices and trainees will receive the same total Incentive payment as that available for full-time apprentices and trainees, with payments spread over a longer period, to reflect the extended nominal term.

3.4. Payment calculations

Payment of the Incentive will be calculated on the following basis:

- The progress of an individual apprentice or trainee employed under a training contract. Pro-rata Incentive payments cannot be claimed if a milestone is not reached.
- As milestones are met, Incentive payments, including loadings, will be calculated to take account of changes that occur during the course of the training contract that may affect payments, such as transfer of employer. In these instances, payments will be made on a pro-rata basis.
- Full completion payments will be made to training contracts reaching 75 per cent or greater of the nominal term.
- Completion payments will be reduced on a pro-rata basis when an apprentice or trainee's training contract is completed earlier than 75 per cent of the nominal term.
- If a training contract is suspended, Incentive payments will also be suspended.
- If a training contract is terminated or cancelled, before a milestone payment point has been reached, then no further payments will be made.

3.4.1 Payment calculation when an apprentice or trainee assigns (transfers) the training contract from one employer to another

(i) If an apprentice or trainee transfers from Employer 1 to Employer 2 in the course of their training contract before a milestone point is reached, and then subsequently reaches the milestone point following the transfer; both employers may be eligible to receive a pro-rata payment if they are able to:

- meet eligibility requirements for the Incentive; and
- satisfy specified validation requirements (see **Appendix 1**).

If Employer 1 is not eligible to receive Incentive payments, then Employer 2 may still be able to claim a pro-rata payment if validation requirements are satisfied (see **Appendix 1**).

If Employer 2 is not eligible to receive Incentive payments, then Employer 1 may still be able to claim a pro-rata payment if validation requirements are satisfied (see **Appendix 1**).

(ii) If the transfer occurs after a milestone point is reached, then both employers may be eligible to receive a pro-rata payment if they are:

- eligible for the Incentive; and
- able to satisfy specified validation requirements (see **Appendix 1**).

3.4.2 Payments to School Based Apprentices and Trainees

Incentive payments will be applied to one School Based Apprenticeship (SBA) or Traineeship (SBT). Students may undertake more than one SBA or SBT, however second and subsequent SBAs and SBTs will not attract Incentive payments.

If the school based apprentice or trainee changes employer during the qualification for which the Incentive is being paid, then the Incentive will follow the student, and the second employer may be eligible for a pro-rated payment.

3.4.3 Payments to Group Training Organisations

Group Training Organisations (GTOs) may be eligible to claim employer Incentives, including applicable loadings. Loadings are based on the address of the apprentice or trainee and the location of the host employer, and will be applied on a pro-rata basis.

GTOs are required to pass the Incentive payment on to the host employer however, the GTO may retain a portion of the Incentive payment which reflects on a pro rata basis, the periods of time an apprentice or trainee is not allocated to a host employer and remains employed by the GTO. GTOs are ineligible for Incentive payments however, during periods when an apprentice or trainee is hosted by a government agency that is out of scope of the Incentive.

To enable the efficient disbursement of Incentive payments, GTOs are required to maintain accurate host employer records in WAAMS. The WAAMS online portal allows GTO to manage their Incentive records, including pro-rata Incentive information relating to each host employer.

3.5. Top up payments for employers of apprentices claiming a payroll tax exemption

At the completion of a training contract, top-up payments may be claimed by employers of an apprentice whose payroll tax exemption is less than the corresponding Incentive payment.

Employers who wish to claim a top-up payment will be required to provide sufficient evidence to demonstrate the amount claimed for payroll tax exemption.

The Department will administer the process and consult with the Office of State Revenue (OSR) to validate data and determine the correct top-up payment.

3.6 Annual declaration process for Group Training Organisations

GTOs in receipt of Incentive payments are required to submit an annual declaration to confirm that they have passed on incentives to host employers.

The annual declaration process is as follows:

- after the end of each financial year, the Department will provide each GTO with a report outlining all Incentives paid, including pro-rata amounts for each host employer;
- GTOs will be requested to review the report, provide commentary in relation to how Incentives have been passed on to host employers (noting that GTOs may have different disbursement models) and sign a declaration that all appropriate Incentives have been paid to employers or retained by the GTO where appropriate;
- GTOs will be required to return the signed declaration to the Department within 6 weeks, noting any required amendments; and
- the Department will review the declaration reports and work with GTOs to amend where required and/or file in WAAMS.

4. THE CLAIM PROCESS

Employers including GTOs, are able to review their eligibility for the Incentive, and claim payments at each milestone payment point; by accessing the Department's Western Australian Apprenticeship Management System (WAAMS) online client portal.

4.1. Reviewing eligibility prior to claiming payments

4.1.1 The training contract

Australian Apprenticeships Support Australia (AASN) providers are responsible for signing up apprentices and trainees. Once completed, the training contract is lodged with the Department's Apprenticeship Office for registration. In the first instance, the accuracy of data for the Incentive relies on information provided by AASN providers to the Apprenticeship Office in the training contract. Employers should check the accuracy of their training contract information in the WAAMS online portal.

4.1.2 Eligibility criteria

Employers will be assessed for eligibility to receive the Incentive in accordance with the eligibility criteria as set out in Section 2 of these Terms and Conditions

4.1.3 Notionally eligible training contracts

Training contracts will be assessed individually and if found to be notionally eligible, a preliminary Incentive estimate will be determined and displayed for viewing by the employer in the WAAMS online client portal. The preliminary estimate will include an estimate of the Incentive payment, including relevant loadings and Incentive milestone dates as outlined in Section 3 of these Terms and Conditions, and will be based on the information provided in the training contract.

4.2. Claiming milestone payments

By accessing WAAMS, employers are able to view the following information about notionally eligible training contracts:

- details of each payment milestone including payment amounts;
- milestone open and end dates;
- applicable loadings applied at each milestone; and
- any validation items that require the employer's attention before they can make an application.

Incentive payments are termed entitlements in the WAAMS portal. Employers may receive up to three entitlements depending on the nominal duration of the qualification and/or whether it is being delivered as an apprenticeship or traineeship.

Employers must demonstrate eligibility for an entitlement at each milestone payment point. If the milestone has been reached and all eligibility criteria have been met, then the employer is eligible to submit a claim for the entitlement in the WAAMS portal.

Claims for entitlements must be made within 12 months of the milestone date.

4.3 Using WAAMS to access Incentive payments

Employers access WAAMS to review their eligibility for the Incentive and to claim payments at each milestone payment point. Eligible employers require the following WAAMS access levels:

- **WAAMS online client portal login** (waamsportal.dtwd.wa.gov.au) – this gives employers access to view their training contracts and make approved changes as required;
- **Employer Incentive User** – this gives employers the ability to claim Incentives and view Incentive payments that have been calculated in the system for their organisation; and
- **Financial Administrator** – the organisation's nominated Financial Administrator can create and edit their organisation's bank details and payroll tax status, and view the Incentive payments that have been calculated for their organisation.

