



Australian Apprenticeship Support Loans

Program Guidelines

Version current at 1 January 2024

These program guidelines are designed to assist the administration of the Australian Apprenticeship Support Loans program. The information contained in these guidelines is intended only as a guide to relevant legislation/policy, including the *Australian Apprenticeship Support Loans Act 2014*, the Australian Apprenticeship Support Loans Rules 2023 and the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023. The information is accurate as of 1 January 2024, but may be subject to change. To discuss individual circumstances, please contact an Australian Apprenticeship Support Network provider.

Prior to 1 January 2024, the Australian Apprenticeship Support Loans program was known as the Trade Support Loans program.

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Definitions

Expression	Definition
AASL debt	If an instalment of Australian apprenticeship support loan is paid to a person, the person incurs, on the day the instalment is paid, an ‘AASL debt’ to the Commonwealth of an amount equal to the amount of the instalment. Sections 5 and 27 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refer.
Approved training contract	An ‘approved training contract’ is a training contract that has been approved by a designated State/Territory training authority. Section 4 of the Australian Apprenticeship Support Loans Rules 2023 refers.
Australian Apprenticeships Priority List	<p>The ‘Australian Apprenticeships Priority List’ is the list determined under subsection 105(1) of the <i>Australian Apprenticeship Support Loans Act 2014</i>. That list is the table in Part 2 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023. The occupations specified in that list are occupations for which, in the opinion of the Minister for Skills and Training, skilled persons are a priority.</p> <p>In determining the list, subsection 105(7) of the <i>Australian Apprenticeship Support Loans Act 2014</i> requires the Minister for Skills and Training to have regard to any relevant advice given to the Minister by Jobs and Skills Australia in relation to either:</p> <ul style="list-style-type: none"> • Australia’s current and emerging labour market, including advice on workforce needs and priorities; • Australia’s current, emerging and future skills and training needs and priorities. <p>Before making the list in Part 2 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023, the Minister for Skills and Training had regard to advice reflected in Jobs and Skills Australia’s 2023 Skills Priority List (which, on 1 January 2024, could be accessed at: www.jobsandskills.gov.au/data/skills-priority-list).</p> <p>It is expected that the Minister for Skills and Training will update the Australian Apprenticeships Priority List annually.</p>
Australian Apprenticeships Support Network provider or AASN provider or	Australian Apprenticeship Support Network providers are organisations contracted by the Department of Employment and Workplace Relations to deliver Australian Apprenticeship Support Network services.

Expression	Definition
Apprenticeships Network provider	
Australian Qualifications Framework	<p>Has the same meaning as in section 6 of the VET Student Loans Act 2016. The Australian Qualifications Framework means the framework for recognition and endorsement of qualifications:</p> <ul style="list-style-type: none"> • that is established by the Council consisting of the Ministers for the Commonwealth and each State and Territory responsible for higher education; and • that is to give effect to agreed standards in relation to the provision of education in Australia; <p>as in force from time to time.</p>
Australian resident	<p>‘Australian resident’ means a person who:</p> <ul style="list-style-type: none"> • resides in Australia; and • is an Australian citizen or the holder of a permanent visa. <p>Section 5 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refers.</p>
ATO	‘ATO’ means the Australian Taxation Office.
Commencement date	<p>A person’s ‘commencement date’ is the day on which a person is taken to have commenced employment under an approved training contract, as notified to the Secretary or the department by a designated State/Territory training authority. ‘Commenced’ has the same meaning. Section 4 of the Australian Apprenticeship Support Loans Rules 2023 refers.</p>
Commissioner	‘Commissioner’ means the Commissioner of Taxation. Section 5 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refers.
Completion discount	<p>A person’s ‘completion discount’ is the amount equal to 20 per cent of the total amount of instalments of Australian apprenticeship support loan that were paid to the person in relation to instalment periods that ended before the person ceased to be undertaking a qualifying apprenticeship. Sections 5 and 40 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refer.</p>
Compulsory repayment	A ‘compulsory repayment’ is a repayment of debt in relation to Australian apprenticeship support loan that a person must make after the person’s

