

Permanent transfer application by all parties and proposed new employer

An apprentice or trainee, their employer under an active training contract and a proposed new employer may use this form to apply to permanently transfer the contract to the new employer. Permanently transferring the contract removes the need to cancel with the original employer and sign a new training contract with the new employer.

This form may also be used by an apprentice or trainee and a proposed new employer to apply to permanently transfer an active training contract to the new employer. Prior to deciding an application which has not been signed by the original employer, the original employer will be provided an opportunity to object to the transfer, and any objection will be regarded in deciding this application.

Please return the completed form by one of the options on the next page and the application will be decided within 28 days of receipt. If the proposed new employer and apprentice or trainee wish to change their supervising registered training organisation (SRTO) during the transfer process they should also complete and submit form ATF-010: 'Change of supervising registered training organisation', which is available from their Apprentice Connect Australia Provider (Provider) or the department's website at www.desbt.qld.gov.au/training/apprentices/resources/forms.

Training contract obligations

The employer, apprentice or trainee, and parent or guardian (where appropriate) agree that:

- the transfer commences from the date determined by our Provider or the Department of Employment, Small Business and Training (DESBT) upon approval of the transfer
- the transfer can only be changed by our agreement and we acknowledge written notification or application may need to be made to our Provider or DESBT within strict timeframes
- the apprentice or trainee can see, and correct, any information about themselves in the training contract or held by the employer in relation to this training contract
- we will try to resolve any dispute we have between us, and if we can't, we will contact our Provider or DESBT to request assistance or to access the appropriate dispute resolution processes
- the training contract can be audited by DESBT or an Australian Government department
- the training contract is successfully completed when there is agreement from the employer, SRTO and apprentice or trainee, and approval by DESBT, that the apprentice or trainee has attained all the required competencies
- the training contract expires if it reaches the term of the contract without the apprentice or trainee having attained all the required competencies or a request for an extension of the contract having been endorsed by our Provider or DESBT
- the training contract may be terminated in accordance with the *Further Education and Training Act 2014 (the Act)*.

The new employer agrees to:

- employ and train the apprentice or trainee as agreed in our training plan and ensure the apprentice or trainee understands the choices that they have regarding the training
- provide the appropriate facilities and experienced people to facilitate the training and supervise the apprentice or trainee while at work, in accordance with the training plan
- make sure the apprentice or trainee receives on-the-job training and assessment in accordance with our training plan
- provide work that is relevant and appropriate to the vocation and also to the achievement of the qualification referred to in the training contract
- release the apprentice/trainee from work and pay the appropriate wages to undertake any training and assessment specified in our training plan
- meet all legal requirements regarding the apprentice or trainee, including but not limited to, occupational health and safety requirements and payment of wages and conditions under the relevant employment arrangements
- repay any payment I receive that I am not entitled to
- work with our SRTO and the apprentice or trainee to make sure we follow our training plan, keep training records up-to-date, and monitor and support the apprentice/trainee's progress; and
- let our Provider or DESBT know within 14 days if the training contract has become jeopardised because the apprentice or trainee is unlikely to meet the requirements of their training plan or the training required under the apprentice's or trainee's training plan cannot be completed within the nominal term of the training contract.

The new employer acknowledges that it is an offence to use information in the training contract to discriminate against any person, including the apprentice/trainee.

Declaration by the proposed new employer and apprentice or trainee

This transfer forms a legally binding agreement between an employer and employee for the training of an apprentice or trainee leading to a nationally recognised qualification. In signing this transfer the parties are bound by the obligations detailed below and as outlined in the Act.

We, the new employer, apprentice or trainee and parent or guardian (where appropriate) have read and understood the **Training Contract Obligations** outlined above, and declare that to the best of our knowledge the details entered on this transfer are true and correct. We understand that giving false or misleading information is a serious offence, and that the information provided in this transfer:

- is collected for the purposes of registration, preparing statistics, reporting, program administration, monitoring and evaluation, calculating incentives and allowances paid to employers and apprentices/trainees and preventing dual payments;
- may be disclosed to and used for these purposes by the Australian Government, including the Australian Government Department of Employment and Workplace Relations and Centrelink, State/Territory government departments and agencies, employers, Apprentice Connect Australia Providers, registered training organisations (RTO), non-government education authorities and the contractors or agents of any of these organisations, departments and agencies;
- may also be exchanged between Australian Government agencies (for Youth Allowance, Austudy and ABSTUDY administration) to provide confirmation that the apprentice or trainee who signed this declaration is an Australian apprentice; and
- may otherwise be disclosed without consent where authorised or required by law.