Incentive payments cannot be made until all three access levels have been set up by employers in WAAMS.

5. TAXATION

5.1 Goods and Services Tax

GST does not apply to incentives paid by the Department to employers under the Incentive scheme and all Incentive amounts paid are GST exclusive. Eligible applicants are solely responsible for obtaining their own independent legal and financial advice about tax and any other legal impact that receipt of incentives may have in their individual circumstances.

For this purpose:

- "GST" means the goods and services tax applicable to any taxable supplies as determined by the GST Act; and
- "GST Act" means *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and includes all associated legislation and regulations; and

- the terms “supply”, “tax invoice”, “taxable supply” and “value” have the same meanings as in the GST Act.

If the supply of anything under this Agreement is a taxable supply under the GST Act, the funding shall be exclusive of GST.

5.2. Taxable Payment Annual Reporting (TPAR)

The Incentive payments are subject to the taxable payments reporting requirements of the Australian Taxation Office (ATO) following receipt of the payment.

From 1 July 2017, federal, state and territory government entities are required to report grants they make to people or organisations with an ABN each financial year from 1 July to 30 June.

Details of grants paid to each recipient are provided on a Taxable Payment Annual Report (TPAR) submitted electronically to the ATO on 28 August each year. The Department reports details of payments such as name of organisation receiving the payment, total amount paid and date of payment in the TPAR.

Reportable payments include grants under this Incentive paid to entities with an Australian Business Number (ABN) each financial year. Unpaid grants as at 30 June each year are reported in the following financial year’s TPAR.

There is no requirement by the ATO for the Department to provide recipients with any details of the information reported to the ATO on the TPAR.

If you receive an Incentive payment under this Employer Incentive it will be reported to the ATO.

Please note that the ATO has announced on their [website](#) when they may contact grant recipients about Incentive payments reported on the TPAR.

Further information about the TPAR is available on the [ATO](#) website.

5.3. Payroll Tax

Employers will be asked to disclose whether they are liable to pay payroll tax, to determine if they are eligible to receive an Incentive payment. The Department will verify the employer’s liability to pay payroll tax with the OSR according to an employer’s status in the previous financial year.

Should an employer wish to request a change to the initial eligibility assessment, such a request can be considered on a case by case basis. Should an employer’s liability to pay payroll tax change during the course of an apprentice or trainee’s training contract, the employer may be eligible to apply for an Incentive on a pro-rata basis as milestones are met.

An audit will be conducted at the end of each financial year (in approximately September) to verify:

- that an employer was, is and remains eligible, to receive an Incentive payment (if not, a pro-rata amount may need to be repaid as required); or
- that an employer who has not claimed the Incentive has become eligible (and a pro-rata amount can be paid).

This means that an employer’s eligibility to claim the Incentive for new apprentices may change from year to year, depending on the employer’s prior year liability to pay payroll tax.

Pro-rata repayments and payments will be calculated on a financial year basis, in accordance with the annual acquittal with the OSR.

6. DEBT MANAGEMENT

Where a payment has been made under the Incentive to an ineligible recipient, the Department will require recovery of the monies.

Repayment of Incentives will be required where the employer:

- makes a non-genuine claim; or
- seems to be manipulating the Incentive as evidenced by their retrenchment or recruitment patterns; or
- has no lawful basis for or entitlement to the payment, or where the employer has provided to the Department incorrect, misleading or deceptive information under or in connection with the Incentive; or
- has breached this Agreement; or
- has withheld from the Department information relevant to the employer's entitlement, if any, under the Incentive; or
- is not providing a genuine or appropriate employment and training opportunity for the apprentice or trainee; or
- is not meeting their workplace obligations to the apprentice or trainee.

6.1 Training contract changes

The submission of a training contract change (TCC) may result in the requirement to adjust or recalculate Incentive payments. This recalculation may result in an increase in the Incentive payment amount due to an employer (a credit) or a decrease in the Incentive amount which incurs a debt.

6.2 The debt adjustment process

If a TCC or one of the other conditions listed above has resulted in the requirement for a:

- debt adjustment, the employer will be notified of the Incentive entitlement change and the amount owed; or
- credit adjustment, the employer will be credited the adjusted amount on confirmation of the following:
 - a copy of a signed training plan which reflects the TCC changes;
 - a current payslip covering the claim open date; and
 - an enrolment form confirming that the apprentice/trainee is engaged in training for the new qualification.

7. COLLECTION OF PERSONAL INFORMATION

7.1. Use of Personal Information

The Department may collect, make a record, or otherwise use personal information for the purposes of administering the Incentive. Personal information may be disclosed to third parties for the purposes of administering and carrying out functions relating to the Incentive.

7.2. Disclosure of Personal Information

Personal information may be disclosed to and sought from, third parties for the purposes of administering and carrying out functions relating to the Incentive. Third parties include, but are not limited to:

- Australian Government departments and agencies;
- the Office of State Revenue (OSR); and
- the Construction Training Fund (CTF).

7.3. Management of Personal Information

Personal information collected under the management and administration of the Incentive, will be managed in accordance with the *State Records Act 2000* and the *Freedom of Information Act 1992* (the FOI Act).

This legislation provides individuals with protections to prevent the misuse of personal information. In addition, if an individual has a complaint about the storing or use of their personal information, they are able to contact the WA Information Commissioner.

Under the FOI Act, an Information Commissioner has been appointed to:

- deal with complaints about decisions made by government agencies; and
- investigate possible interference with personal information, either following a complaint by the individual or of the Commissioner's own initiative.

Further information about the role of the Information Commissioner can be found at www.oic.wa.gov.au

8. REVIEW OF DECISIONS

8.1. Overview

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

In the interests of procedural fairness, an employer has a right to request a review of a decision made by the Department. This will usually be in relation to eligibility for a payment or the calculated amount of a payment.

8.2. Process for Review of Decisions

The process for the review of decisions is as follows:

- A written request for a review should be made directly to the Department by emailing employerIncentive@dtwd.wa.gov.au. The request should outline the reasons the employer considers the decision to be incorrect or unfair and, where appropriate, provide additional evidence to support a review of the case.
- The review will be conducted by a senior Department staff member, at Director level or above.
- Upon review, the Department will re-examine the decision taking into account the policies and intent of the Incentive, the reasons that the claimant has put forward for review of the decision and any additional information provided.
- The Department will only review on a fully open and transparent basis. Accordingly, all relevant information must promptly be forthcoming from the employer.

8.3. Notification of Outcome

The Department will notify the employer of the review decision, in writing, within 28 days of the review being requested.

The review decision will be provided in writing and include a clear explanation of the reason(s) for the review decision.

Exceptional circumstances are circumstances that are unusual, uncommon, unexpected or unplanned.

The Department will consider declarations and supporting documentation in an endeavour to review a decision to ensure that the best possible outcome is achieved, balancing the rights of the employer with the prudent use of public monies.