Expression	Definition
	income reaches the minimum repayment income. Division 4 of Part 3.2 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refers.
Delegate	A 'delegate' is an officer who is exercising a power or performing a function as a delegate of the Secretary in accordance with section 101 of the <i>Australian Apprenticeship Support Loans Act 2014</i> .
Department	'Department' means the Department of Employment and Workplace Relations.
Designated State/Territory training authority	A 'designated State/Territory training authority' is the authority of a State or Territory that is responsible for approving training contracts. Sections 5 and 40 of the <i>Australian Apprenticeship Support Loans Act 2014</i> and section 18 of the Australian Apprenticeship Support Loans Rules 2023 refer.
Existing worker	An existing worker is a person who has an employment relationship with an employer for more than three full-time equivalent months (inclusive of approved leave).
In gaol	<p>A person is 'in gaol' if:</p> <ul style="list-style-type: none"> the person is being lawfully detained (in prison or elsewhere) while under sentence for conviction of an offence and not on release on parole or licence; or the person is undergoing a period of custody pending trial or sentencing for an offence. <p>Section 4 of the Australian Apprenticeship Support Loans Rules 2023 and subsection 23(5) of the <i>Social Security Act 1991</i> refer.</p>
Instalment period	The first 'instalment period' of a person starts on the person's provisional commencement date, commencement date or recommencement date (as applicable). Each subsequent instalment period of the person starts on the day that is one month from the day the previous instalment period started. Section 10 of the <i>Australian Apprenticeship Support Loans Act 2014</i> and to section 12 of the Australian Apprenticeship Support Loans Rules 2023 refer.

Expression	Definition
	<p>For example:</p> <ul style="list-style-type: none"> a designated State/Territory training authority notifies the department that Stefanie's commencement date is 15 April 2024. The first instalment period of Stefanie starts on 15 April 2024 and ends on 14 May 2024. The second instalment period of Stefanie starts on 15 May 2024 and ends on 14 June 2024. a designated State/Territory training authority notifies the department that Linda's recommencement date is 31 January 2024. Linda's first instalment period starts on 31 January 2024 and ends on 28 February 2024. Linda's second instalment period starts on 29 February 2024 and ends on 30 March 2024. <p>If the first instalment period of a person starts on the person's provisional commencement date, the start day of that instalment period will change to the person's commencement date or recommencement date once a designated State/Territory training authority notifies the Secretary or the department of that date.</p>
Minimum repayment income	Australian apprenticeship support loan is repaid through the Australian taxation system when a person's income reaches the 'minimum repayment income'. The minimum repayment income for the 2023-24 financial year is \$51,550. Section 5 of the <i>Australian Apprenticeship Support Loans Act 2014</i> and section 154-10 of the <i>Higher Education Support Act 2003</i> refer.
National Register	Has the same meaning as in the <i>National Vocational Education and Training Regulator Act 2011</i> .
Overpayment debt	If a payment of Australian apprenticeship support loan is made to a person and the person was not entitled for any reason to the payment, the amount of the payment is an 'overpayment debt' due to the Commonwealth by the person and the debt is taken to have arisen when the person received the payment. Sections 5 and 40 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refer.
Provisional commencement date	Means the day on which a person is taken to have commenced employment under a provisional training contract, as specified in that provisional training contract.

Expression	Definition
Provisional training contract	Means a training contract that has been submitted to, but not yet been approved by, a designated State/Territory training authority.
Qualifying apprenticeship	<p>A ‘qualifying apprenticeship’ is an apprenticeship through which a person is undertaking a qualification:</p> <ul style="list-style-type: none"> • at level 3 (Certificate III), level 4 (Certificate IV), level 5 (Diploma) or level 6 (Advanced Diploma) in the Australian Qualifications Framework; • that is included on the National Register; and • leading to an occupation specified on the Australian Apprenticeships Priority List. <p>Subsection 8(2) of the <i>Australian Apprenticeship Support Loans Act 2014</i>, section 8 of the Australian Apprenticeship Support Loans Rules 2023, and Part 2 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 refer.</p> <p>Transitional arrangements may apply to a person who was undertaking a qualifying apprenticeship for the purposes of the Trade Support Loans program. Part 5 of the Australian Apprenticeship Support Loans Rules 2023 and Part 3 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 refer.</p>
Commencement date	<p>A person’s ‘commencement date’ is the day on which the person is taken to have:</p> <ul style="list-style-type: none"> • recommenced employment under an existing approved training contract; • commenced employment under a new approved training contract to continue undertaking an incomplete apprenticeship; <p>as notified to the Secretary or the department by a designated State/Territory training authority. Section 4 of the Australian Apprenticeship Support Loans Rules 2023 refers.</p> <p>‘Recommenced’ has the same meaning.</p>
Relevant instalment period	A ‘relevant instalment period’ is an instalment period in which Australian apprenticeship support loan is expected to be payable to a person. Section