The employer, apprentice/trainee and SRTO undertake to negotiate and sign a training plan.

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How to return this form

Please return the completed form to **Apprenticeship Support Australia** at: info@apprenticeshipsupport.com.au

The transfer will not take effect until approved. If **NOT** approved and the apprentice or trainee has already left the original employer, the current training contract will need to be cancelled. If this happens, the apprentice or trainee and proposed new employer may contact their Provider and submit a new training contract for consideration.

IMPORTANT – Failure to complete all details on this form may delay processing of this transaction.

REASON(S) FOR THE PROPOSED TRANSFER (attach additional documents if more space is required)			
The proposed date of effect for the transfer:			
ORIGINAL EMPLOYER DECLARATION			
Trading name:		ABN:	
I/We wish to permanently transfer the registered training contract for the below apprentice or trainee to the new employer as stated on this form.			
Apprentice or trainee's name:		Training contract registration number:	
Qualification:		Qualification code:	
Name of authorised person signing for employer:		Phone number:	
Signature:		Date:	
DETAILS OF PROPOSED NEW EMPLOYER			
Legal name:			
Trading name:		ABN:	
Business address: If transferring to a GTO, use GTO head office address.			
Postal address:			
Email:			
Contact person:		Phone number:	
Total number of qualified persons in the apprentice or trainee's occupation:			
Total number of apprentices and trainees:		Total number of employees:	
Address where the apprentice(s) or trainee(s) will be employed:			
The registered training contract mode will be: <input type="checkbox"/> full-time <input type="checkbox"/> part-time <input type="checkbox"/> school-based			
Apprentice Connect Australia Provider: If left blank, the existing Provider on the training contract will be retained.			

I/We confirm that the above details are true and correct. I/We understand that the apprenticeship or traineeship training contract is legally binding in accordance with the training contract obligations as detailed on this application and in the *Further Education and Training Act 2014*. (Please tick as appropriate)

The apprentice/trainee is an Australian citizen or a New Zealand citizen.

The apprentice/trainee holds a valid visa which provides work rights allowing them to undertake this apprenticeship or traineeship.

Name of authorised person signing for employer:			
Signature:		Date:	

AGREEMENT OF THE APPRENTICE OR TRAINEE (and parent or guardian if appropriate)			
Apprentice or trainee's name:		Phone number:	
Apprentice or trainee's address:			
Apprentice or trainee's email:			
I am/we are aware the registered training contract and all obligations associated with it are being transferred to the new employer as detailed on this form.			
Signature:		Date:	
Parent or guardian's name:			
Parent or guardian's signature:		Date:	

ADDITIONAL APPRENTICE OR TRAINEE INFORMATION FOR THE APPRENTICE CONNECT AUSTRALIA PROVIDER			
Is the apprentice or trainee in a business relationship with the new employer (e.g. partnership, franchisee, director, trust)?	<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, please state date period below.	
		Date from:	Date to:
		If yes, please identify if it was a family trust: <input type="checkbox"/> No <input type="checkbox"/> Yes	
Prior to this transfer has the intended apprentice/trainee worked for, or been hosted by/to, the employer/host employer	<input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, complete the following.	
		Date from:	Date to:
		Apprentice/Trainee: <input type="checkbox"/> Yes <input type="checkbox"/> No Employment Mode <input type="checkbox"/> Full-time <input type="checkbox"/> Part-time <input type="checkbox"/> School-based <input type="checkbox"/> Casual employee	
Since commencing your apprenticeship or traineeship have you <u>completed</u> any of the following?	<input type="checkbox"/> Bachelor Degree or higher <input type="checkbox"/> Advanced Diploma (e.g. Associated Degree)		
	<input type="checkbox"/> Diploma (e.g. Associate Diploma)		
	<input type="checkbox"/> Certificate IV (e.g. Adv. Certificate/Technician)	If yes, date commenced:	Date completed:
	<input type="checkbox"/> Certificate III (e.g. Trade Certificate)	If yes, date commenced:	Date completed:
	<input type="checkbox"/> Certificate II	If yes, date commenced:	Date completed:
	<input type="checkbox"/> Certificate I		
	<input type="checkbox"/> Pre-apprenticeship / pre-vocational		
	<input type="checkbox"/> Certificates or qualifications other than above. If yes, provide details below:		
Title and level of qualification(s) obtained: (attach additional documents if more space is required)			
Are you currently undertaking any other study? <input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, please give details below: (attach additional documents if more space is required)		