When considering a request for a review of the decision the following may be considered:

- Would the employer be eligible for the payment if it were not for the exceptional circumstance(s)? This determines the basic eligibility for the payment(s) in dispute.
- Is the exceptional circumstance(s) out of the control of the employer? If yes, then exceptional circumstances may apply.
- Could the employer have reasonably been expected to do more at the time of claiming, to ensure that the claim was considered favourably? If not, then exceptional circumstances may apply.
- Did the Department provide appropriate advice, information and service to enable the employer to lodge the claim within the appropriate timeframe? If not, then exceptional circumstances may apply.
- Has the claim been disrupted by unexpected or unplanned events that have impacted on the ability to provide supporting evidence or take necessary actions within the required time limits? If yes, then exceptional circumstances may apply.

9. DISCLAIMER INDEMNITY AND WARRANTY

A continuing obligation throughout any period of participation in the Incentive is that each applicant hereby declares and warrants to the Department and the State, and all their respective officers, employees and agents, that they have read, understood and accept these Terms and Conditions and that they have been truthful, and forthcoming with all relevant information, in respect to their application to participate in the Incentive.

Eligible applicants are solely responsible for obtaining their own independent legal and financial advice about tax and any other legal impact that receipt of Incentives may have in their individual circumstances.

10. CHANGES TO THE INCENTIVE

In accordance with the requirements of the *National Partnership on the Skilling Australians Fund*, the Incentive will be reviewed annually in consultation with industry to ensure that it is operating effectively and efficiently, and that it meets employer needs and State training priorities. As a result, payment values and priority loadings may be adjusted to meet budget requirements. If the loadings change after commencement, the employer is still eligible to receive the Incentive, commensurate with the Incentive estimate provided when the training contract is registered. Loading changes may also change the amount of the Incentive entitlement at one or more milestones.

In addition, eligibility for State Priority Occupation List (SPOL) qualification loadings may change over the course of the apprentice or trainee's training contract; as the SPOL is reviewed annually. If a qualification is removed from the SPOL after the training contract has commenced, then the employer is still eligible to claim the Incentive, commensurate with the Incentive estimate provided when the training contract is registered.

The Department therefore reserves the right to:

- vary these Terms and Conditions, the eligibility criteria or any other documented rule or procedure at any time; and
- accept or reject any application for participation in the Incentive in its absolute discretion; and
- cease the Incentive at any time should State Government policy change or the budget allocation for the Incentive be re-prioritised.

The Department will however, honour arrangements for training contracts that have commenced prior to these changes coming into effect.

11. AUDITS

The Incentive as administered by the Department of Training and Workforce Development, is subject to audit by the Western Australian Auditor General. Employers may be asked to provide information during the audit process.

12. STAKEHOLDER FEEDBACK

In administering the Incentive, measures have been taken to minimise red tape and simplify the application process for employers. This is balanced with the need to ensure Incentive payments are made correctly to eligible employers

The Department is always looking to improve processes and systems. Stakeholder feedback is welcomed and can be provided to the Department by:

Telephone: 13 19 54

email: employerIncentive@dtwd.wa.gov.au

APPENDIX 1 – VALIDATION CHECKS FOR INCENTIVE PAYMENT APPROVAL

This document outlines the validation checks a training contract must pass before an employer Incentive payment can be approved for payment.

Validation Check Method - Key

	Automated system check
	Manual check performed by staff member from the Department's Risk Analysis and Improvement (RAI) team

Validation Table 1: Commencement milestone – Apprentices

Validation check	Method of check
The training contract was lodged on or after 1 July 2019	<input type="checkbox"/> The automated assessment rule has passed confirming the Training Contract Application (TCA) date received is on or after 1 July 2019.
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer's ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation's Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer's bank details have been provided	<input type="checkbox"/> The employer's bank account details exist against the organisation's record and were created by the employer's nominated Financial Administrator
The apprentice has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's USI has been validated against the apprentice's personal details, the following principles apply: <ul style="list-style-type: none"> ○ existing USI data collection from TAFE Colleges and funded training providers forms part of their contractual requirements with the Department; ○ USI's are required from private RTOs who are not funded by the Department, before an employer can submit an Incentive payment claim; and ○ USI's will be required from contracted RTOs who seek funding for less than 80% of their training contracts.
The apprentice resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's residential address is in WA
Employer is not receiving a payroll tax exemption (GTOs excluded)	<input type="checkbox"/> The payroll tax status rule has passed confirming, either: <ol style="list-style-type: none"> 1) The apprentice is with an employer that is a GTO; or 2) The employer has declared that they are not liable for payroll tax in 2019/20.

	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not liable for payroll tax despite having more than 15 employees, and/or, where Office of State Revenue data indicates they were liable for payroll tax in the previous financial year.
The employer is not receiving a benefit from the Construction Training Fund (CTF)	<input type="checkbox"/> The CTF rule has passed confirming either: <ul style="list-style-type: none"> • the apprentice is in a qualification that is not in scope of the CTF; • the apprentice is in a qualification that may be in scope of the CTF, but the employer has declared that they do not engage with CTF; or • the apprentice is in a qualification that may be in scope of the CTF, and the employer has declared that they do not engage with CTF for apprentices employed at this worksite (including host employer worksites); or • the apprentice is in a qualification that may be in scope of the CTF, but CTF have confirmed that the employer is not receiving a CTF payment for this apprentice.
Apprentice has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> • the training contract is not school-based; or • if the training contract is school-based, the apprentice has not previously attracted an employer Incentive
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming the Registered Training Organisation (RTO) has confirmed that all parties have signed the training plan
In training check – Training plan copy has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that the Apprenticeship Office (AO) has received and validated a copy of the training plan.
In employment check	<input type="checkbox"/> The apprentice’s employment at commencement has been confirmed: <ul style="list-style-type: none"> • the apprentice has confirmed that they are in employment; or • the employer has submitted the necessary evidence (e.g. a payslip) to show that the apprentice was employed at the milestone date, and this evidence has been validated.
Apprentice is not an ineligible recommencement	<input type="checkbox"/> The automated assessment rule will pass if the apprentice has not had a previous training contract
	If Automated assessment fails: <input type="checkbox"/> The apprentice’s recommended training contract has been assessed and meets the requirements of an eligible recommencement.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i> .