Expression	Definition
	<p>5 and paragraph 16(1)(b) of the <i>Australian Apprenticeship Support Loans Act 2014</i> refer.</p> <p>For example:</p> <ul style="list-style-type: none"> a designated State/Territory training authority notifies the department that Stefanie's commencement date is 15 April 2024. Stefanie's first instalment period starts on 15 April 2024 and ends on 14 May 2024. Stefanie's second instalment period starts on 15 May 2024 and ends on 14 June 2024. On 1 July 2024, Stefanie makes an application for Australian apprenticeship support loan. On 8 July 2024, Stefanie's application is granted with effect from 1 July 2024. Stefanie's third instalment period, which starts on 15 June 2024 and ends on 14 July 2024, is a 'relevant instalment period'. An instalment of Australian apprenticeship support loan is paid to Stefanie on 15 July 2024. a designated State/Territory training authority notifies the department that Linda's recommencement date is 31 January 2024. Linda's first instalment period starts on 31 January 2024 and ends on 28 February 2024. Linda's second instalment period starts on 29 February 2024 and ends on 30 March 2024. On 2 July 2025, Linda makes an application for Australian apprenticeship support loan. On 9 July 2025, Linda's application is granted with effect from 2 July 2025. Linda's eighteenth instalment period, which starts on 30 June 2025 and ends on 30 July 2025, is a 'relevant instalment period'. An instalment of Australian apprenticeship support loan is paid to Linda on 31 July 2025.
Secretary	'Secretary' means the Secretary of the Department of Employment and Workplace Relations.
Training contract	A 'training contract' is a written agreement between an employer and a person for the person to be employed in an apprenticeship. Section 4 of the Australian Apprenticeship Support Loan Rules 2023 refers.
Undertaking (in relation to a qualifying apprenticeship)	<p>A person is taken to be 'undertaking' a qualifying apprenticeship in the period:</p> <ul style="list-style-type: none"> beginning at the start of the day on the person's provisional commencement date, commencement date or recommencement date (as applicable); and

Expression	Definition
	<ul style="list-style-type: none"> • ending at the end of the day on the day: <ul style="list-style-type: none"> - the person successfully completes the qualifying apprenticeship; or - if the person has an approved training contract—the person is no longer undertaking the qualifying apprenticeship; or - a designated State/Territory training authority decides not to approve the person’s provisional training contract; as notified to the Secretary or the department by a designated State/Territory training authority. <p>A person may only be taken to be undertaking one qualifying apprenticeship. A person may nominate, in the person’s application for Australian apprenticeship support loan, which apprenticeship they are undertaking should be taken to be the person’s qualifying apprenticeship.</p> <p>Subsection 8(3) of the <i>Australian Apprenticeship Support Loan Act 2014</i> and section 10 of the Australian Apprenticeship Support Loans Rules 2023 refer.</p>
Voluntary repayment	<p>A ‘voluntary repayment’ is a repayment of debt in relation to Australian apprenticeship support loan that a person chooses to make at any time. Division 3 of Part 3.2 of the <i>Australian Apprenticeship Support Loans Act 2014</i> refers.</p>

1. Introduction to Australian Apprenticeship Support Loans

The Australian Apprenticeship Support Loans Guidelines (the Guidelines) provide an overview of the Program and outline the operational and administrative framework for implementing Australian Apprenticeship Support Loans.

The Guidelines aim to provide an operational overview of the *Australian Apprenticeship Support Loans Act 2014*, *Australian Apprenticeship Support Loans Rules 2023* and the *Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023* and outline any interaction with other instruments used for delivering Australian Apprenticeship Support Loans. These instruments may be updated from time to time and subsequently the Guidelines will be amended to reflect those changes. In using these Guidelines, it is important to ensure you have the most up to date version and note that where any inconsistencies arise, the applicable laws will have priority.

Each chapter of the Guidelines aims to provide a description of the roles and responsibilities of the person applying for, or receiving, Australian Apprenticeship Support Loans, those of the Australian Apprenticeship Support Network (Apprenticeship Network) Providers, the Department of Employment and Workplace Relations (the Department) and Australian Taxation Office (ATO) in delivering the Australian Apprenticeship Support Loans Program.

1.1 Objective

The Program aims to increase completion rates among Australian Apprentices in priority areas, by providing financial support to eligible Australian Apprentices to assist them with the costs of living and learning while undertaking an apprenticeship. This is achieved by offering concessional income contingent loans.

While providing support to Australian Apprentices, the Program aims to minimise the risk of Australian Apprentices unintentionally accumulating large debts. To achieve this, the payment of loans has been structured so that Australian Apprentices are required to reapply (opt-in) to receive loans every six months, with the intention of giving them the opportunity to reassess their personal circumstances and make an informed decision about continuing to receive loans.

The use of the loan is at the sole discretion of the person receiving it. Purchases made with the loans are not monitored however, the intention of the Program is to assist the Australian Apprentice with the cost of living, learning, and completing an apprenticeship by reducing financial burden and allowing the Australian Apprentice to focus on their work and learning.

The Australian Apprenticeship Support Loans Program aims to meet the Government's commitment to deliver improved productivity and competitiveness to the Australian economy by providing highly skilled individuals in priority trades where there are growing skills shortages.

1.2 Overview

This Program supports Australian Apprentices in skill shortage occupations through concessional, income contingent Loans of up to the Australian Apprenticeship Support Loans lifetime limit.

The Australian Apprenticeship Support Loans are not considered to be income for the purposes of income tax and therefore are exempt from income tax, nor are they provable under bankruptcy proceedings.

Australian Apprenticeship Support Loan debts are indexed to the Consumer Price Index (CPI) to maintain their real value and become repayable at the same rates and income thresholds as other Higher Education Loan Program (HELP) loans.

Payments are made in monthly instalments in arrears and Australian Apprentices apply and may then re-apply (opt-in) every six months for a further six instalments.

The loans are structured to provide support during the apprenticeship as follows:¹

- 1st year – 40 per cent of the lifetime limit
- 2nd year – 30 per cent of the lifetime limit
- 3rd year – 20 per cent of the lifetime limit
- 4th year – 10 per cent of the lifetime limit

The lifetime limit and instalment amounts are indexed annually on 1 July to maintain its real value.

Australian Apprenticeship Support Loans are available to Australian Apprentices undertaking a:

- (a) level 3 in the Australian Qualifications Framework;
- (b) level 4 in the Australian Qualifications Framework;
- (c) level 5 in the Australian Qualifications Framework;
- (d) level 6 in the Australian Qualifications Framework

that leads to an occupation listed on the Australian Apprenticeship Priority List.

As an additional incentive to complete, Australian Apprentices who successfully complete their apprenticeship will have their repayment obligation reduced by an amount equal to 20 per cent of Australian Apprenticeship Support Loan payments received.

An Australian Apprentice can cancel their payments at any time by contacting their Apprenticeship Network Provider. Payments cease when an Australian Apprentice cancels their scheduled instalments, decides not to opt-in for the next six months, reaches their life-time limit or cancels, suspends, or completes their apprenticeship.

Australian Apprentices are required to repay the loans through the tax system once their income meets the minimum repayment threshold.

Fact Sheets are provided to Australian Apprentices to help them understand that the Australian Apprenticeship Support Loan must be later repaid in accordance with the *Australian Apprenticeship Support Loans Act 2014*. For those aged under 18 years, targeted information for the Australian Apprentice and their parent/guardian is available.

When an Australian Apprentice aged under 18 years (a minor) is making an application for Australian Apprenticeship Support Loans, the Australian Apprentice must declare on the application they have obtained parent or guardian acknowledgment that the minor understands that the Australian Apprenticeship Support Loans must be later repaid in accordance with the *Australian Apprenticeship Support Loans Act 2014*. A minor is still able to apply for Australian Apprenticeship Support Loans if they are unable to gain the parent or guardian's acknowledgement but are required to provide a reason on their application explaining why they were unable to obtain the acknowledgement.

¹ The Trade Support Loan dollar amounts relating to the lifetime limit, the yearly amounts and monthly instalments have been rounded. As a result of the rounding, the sum of the dollar amounts presented in these Guidelines may not equal the correct total amounts.

1.3 Commencement of the Program

The *Trade Support Loans Bill 2014* received Royal Assent on 17 July 2014 and the Program commenced on 21 July 2014.