Validation Table 2: Commencement milestone – Trainees	
Validation check	Method of check
The training contract was lodged on or after 1 July 2019	<input type="checkbox"/> The automated assessment rule has passed confirming the Training Contract Application (TCA) date received is on or after 1 July 2019.
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer's ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation's Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer's bank details have been provided	<input type="checkbox"/> The employer's bank account details exist against the organisation's record and were created by the employer's nominated Financial Administrator
The trainee has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee's USI has been validated against the trainee's personal details
The trainee resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee's residential address is in WA
The employer is not receiving a benefit from the Construction Training Fund (CTF)	<ul style="list-style-type: none"> • The CTF rule has passed confirming either: • the trainee is in a qualification that is not in scope of the CTF; • the apprentice/trainee is in a qualification that may be in scope of the CTF, but the employer has declared that they do not engage with CTF; or • the apprentice/trainee is in a qualification that may be in scope of the CTF, and the employer has declared that they do not engage with CTF for apprentices/trainees employed at this worksite (including host employer worksites); or • the apprentice/trainee is in a qualification that may be in scope of the CTF, but CTF have confirmed that the employer is not receiving a CTF payment for this apprentice.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC).
Trainee has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> • the training contract is not school-based; or • if the training contract is school-based, the apprentice has not previously attracted an employer Incentive
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming that the Registered Training Organisation (RTO) has confirmed that all parties have signed the training plan.

In training check – Training plan copy has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that Apprenticeship Office (AO) have received and validated a copy of the training plan.
In training check – Training has commenced with non – funded RTO	<input type="checkbox"/> Non-funded RTOs evidence of enrolment confirmed e.g. tax invoice or enrolment advice.
In training check – Training has commenced with funded RTO	<input type="checkbox"/> Confirm enrolment with TAFE WA College or funded private RTO, in DTWD data systems.
In employment check	<input type="checkbox"/> The trainee’s employment at commencement has been confirmed via: <ol style="list-style-type: none"> 1) the trainee has confirmed that they are in employment; or 2) the employer has submitted the necessary evidence (e.g. a payslip) confirming that the trainee was employed as at the milestone date, and the evidence has been validated.
Trainee is a new entrant	<input type="checkbox"/> The automated assessment rule will pass if: <ol style="list-style-type: none"> 1) the trainee is not an existing worker according to question 3 of the training contract; and 2) it is the trainee’s first training contract.
	If Automated assessment fails: <input type="checkbox"/> RAI staff have investigated the trainee’s previous training contract and confirmed: <ol style="list-style-type: none"> 1) previous contract/s were not with the same employer; or 2) if they were with the same employer, the contract was terminated/completed more than 6 months prior to the new contract’s commencement date; or 3) that the trainee is articulating to a higher qualification with the same employer within three months of successfully completing the previous contract.
Trainee is not an ineligible recommencement	<input type="checkbox"/> The automated assessment rule will pass if the trainee has not had a previous training contract.
	If Automated assessment fails: <input type="checkbox"/> The trainee’s recommenced training contract has been assessed and meets the requirements of an eligible recommencement.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i>

Validation Table 3: Midpoint milestone – Apprentices	
Validation check	Method of check
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date.
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer's ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff.
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation's Employer Type is not State or Commonwealth Government.
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer's bank details have been provided	<input type="checkbox"/> The employer's bank account details exist against the organisation's record and were created by the employer's nominated Financial Administrator.
The Apprentice has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's USI has been validated against the apprentice's personal details. <input type="checkbox"/> The following principles apply: <ul style="list-style-type: none"> ○ existing USI data collection from TAFE Colleges and funded training providers forms part of their contractual requirements with the Department; ○ USI's are required from private RTOs who are not funded by the Department, before an employer can submit an Incentive payment claim; and ○ USI's will be required from contracted RTOs who seek funding for less than 80% of their training contracts.
The apprentice resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's residential address is in WA
Employer is not receiving a payroll tax exemption (GTOs excluded)	<input type="checkbox"/> The payroll tax status rule has passed confirming, either: <ul style="list-style-type: none"> • the apprentice is employed by an employer that is a GTO; or • the employer has declared that they are not liable for payroll tax in 2019/20.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not liable for payroll tax despite having more than 15 employees, and/or, where Office of State Revenue data indicates they were liable for payroll tax in the previous financial year
The employer is not receiving a benefit from the Construction Training Fund	<ul style="list-style-type: none"> • The CTF rule has passed confirming either: • the apprentice is in a qualification that is not in scope of the CTF; or • the apprentice is in a qualification that may be in scope of the CTF, but the employer has declared they never engage with CTF; or • the apprentice is in a qualification that may be in scope of the CTF, and the employer has declared they do not engage with CTF for apprentices employed at this worksite (including host employer worksites); or • The apprentice is in a qualification that may be in scope of the CTF, but CTF have confirmed the employer is not receiving a CTF incentive for this apprentice.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC)

Apprentice has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> the training contract is not school-based; or if the training contract is school-based, the apprentice has not attracted an employer Incentive
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming the Registered Training Organisation (RTO) has confirmed that all parties have signed the training plan.
In training check – Training plan copy has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that Apprenticeship Office (AO) have received and validated a copy of the training plan.
In training check – Training has commenced with non – funded RTO	<input type="checkbox"/> Non-funded RTOs evidence of enrolment confirmed e.g. tax invoice or enrolment advice.
In training check – Training has commenced with funded RTO	<input type="checkbox"/> Confirm enrolment with TAFE WA College or funded private RTO, in DTWD data systems.
In employment check	<input type="checkbox"/> The apprentice’s employment at the mid-point milestone has been confirmed: <ul style="list-style-type: none"> the apprentice has confirmed that they are currently in employment; or the employer has submitted the necessary evidence (e.g. a payslip) that the apprentice was employed at the milestone date and the evidence has been validated.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i>

Validation Table 4: Completion milestone – Apprentices	
Validation check	Method of check
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date <input type="checkbox"/>
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer's ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation's Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer's bank details have been provided	<input type="checkbox"/> The employer's bank account details exist against the organisation's record and were created by the employer's nominated Financial Administrator
The Apprentice has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's USI has been validated against the apprentice's personal details
The apprentice resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's residential address is in WA
Employer is not receiving a payroll tax exemption (GTOs excluded)	<input type="checkbox"/> The payroll tax status rule has passed confirming, either: <ul style="list-style-type: none"> • the apprentice is employed by an employer that is a GTO; or • the employer has declared that they are not liable for payroll tax in 2019/20.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not liable for payroll tax despite having more than 15 employees, and/or, where Office of State Revenue data indicates they were liable for payroll tax in the previous financial year
The employer is not receiving a benefit from the Construction Training Fund (CTF)	<input type="checkbox"/> The CTF rule has passed confirming either: <ul style="list-style-type: none"> • the apprentice is in a qualification that is not in scope of the CTF; or • the apprentice is in a qualification that may be in scope of the CTF, but the employer has declared they never engage with CTF; or • the apprentice is in a qualification that may be in scope of the CTF, and the employer has declared they do not engage with CTF for apprentices employed at this worksite (including host employer worksites); or • The apprentice is in a qualification that may be in scope of the CTF, but CTF have confirmed the employer is not receiving a CTF incentive for this apprentice.
	Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC).
Apprentice has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> • the training contract is not school-based; or • if the training contract is school-based, the apprentice has not previously attracted an employer Incentive
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming that the Registered Training Organisation (RTO) has confirmed that all parties have signed the training plan.