On 23 November 2023, the Governor-General fixed, by Proclamation, 1 January 2024 as the day on which the *Trade Support Loans Amendment Act 2023* (Amendment Act) commences. The Amendment Act expanded the Trade Support Loans program to people undertaking apprenticeships and traineeships leading to a broader range of priority occupations. To reflect this expansion, the program is renamed the Australian Apprenticeship Support Loans program.

1.4 Legislative framework

The Program is legislated under the *Australian Apprenticeship Support Loans Act 2014*. Additional amendments were made to the following Acts:

- *Bankruptcy Act 1966*
- *Income Tax Assessment Act 1936*
- *Income Tax Assessment Act 1997*
- *Taxation Administration Act 1953*
- *Taxation (Interest on Overpayments and Early Payments) Act 1983*

There are two legislative instruments that are used to administer the Program:

- the Australian Apprenticeship Support Loans Rules 2023; and
- the Australian Apprenticeships Priority List.

These legislative instruments are available on [Department of Employment and Workplace Relations](#) websites.

These Guidelines have been prepared to be consistent with the above legislative framework and all other applicable laws. If any inconsistency arises, then the above documents or applicable laws will have priority.

1.5 Indexation of lifetime limit and yearly rates

The Australian Apprenticeship Support Loan lifetime limit and yearly amounts were set at the commencement of the Program. These amounts were first indexed on 1 July 2017 and are indexed annually on 1 July.

2. Qualification and payability criteria

Eligibility encompasses both qualification criteria and payability criteria. Where qualification is expressed within the Guidelines, it is referring to the aspect of the criteria the person must meet to be paid Australian Apprenticeship Support Loans and not the Certificate (training qualification) the person is undertaking unless expressly stated.

A person wishing to apply for, and receive, Australian Apprenticeship Support Loans must meet the qualification and payability criteria under the *Australian Apprenticeship Support Loans Act 2014*.

In summary, the qualification criteria a person must meet are:

- a) the person is an Australian resident; and
- b) the person is undertaking a qualifying apprenticeship; and
- c) the person has provided their tax file number; and
- d) the person meets any other conditions prescribed in the Australian Apprenticeship Support Loans Rules 2023.

The Apprenticeship Data Management System (ADMS) along with an Apprenticeship Network Provider will assess the qualification criteria upon lodgement of an application by a person. However, meeting the qualification criteria does not mean the Australian Apprentice will automatically be entitled to receive payments of Australian Apprenticeship Support Loans. For the Australian Apprentice to receive a Australian Apprenticeship Support Loan payment for an instalment period, they must meet the payability criteria on the final day of the instalment period for which they are being paid.

The payability criteria a person must meet are:

- a) the qualification criteria; and
- b) undertaking a qualifying apprenticeship for the whole of the instalment period; and
- c) made an application for Australian Apprenticeship Support Loans on or before the final day of an instalment period (when an application or opt-in form is submitted an application is taken to have been made for six instalments of Australian Apprenticeship Support Loans).

There are some circumstances where special case qualification and payability is applied. This is explained further at Section 2.5.

2.1 Qualification Criteria

2.1.1 Residency Status

To be eligible for Australian Apprenticeship Support Loans is that a person must be an Australian resident.

An Australian resident is a person who:

- a) resides in Australia; and
- b) is one of the following:
 - i. an Australian citizen; or
 - ii. the holder of a permanent visa.

In order to assess residency status, the Apprenticeship Network Provider must sight the person's residency documentation. Acceptable documentation is outlined in Section 4.1.

If the person's residency status changes and as a result they become eligible for Australian Apprenticeship Support Loans, subject to meeting the other qualification criteria, the person may make a claim from the date their status changes.

If the person's residency status changes and they become ineligible for Australian Apprenticeship Support Loans, they will no longer qualify for further payments.

The residency status of the holder of a permanent visa is identified by the visa granted to them by the Department of Home Affairs. Visa information is found at the [Department of Home Affairs](#) website.

Aboriginal or Torres Strait Islander Australian Apprentices who apply for Australian Apprenticeship Support Loans but who are unable to provide evidence of residency status in the form of a birth certificate, may provide proof in the form of a letter from an authorised referee. The letter (preferably on official letterhead) must outline (as much as is practicable) the Australian Apprentice's name, date of birth, place of birth, community they live in, and that they recognise the Australian Apprentice's citizenship.

The authorised referee must have known the Australian Apprentice for a minimum of 12 months and should be a council chairperson, community manager, school principal, minister of religion, doctor, senior nursing sister or authorised government officer (such as a police officer, Centrelink agent, nurse). The referee must not be a family member.