In training check – a signed copy of the Training plan has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that the Apprenticeship Office (AO) have received and validated a copy of the training plan.
A signed copy of the completion agreement has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that the Apprenticeship Office have verified that a copy of the completion agreement has been provided and it meets legislative requirements.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i> .

Validation Table 5: Completion milestone – Trainees	
Validation check	Method of check
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer’s ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation’s Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer’s bank details have been provided	<input type="checkbox"/> The employer’s bank account details exist against the organisation’s record and were created by the employer’s nominated Financial Administrator
The trainee has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee’s USI has been validated against the trainee’s personal details
The trainee resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee’s residential address is in WA
The employer is not receiving a benefit from the Construction Training Fund	<ul style="list-style-type: none"> • The CTF rule has passed confirming either: • the trainee is in a qualification that is not in scope of the CTF; or • the trainee is in a qualification that may be in scope of the CTF, but the employer has declared that they never engage with CTF; or • the trainee is in a qualification that may be in scope of the CTF, and the employer has declared they do not engage with CTF for trainees employed at this worksite (including host employer worksites); or • The trainee is in a qualification that may be in scope of the CTF, but CTF have confirmed the employer is not receiving a CTF payment for this trainee.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC).
Trainee has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> • the training contract is not school-based; or • if the training contract is school-based, that the apprentice has not previously attracted an employer Incentive.
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming the registered training provider (RTO) has confirmed that all parties have signed the training plan.

In training check – a signed copy of the Training plan has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that Apprenticeship Office (AO) have received and validated a copy of the training plan.
A signed copy of the completion agreement has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming Apprenticeship Office have verified that the copy of the completion agreement meets the requirements.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i>

Validation Table 6: Completion milestone – Trainees (6 and 9 month contracts)	
Validation check	Method of check
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date .
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer’s ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation’s Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer’s bank details have been provided	<input type="checkbox"/> The employer’s bank account details exist against the organisation’s record and were created by the employer’s nominated Financial Administrator
The trainee has a valid Unique Student Identifier	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee’s USI has been validated against the trainee’s personal details
The trainee resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the trainee’s residential address is in WA
The employer is not receiving a benefit from the Construction Training Fund (CTF)	<ul style="list-style-type: none"> • The CTF rule has passed confirming either: • the trainee is in a qualification that is not in scope of the CTF; or • the trainee is in a qualification that may be in scope of the CTF, but the employer has declared that they never engage with CTF; or • the trainee is in a qualification that may be in scope of the CTF, and the employer has declared they do not engage with CTF for apprentices employed at this worksite (including host employer worksites); or • the trainee is in a qualification that may be in scope of the CTF, but CTF have confirmed the employer is not receiving a CTF incentive for this trainee.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC).
Trainee has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> • the training contract is not school-based; or • if the training contract is school-based, the trainee has not previously attracted an employer Incentive.

In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming the Registered Training Organisation (RTO) has confirmed that all parties have signed the training plan.
In training check – a signed copy of the Training plan has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that Apprenticeship Office (AO) have received and validated a copy of the training plan.
A signed copy of the completion agreement has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that the Apprenticeship Office have verified that a copy of the completion agreement has been provided and it meets the requirements.
Terms and Conditions	<input type="checkbox"/> Employer has confirmed that they agree to the <i>Jobs and Skills WA Employer Incentive Terms and Conditions</i>

Validation Table 7: Assignment (Transfer) validations – Validations required for Employer A to make a claim (outgoing employer)	
Validation check	Method of check
The training contract was lodged on or after 1 July 2019	<input type="checkbox"/> The automated assessment rule has passed confirming the Training Contract Application (TCA) date received is on or after 1 July 2019.
The milestone claim window is open	<input type="checkbox"/> The automated business rule confirms the claim has been submitted on or after the claim open date, and on or before claim close date
Employer has a valid Australian Business Number (ABN) with the Australian Business Register (ABR)	<input type="checkbox"/> The employer's ABN and Legal Name have been verified on ABN lookup by Apprenticeship Office staff
Employer is not a State or Commonwealth Government agency	<input type="checkbox"/> The automated assessment rule has passed confirming the organisation's Employer Type is not State or Commonwealth Government
The employer is eligible to participate in the Jobs and Skills WA Employer Incentive	<input type="checkbox"/> The automated assessment rule has passed confirming there is no closer attention flag on the employer.
	<input type="checkbox"/> Where there is a closer attention flag on the employer, further assessment is conducted to determine whether the employer is eligible to receive incentive payments at that time.
Employer's bank details have been provided	<input type="checkbox"/> The employer's bank account details exist against the organisation's record and were created by the employer's nominated Financial Administrator
The apprentice/trainee has a valid Unique Student Identifier (USI)	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's/trainee's USI has been validated against the apprentice's/trainee's personal details, the following principles apply: <ul style="list-style-type: none"> ○ existing USI data collection from TAFE Colleges and funded training providers forms part of their contractual requirements with the Department; ○ USI's are required from private RTOs who are not funded by the Department, before an employer can submit an Incentive payment claim; ○ USI will be required from contracts RTOs who seek funding for less than 80% of their training contracts
The apprentice/trainee resides in WA	<input type="checkbox"/> The automated assessment rule has passed confirming the apprentice's/trainee's residential address is in WA
Employer is not receiving a payroll tax exemption (Apprentices only, GTOs excluded)	<input type="checkbox"/> The payroll tax status rule has passed confirming, either: <ul style="list-style-type: none"> • the training contract is a traineeship; • the apprentice is with an employer that is a GTO; or • the employer has declared that they are not liable for payroll tax in 2019/20.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not liable for payroll tax despite having more than 15 employees, and/or, where Office of State Revenue data indicates they were liable for payroll tax in the previous financial year
The employer is not receiving a benefit from the Construction Training Fund (CTF)	<ul style="list-style-type: none"> • The CTF rule has passed confirming either: • the apprentice/trainee is in a qualification that is not in scope of the CTF; • the apprentice/trainee is in a qualification that may be in scope of the CTF, but the employer has declared that they never engage with CTF; or • the apprentice/trainee is in a qualification that may be in scope of the CTF, and the employer has declared that they do not engage with CTF for apprentices/trainees employed at this worksite (including host employer worksites); or