2.1.2 Undertaking a qualifying apprenticeship

A 'qualifying apprenticeship' is an apprenticeship through which a person is undertaking a qualification:

- at level 3 (Certificate III), level 4 (Certificate IV), level 5 (Diploma) or level 6 (Advanced Diploma) in the Australian Qualifications Framework;
- that is included on the National Register (www.training.gov.au); and
- leading to an occupation specified on the Australian Apprenticeships Priority List.

Subsection 8(2) of the *Australian Apprenticeship Support Loans Act 2014*, section 8 of the Australian Apprenticeship Support Loans Rules 2023, and Part 2 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 refer.

The 'Australian Apprenticeships Priority List' is the list determined under subsection 105(1) of the *Australian Apprenticeship Support Loans Act 2014*. That list is the table in Part 2 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023. The occupations specified in that list are occupations for which, in the opinion of the Minister for Skills and Training, skilled persons are a priority. The occupation specified in that list are all in the ANZSCO 'technicians and trade workers' or 'community and personal service workers' major groups.

Transitional arrangements may apply to a person who was undertaking a qualifying apprenticeship for the purposes of the Trade Support Loans program. Those arrangements are discussed below.

A person is taken to be 'undertaking' a qualifying apprenticeship in the period:

- beginning at the start of the day on the person's provisional commencement date, commencement date or recommencement date (as applicable); and
- ending at the end of the day on the day:
 - the person successfully completes the qualifying apprenticeship; or
 - if the person has an approved training contract—the person is no longer undertaking the qualifying apprenticeship; or
 - a designated State/Territory training authority decides not to approve the person's provisional training contract;
 as notified to the Secretary or the department by a designated State/Territory training authority.

A person may only be taken to be undertaking one qualifying apprenticeship. A person may nominate, in the person's application for Australian apprenticeship support loan, which apprenticeship they are undertaking should be taken to be the person's qualifying apprenticeship.

Subsection 8(3) of the *Australian Apprenticeship Support Loan Act 2014* and section 10 of the Australian Apprenticeship Support Loans Rules 2023 refer.

2.1.3 Arrangements to support the transition from the Trade Support Loans program to the Australian Apprenticeship Support Loans program

Prior to 1 January 2024, the Australian Apprenticeship Support Loans program was known as the Trade Support Loans program.

Part 5 of the Australian Apprenticeship Support Loans Rules 2023, Part 3 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 and item 164 of Part 3 of Schedule 1 to the *Trade Support Loans Amendment Act 2023* set out certain arrangements to support:

- the transition from the Trade Support Loans program to the Australian Apprenticeship Support Loans program; and
- minor changes in the administration of the Australian Apprenticeship Support Loans program.

These transitional arrangements all reference the TSL Priority List. The TSL Priority List was a legislative instrument that was made under subsection 105(1) of the *Trade Support Loans Act 2014*. The TSL Priority List, which lapsed on 1 January 2024 when the *Trade Support Loans Amendment Act 2023* commenced, incorporated by reference the National Skills Needs List (**Appendix A**) and the TSL Qualifications List (**Appendix B**). The National Skills Needs List specified occupations for which skilled persons were a priority. The TSL Qualifications List specified qualifications leading to occupations for which skilled persons were a priority.

Transitional arrangements for a person who was qualified on the person's commencement date:

If:

- before 1 January 2024, a person was undertaking, on the person's commencement date, an apprenticeship through which the person was undertaking a qualification:
 - at a level prescribed by the Trade Support Loans Rules 2014; and
 - leading to an occupation or qualification that was specified on the TSL Priority List; and
 - which met any other requirements prescribed by the Trade Support Loans Rules; and

- on or after 1 January 2024, the occupation or qualification is not specified on the Australian Apprenticeships Priority List;

the *Australian Apprenticeship Support Loans Act 2014* has effect, in relation to the person, as if the occupation or qualification were specified on the Australian Apprenticeships Priority List.

Section 29 of the Australian Apprenticeship Support Loans Rules 2023 refers.