	<ul style="list-style-type: none"> The apprentice/trainee is in a qualification that may be in scope of the CTF, but CTF have confirmed that the employer is not receiving a CTF incentive for this apprentice/trainee.
	<input type="checkbox"/> Further assessment is conducted where the employer has declared they are not eligible for CTF incentives despite their principal business activity falling within the Construction division of the Australian and New Zealand Standard Industrial Classification (ANZSIC)
Apprentice/Trainee has not attracted an Incentive for another School-based training contract	<input type="checkbox"/> The automated assessment rule has passed confirming that: <ul style="list-style-type: none"> the training contract is not school-based; or if the training contract is school-based, the apprentice/trainee has not previously attracted an employer Incentive.
In training check – Training Plan has been signed	<input type="checkbox"/> The automated assessment rule has passed confirming the Registered Training Organisation training plan was confirmed before assignment; or <input type="checkbox"/> If training plan was not confirmed before assignment, the employer has provided a copy of the training plan signed by all parties.
In training check – Training plan copy has been verified	<input type="checkbox"/> The automated assessment rule has passed confirming that Apprenticeship Office (AO) have received and validated a copy of the training plan signed between the employer (outgoing employer), Apprentice and RTO. <i>NOTE: Outgoing employer cannot complete a claim if they did not sign a training plan before the contract was transferred to the new employer</i>
In training check – Training has commenced with non – funded RTO	<input type="checkbox"/> Non-funded RTOs evidence of enrolment confirmed e.g. tax invoice or enrolment advice.
In training check – Training has commenced with funded RTO	<input type="checkbox"/> Confirm enrolment with TAFE WA College or funded private RTO, in DTWD data systems.
In employment check	<input type="checkbox"/> The apprentice's/trainee's employment, as at the date of assignment to the new employer, has been confirmed via: <ul style="list-style-type: none"> the (outgoing) employer who has submitted the necessary evidence (e.g. a payslip) to confirm that the apprentice/trainee was employed as at the transfer date, and that this evidence has been validated.
Trainee is a new entrant (trainees only)	<input type="checkbox"/> The automated assessment rule will pass if: <ul style="list-style-type: none"> the training contract is for a traineeship; the trainee is not an existing worker according to question 3 of the training contract; and the trainee has not previously been signed to a training contract.
	If automated assessment fails: RAI Staff have investigated the trainee's previous training contract and confirmed that: <input type="checkbox"/> previous contract/s were not with the same employer; or <input type="checkbox"/> if they were with the same employer, the contract was terminated/completed more than 6 months of the new contract's commencement date.
Apprentice/Trainee is not an ineligible recommencement	<input type="checkbox"/> The automated assessment rule will pass if the apprentice/trainee has not had a previous training contract; or
	If automated assessment fails: <input type="checkbox"/> RAI staff have investigated the trainee's previous training contract and confirmed: <ol style="list-style-type: none"> previous contract/s were not with the same employer; or if they were with the same employer, the contract was terminated/completed more than 6 months prior to the new contract's commencement date; or <input type="checkbox"/> That the trainee is articulating to a higher qualification with the same employer within three months of successfully completing the previous contract.

Terms and Conditions

Employer has confirmed that they agree to the *Jobs and Skills WA Employer Incentive Terms and Conditions*

APPENDIX 2 – TERMS AND DEFINITIONS

Term	Description/Definition
Apprentice	An Apprentice is defined in the <i>Vocational Education and Training Act 1996</i> , as:the person who is named in a training contract as the person who will be trained under the contract, whether the person is termed an apprentice, a trainee, a cadet, an intern or some other term.
Approval Date	The date when training contract change is approved. Please note that updates to information relating to the training contract is the responsibility of the parties (or AASN), dates within WAAMS are generally not applied retrospectively.
Apprenticeship	A structured employment based training program that leads to the apprentice gaining a nationally recognised qualification. An apprenticeship can be full time, part time or school based. Apprenticeship qualifications in WA are listed on the <i>Classification of Prescribed Vocational Education and Training Qualifications</i> (the Register of Class A & B Qualifications).
Apprenticeship Office (AO)	The Apprenticeship Office provides advice and support to both the apprentice and employer throughout the course of an apprenticeship. As the State’s administrative and regulatory agency for apprenticeships and traineeships, it is AO’s responsibility to ensure administrative and regulatory compliance including financial governance.
Australian Apprenticeship Support Network (AASN) Providers	Organisation(s) contracted by the Australian Government to undertake the ‘sign up’ process between an employer and apprentice/trainee and ongoing support services throughout the training contract.
<u><i>Classification of Prescribed Vocational Education and Training Qualifications</i></u> (Register of Class A and B qualifications)	Under the <i>Vocational Education and Training Act 1996</i> , the Minister must classify each prescribed vocational education and training qualification into one of the three categories — Class A, Class B and Class C. <ul style="list-style-type: none"> • Class A: These qualifications can only be obtained by fulfilling the obligations of an apprentice under a training contract. • Class B: These qualifications may, but need not, be obtained by fulfilling the obligations of an apprentice under a training contract. • Class C: Class C qualifications cannot be delivered under a training contract. All qualifications not classified as A or B are automatically classified as Class C. <p>The <i>Classification of Prescribed Vocational Education and Training Qualifications</i> (Register of Class A & B Qualifications) provides a detailed list of qualifications that may be offered as apprenticeships and traineeships.</p>
Commonwealth Government Agencies	Commonwealth government agencies are comprised of: <ul style="list-style-type: none"> • government departments – for example Department of Agriculture, Department of Social Services; • bureaus and commissions – for example Aged Care Quality and Safety Commission, Australian Transport Safety Bureau; • authorities – for example Australian Maritime Safety Authority, Australian Communications and Media Authority; and • corporations and other entities – for example, Regional Investment Corporation, Australian Broadcasting Corporation, National Library of Australia. <p>Approved lists of Commonwealth government agencies can be found on the Jobs and Skills WA website jobsandskills.wa.gov.au/employerincentive</p>
Completion Date of Training Contract	A training contract is successfully completed when there is agreement from the employer, Registered Training Organisation (RTO) and apprentice or trainee that the apprentice or trainee has attained all the required competencies for the qualification.
Construction Training Fund (CTF)	Is a fund that is collected from the construction industry through a levy which applies to all residential, commercial and civil engineering projects undertaken in Western Australia where the total value of construction is estimated to be more than \$20 000.

Construction Training Fund (CTF) Grants	<p>Grants paid by CTF to eligible employers who enter into a training contract with apprentices/trainees in specific qualifications related to the building and construction industry.</p> <p>Subsidies are funded by levies collected under the <i>Building and Construction Industry Training Fund and Levy Collection Act 1990</i>. The list of qualifications recognised and the grant amounts available is published on the CTF website https://ctf.wa.gov.au</p>
Contract Registration Date	<p>The date the training contract is registered by the Department.</p> <p><i>Note: The training contract must be lodged with the Department within 21 calendar days of the apprentice commencing employment.</i></p>
Employer	A person, agency or organisation who engages workers under a contract of employment. This term also includes Group Training Organisations (GTOs).
Employer Incentive	<p>An Incentive to offset the costs of training for employers of apprentices and new entrant trainees.</p> <p>The Employer Incentive applies to new contracts commenced and registered with the Department on or after 1 July 2019.</p>
Exceptional Circumstances	An unusual, uncommon, unexpected or unplanned circumstance or event.
Extension to Training Contracts	<p>As qualifications delivered under training contracts are competency based, it is possible for the employer or apprentice to extend the time allowed for the apprentice to complete the training contract beyond the nominal term.</p> <p>If this is required both parties (employer and apprentice) must be in agreement. Once agreement has been reached, the Department must be notified. Extension notices can only be considered by the Department before the expiry date of the training contract.</p>
Existing Worker	<p>A person employed with the same employer continuously for more than three months full time or 12 months casual or part time, or a combination of both; immediately prior to the commencement date of the training contract.</p> <p>In calculating the full time equivalent period of employment, the following exclusions apply where the apprentice/trainee was:</p> <ul style="list-style-type: none"> employed while attending secondary school as a student; has had a break in service with the employer of 6 months or more in the employment relationship prior to commencement of the apprenticeship/traineeship. <p>Please note, any worker not considered an existing worker is deemed to be a new entrant.</p> <p>New entrant trainees who go on to a subsequent traineeship with the same employer within three months after the successful completion of the previous traineeship can maintain their new entrant status if they articulate to a higher level qualification.</p>
<i>Freedom of Information Act 1982</i> (FOI Act)	<p>This Act provides individuals a right of access to documents held by Australian Government ministers and most government agencies.</p> <p>Detailed information about an individual's rights to access personal information under the FOI Act, can be found on the website of the Office of the Australian Information Commissioner www.oaic.gov.au</p>
Full time Employee	A full time employee works on average 38 hours a week. The actual hours of work for an employee in a particular job or industry are agreed between the employer and employee and/or set by an award or registered agreement.
Government Trading Enterprise (GTE)	The Department of Treasury website defines Government Trading Enterprises (GTEs) as public non-financial and financial corporations which have commercial objectives and derive their primary source of revenue from the sale of goods and services in a commercial environment.

	<p>The board of a GTE has governance authority over its enterprise and it operates at an arm's length relationship with the Government. The chairperson of the board is accountable to the Minister, who is in turn accountable to Parliament.</p> <p>The boards have statutory obligations to act in accordance with the Government Trading Enterprises' objectives and must also accommodate the objectives of the Government as the sole owner of the business.</p> <p>Examples of GTEs include Fremantle Port Authority, Synergy, TAB and Water Corporation.</p> <p>An approved list of GTEs can be found on the Jobs and Skills WA website jobsandskills.wa.gov.au/employerIncentive</p>
Group Training Organisation (GTO)	<p>An organisation that employs apprentices/trainees under a training contract and places them with host employers. The GTO undertakes the employer responsibilities for the quality and continuity of the apprentice's employment and training.</p> <p>To be eligible for the Employer Incentive, GTOs are required to be registered with the Department and meet the <i>National Standards for Group Training Organisations</i>.</p>
Loadings	<p>This means an increase in the base Incentive payment as a result of one of the qualifying factors being met.</p> <p>Additional loading can be applied in the following instances where apprentices or trainees:</p> <ul style="list-style-type: none"> live and work in a designated regional area. These apprentices and trainees are eligible for an additional payment, calculated as 1.1 times the standard amount. are undertaking a qualification linked to an occupation with a SPOL rating of 1, 2 or 3 (See State Priority Occupation Listing (SPOL) definition below). These apprentices and trainees are eligible for an additional payment, calculated as 1.1 times the standard amount. live and work in a regional area and are undertaking a qualification linked to an occupation with a SPOL rating of 1, 2 or 3. These apprentices and trainees are eligible for an additional payment, calculated as 1.2 times the standard amount.
Local Government Agencies/Authorities	<p>Local government authorities in Western Australia as established by the <i>Local Government Act 1995</i>. These comprise of three classifications:</p> <ul style="list-style-type: none"> City – predominantly urban, but also includes some larger regional centres. For example City of Bayswater, City of Rockingham; Town – predominantly inner urban, plus Port Hedland. For example, Town of Bassendean, Town of Port Hedland; and Shire – predominantly rural or outer suburban areas. For example, Shire of Serpentine-Jarrahdale, Shire of Coolgardie. <p>An approved list of local government agencies can be found on the Jobs and Skills WA website jobsandskills.wa.gov.au/employerincentive</p>
Lodgement Date of the Training Contract	<p>The date the AASN lodge the training contract with the Department.</p> <p><i>Note: Training contracts must be lodged with the Department within 21 calendar days of the apprentice commencing employment.</i></p>
New Entrant	<p>Any worker not considered an existing worker (see 'existing worker' definition) is deemed to be a new entrant.</p>
Nominal Duration / Term	<p>The length of time determined by industry that an average individual is expected to take to complete a training contract – noting that the system is competency based.</p> <p>The nominal term for an apprenticeship or traineeship is identified in the <i>Classification of Prescribed Vocational Education and Training Qualifications</i> (Register of Class A and B qualifications).</p>
Non-genuine Claims	<p>Where there is a doubt as to the genuineness of a claim, the Department may investigate. The Department may withhold payment or ask for repayment as a result of an irregularity as follows:</p> <ul style="list-style-type: none"> allegations of fraudulent activities or attempts to manipulate the Incentive by an employer to maximise payments that would otherwise not have been payable;

	<ul style="list-style-type: none"> • employer retrenchment and recruitment patterns that suggest possible abuse of the Incentive; • suspected breaches of the provisions of the training contract; or • any instance where an apprentice, or person acting on their behalf, makes an allegation or complaint against an employer, including claims of harassment or non-payment of wages.
Office of State Revenue (OSR)	The Office of State Revenue (OSR) aims to administer revenue laws and grant and subsidy schemes in a fair and efficient manner for the community. This involves both the collection of duties and taxes, as well as the payment of grants and subsidies.
Part-Time	<p>The <u>Classification of Prescribed Vocational Education and Training Qualifications Register of Class A & B Qualifications</u> identifies any specific requirements regarding part-time arrangements for apprenticeships and traineeships.</p> <p>These include the following:</p> <ul style="list-style-type: none"> • Full time hours of work for an apprenticeship or traineeship includes the training component and is the ordinary hours of employment for a full time employee in that occupation, as defined in the relevant industrial instrument. Apprentices and trainees are deemed to be part time if they are working less than full time hours or as defined in the applicable industrial instrument. • Where a qualification is approved for part time delivery, the minimum part time hours for a training contract in Western Australia, except school based; is 15 hours per week (inclusive of employment and supervised training) unless otherwise specified and published on the list of <i>Prescribed Vocational Education and Training qualifications</i>. • A school based training contract comprises of: <ul style="list-style-type: none"> ○ a minimum of 7.5 hours per week in paid work over the duration of the traineeship or apprenticeship, which can be averaged over six month periods; and ○ training which may be supervised on-the-job, delivered off-the-job, or as some combination of on and off-the-job.
Payroll Tax Exemption	Defined as exempt wages that are not taxable for payroll tax purposes. These exemptions, in the context of the Employer Incentive, are for employers who pay wages to apprentices and trainees. <i>Note: Payroll tax exemption is verified with the Office of State Revenue (OSR) according to an employer's status in the previous financial year.</i>
Pro-rata Payment	A payment that is calculated according to, or as a share of, the fixed rate for a larger total amount.
Regions	<p>Regional boundaries are based on local government areas.</p> <p>Regions are defined using the WA Department of Primary Industries and Regional Development's (http://www.drd.wa.gov.au/regions) designated regions. These are as follows:</p> <ul style="list-style-type: none"> • Kimberley – comprised of the following local government authorities: Broome, Derby-West Kimberley, Halls Creek and Wyndham-East Kimberley; • Pilbara – comprised of the following local government authorities: Ashburton, East Pilbara, Port Hedland and Karratha; • Gascoyne – comprised of the following local government authorities: Carnarvon, Exmouth, Shark Bay and Upper Gascoyne; • Mid-West – comprised of the following local government authorities: Carnamah, Chapman Valley, Coorow, Cue, Greater Geraldton, Irwin, Meekatharra; Mingenew, Morawa, Mount Magnet, Murchison, Northampton, Perenjori, Sandstone, Three Springs, Wiluna and Yalgoo • Wheatbelt – comprised of the following local government authorities: Beverley, Brookton, Bruce Rock, Chittering, Corrigin, Cuballing, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Dumbleyung, Gingin, Goomalling, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Merredin, Moora, Mt Marshall, Mukinbudin, Narembeen, Narrogin, Northam, Nungarin, Pingelly, Quairading, Tammin, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, West Arthur, Westonia, Wickelup, Williams, Wongan Ballidu, Wyalkatchem, Yilgarn and York; • Peel – comprised of the following local government authorities: Boddington, Murray, Serpentine-Jarrahdale, Waroona and Mandurah; • South West – comprised of the following local government authorities: Bunbury, Busselton, Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Manjimup and Nannup; • Great Southern – comprised of the following local government authorities: Albany, Broomehill-Tambellup, Cranbrook, Denmark, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Plantagenet and Woodanilling; and