Transitional arrangements for a person where a determination was in effect or expired:

If:

- before 1 January 2024, a person was undertaking an apprenticeship through which the person was undertaking a qualification:
 - at a level prescribed by the Trade Support Loans Rules 2014; and
 - leading to an occupation or qualification that was specified on the TSL Priority List; and
 - which met any other requirements prescribed by the Trade Support Loans Rules; and
- on or after 1 January 2024, the occupation or qualification is not specified on the Australian Apprenticeships Priority List; and
- before 1 January 2024, a determination:
 - was in effect granting the person's application for trade support loan in relation to the apprenticeship; or
 - granting the person's application for trade support loan in relation to the apprenticeship had ceased to have effect;

the *Australian Apprenticeship Support Loans Act 2014* has effect, in relation to the person, as if the occupation or qualification were specified on the Australian Apprenticeships Priority List.

Section 8 of the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 and item 164 of Part 3 of Schedule 1 to the *Trade Support Loans Amendment Act 2023* refer.

Transitional arrangements for rural or regional apprenticeships in the horticulture sector:

The Trade Support Loans Rules 2014 provided that, where a person was undertaking a qualification in the horticulture sector, as prescribed in the TSL Priority List, the person must also be working in a rural or regional area. 'Rural or regional area' was defined in the Trade Support Loans Rules 2014 to mean a suburb with a postcode listed in Schedule 1 to those rules.

The Australian Apprenticeship Support Loans Rules 2023, which repealed the Trade Support Loans Rules 2014 on 1 January 2024, do not require this. However, if a person was, before 1 January 2024:

- undertaking an apprenticeship through which the person was undertaking a qualification in the horticulture sector specified on the TSL Priority List; and
- was not working in a suburb with a postcode listed in Schedule 1 to the Trade Support Loans Rules 2014 (a '**rural or regional area**').

If, on or after 1 January 2024, the person is undertaking the same apprenticeship and the person is not working in a rural or regional area, the person is not taken to be undertaking a qualifying apprenticeship.

Section 30 of the Australian Apprenticeship Support Loans Rules 2023 refer.

Anticipated transitional arrangements to support future changes to the Australian Apprenticeships Priority List:

It is expected that the Minister for Skills and Training will update the Australian Apprenticeships Priority List annually. Where an update involves the removal of an occupation from the Australian Apprenticeships Priority List, it is intended that, despite this, an affected person will continue to be qualified for Australian apprenticeship support loan (provided the person is otherwise qualified). Amendments to the Australian Apprenticeship Support Loans (Australian Apprenticeships Priority List) Determination 2023 would be made to facilitate this.

2.1.4 Tax File Numbers

To qualify for Australian Apprenticeship Support Loans, a person must provide their Tax File Number (TFN).

Australian Apprentices who do not have a TFN should apply for one from the ATO.

A person has no legal obligation to provide their TFN, however they cannot qualify for Australian Apprenticeship Support Loans unless they supply their TFN. An Australian Apprentice will not be able to submit an Australian Apprenticeship Support Loans application in ADMS without entering a TFN. Where an Australian Apprentice does not provide their TFN on a paper application, an Apprenticeship Network Provider is not authorised to request the TFN over the phone. Apprenticeship Network Providers should return the application to the Australian Apprentice to supply their TFN.

Verification of the TFN will occur through the interfaces between the Department's IT systems and the ATO. This verification process may include the first, middle and last name; address; date of birth and the TFN of the person. Once a TFN has been verified, the ATO will be able to receive the Australian Apprentice's debt details.

Where an Australian Apprenticeship Support Loans application is submitted with an unverified TFN, the Apprenticeship Network Provider will return the application to the applicant to ensure the mismatch is rectified before Australian Apprenticeship Support Loan payments can proceed.

Where any Australian Apprenticeship Support Loans payments have been paid and a TFN becomes or remains unverified, the ATO will not receive the Australian Apprentice's debt details and the Australian Apprentice will be required to repay any payments received directly to the Department via an overpayment debt.

2.1.5 Conditions prescribed in the Australian Apprenticeship Support Loans Rules

To qualify for Australian Apprenticeship Support Loans, a person must meet any other condition prescribed by the Australian Apprenticeship Support Loans Rules 2023.

The following conditions are prescribed in the Australian Apprenticeship Support Loan Rules 2023:

- a) the person is not in goal;
- b) where a person is concurrently undertaking more than one qualifying apprenticeship, the person is only able to qualify for Australian Apprenticeship Support Loans in relation to one of the qualifying apprenticeships.

From time to time the rules will be amended. The current version of the Australian Apprenticeship Support Loans Rules is available on the [Department of Employment and Workplace Relations](#).