	<ul style="list-style-type: none"> • Goldfields-Esperance – comprised of the following local government authorities: Coolgardie, Dundas, Esperance, Kalgoorlie-Boulder, Laverton, Leonora, Menzies, Ngaanyatjarraku and Ravensthorpe.
Registered Training Organisation (RTO)	An organisation registered with the WA Training Accreditation Council (TAC) or the Australian Skills Quality Authority (ASQA); to deliver training, conduct assessments and issue nationally recognised qualifications; in accordance with the VET Quality Framework.
School Based Apprenticeship or Traineeship	A full time school student, aged 15 years or more who is studying towards achievement of the Western Australian Certificate of Education (WACE) and undertaking a prescribed Class A or Class B qualification under a training contract. School based apprentices/trainees are considered to be in part time training because they are also required to attend school whilst completing their training.
State Government Agencies	<p>State government agencies may be one of the following:</p> <ul style="list-style-type: none"> • Public service departments – primarily responsible for providing policy advice and administrative support to its minister. For example, Department of Training and Workforce Development, Department of Health; • SES organisations – established under a written law to perform specific statutory functions, generally responsible through a board to the minister. For example, Insurance Commission of Western Australia; and • Non-SES organisations – established under a written law to perform specific statutory functions, generally responsible through a board to the minister. For example, Legal Practice Board, Public Trustee. <p>An approved list of State agencies can be found on the Jobs and Skills WA website jobsandskills.wa.gov.au/employerincentive</p>
State Priority Occupation List (SPOL)	<p>The SPOL is a list of occupations rated according to their priority status for the economic development of WA. It informs the WA State Training Plan, WA workforce development planning and the WA Skilled Migration Occupation List (SMOL). It is created from economic and labour market trends and forecasting and is strongly informed by industry intelligence.</p> <p>The SPOL List is published on the DTWD website.</p>
Successful Completion	<p>Occurs when the nominated RTO advises the Department that the competencies associated with the training contract have been fulfilled / successfully completed by the apprentice/trainee. Notification of completion should occur within 21 days after the date of the successful completion.</p> <p><i>Note: A completion can occur prior to the expiry date on the training contract. It can also be extended beyond the nominal term if both the apprentice and employer agree and notify the Department.</i></p>
Suspension of an Apprentice or Trainee	An apprentice can suspend their training contract and if this occurs, Incentive payments to the employer will also be suspended.
Time Limits	<p>The time in which the competencies listed in the training contract must be completed.</p> <p>The time limit associated with the training contract is driven by the nominal duration / term – as defined in the Register of Class A and B qualifications - and any extension that may have been approved.</p>
Traineeship	A structured employment based training program that leads to the trainee gaining a nationally recognised qualification. Traineeships may be full time, part time or school based. Traineeship qualifications are listed on the Register of Class A and B qualifications .
Training Contract	<p>A legally binding agreement between an employer, an apprentice / trainee, and their parent/legal guardian and an RTO; to undertake an apprenticeship or traineeship.</p> <p>The contract includes but is not limited to, the following information:</p> <ul style="list-style-type: none"> • qualification and nominated units of competency being undertaken by the apprentice/trainee; • employer details including ABN; • apprentice / trainee personal details;

	<ul style="list-style-type: none"> • RTO details; • employment arrangements; • nominal term of the apprenticeship/traineeship (e.g.12, 18, 24 months etc.) • employer obligations and responsibilities; and • apprentice/trainee obligations and responsibilities.
Training Plan	<p>Outlines the training delivery and assessment strategy to be undertaken throughout the training contract. It is developed by the nominated RTO with the employer and apprentice.</p> <p>The training plans must be in place and signed by the employer, apprentice/trainee and RTO, 6 weeks after registration of the training contract.</p>
Transfer (or Assign)	<p>Apprentices and trainees can transfer (assign) to a new employer and the Employer Incentive benefits will transfer with them.</p> <p>The new employer will then receive a pro-rata amount of the Incentive payment – that is, the balance of the unpaid Incentive for the remainder of the nominated duration of the original training contract.</p>
Variation	<p>Any amendments / changes to the details associated with the training contract.</p> <p>For example a change in employer, a change in the apprentice or trainee’s hours, a change in the work location or a change in the nominal term. A variation could also be something as simple as a change of personal details for the apprentice such as their address.</p>
Western Australian Apprenticeship Management System (WAAMS)	<p>A system that enables its users to manage training contracts online 24/7.</p> <p>WAAMS can be accessed by employers, apprentices/trainees, GTOs and RTOs.</p>
Withholding (or refusal) of Payments	<p>Payments may be withheld or refused where:</p> <ul style="list-style-type: none"> • the employer is not providing a genuine or appropriate employment and training opportunity for the apprentice or trainee; • there has been fraud or manipulation of the these <i>General Conditions</i> or the <i>Terms and Conditions</i> to maximise payments which would not have otherwise have been payable; • the employer or apprentice or trainee has engaged in abusive, negligent or criminal conduct during the apprenticeship; • the funds to support the Employer Incentive have been exhausted; or • the employer has breached the Agreement.