2.2 Lifetime limit

To receive a Australian Apprenticeship Support Loan a person must not have reached their lifetime limit for Australian Apprenticeship Support Loans.

As at 1 July 2023, the lifetime Limit is \$24,492. The lifetime limit is indexed on 1 July each year in line with increases in the Consumer Price Index (CPI).

Advice on changes to the lifetime limit is available through Apprenticeship Network Providers and on the [Department of Employment and Workplace Relations](#) website.

Australian Apprentices can receive support up to the lifetime limit through one or more qualifying apprenticeships.

The lifetime limit that applies to an Australian Apprentice is the lifetime limit in place at the time a payment is due.

Examples of meeting the lifetime limit for Australian Apprenticeship Support Loans

Example 1 - Jessie commenced a full-time apprenticeship on 9 December 2022, at which point the lifetime limit for Australian Apprenticeship Support Loans was \$22,890. On 1 July 2023 the lifetime limit was indexed in line with increases in the CPI. At 1 July 2023, Jessie had received Australian Apprenticeship Support Loans payments to the value of \$14,000. As Jessie has not reached the lifetime limit, Jessie is eligible for the increased amount.

Example 2 - Cameron commenced a full-time apprenticeship on 22 July 2018. Cameron reached the lifetime limit for payments in June 2022. On 1 July 2022 the lifetime limit was indexed in line with increases in the CPI. At 1 July 2022 Cameron had already reached the lifetime limit so is not eligible for any further payments.

2.3 Payability

A Australian Apprenticeship Support Loan is payable to a person, in relation to an instalment period of the person, if they:

- a) meet all the qualifying criteria on the final day of the instalment period; and
 - b) were undertaking a qualifying apprenticeship for the whole of the instalment period; and
 - c) made an application for Australian Apprenticeship Support Loans on or before the final day of an instalment period (when an application or opt-in application is submitted an application is taken to have been made for six instalments of Australian Apprenticeship Support Loans).
- Note: the Secretary delegate may permit an application for Australian Apprenticeship Support Loan to be made after the due date in circumstances that:
 - are beyond the person's control; and
 - make it impracticable for the person to make an application for Australian apprenticeship support loan on or before the final day of the instalment period.

See the discussion below under '4.1.3 Payability'.

Payability is assessed by the Department's IT System on the final day of the instalment period, based on the information entered by the Apprenticeship Network Provider, and in some circumstances, the relevant State or Territory Training Authority. If the person is not qualified on the final day, they are not entitled to any portion of that payment.

The person who has applied for Australian Apprenticeship Support Loans must notify their Apprenticeship Network Provider of any changes to their circumstances within 14 days of the event occurring that could affect payability. Where the person has not notified the Apprenticeship Network Provider within 14 days, the instalment/s may become an overpayment debt.

Where a person cancels their instalment within the required timeframes but due to administrative or IT processes the payment cannot be cancelled in time, the instalment is taken to be a Australian Apprenticeship Support Loan debt and not an overpayment debt.

2.4 Further considerations

2.4.1 Attendance type

A person can make an application for Australian Apprenticeship Support Loans regardless of their attendance type, e.g. full-time, part-time or Australian School-based Apprentices. The rate at which a person is paid Australian Apprenticeship Support Loans is calculated in the same way for all persons, regardless of their attendance type.

The actual duration of training by those that are undertaking an apprenticeship in a priority occupation shows that on average, part-time Australian Apprentices complete their training within four years, consistent with those that complete full-time. However, if a person takes longer than four years, and has still not met their life-time limit, they will be eligible for payments at the fourth-year rate until they finish their apprenticeship.

2.4.2 Existing workers

An Australian Apprentice's existing worker status does not affect eligibility under the Program.

2.4.3 Age limits

No age limits apply under the program. The age of the person applying for Australian Apprenticeship Support Loans does not affect the way in which the *Australian Apprenticeship Support Loans Act 2014*, or taxation law, applies to the person.

Where an Australian Apprentice aged under 18 years is making an application for a Australian Apprenticeship Support Loans, they will be required to seek the acknowledgement of a parent or guardian that the Australian Apprentice understands their responsibilities relating to their Australian Apprenticeship Support Loans debt. This acknowledgment is recorded on the application.

Where the Australian Apprentice is unable to gain the parent/guardian's acknowledgement, they will need to provide a reason in the application why a parent/guardian acknowledgment could not be obtained.

A targeted fact sheet must be provided to Australian Apprentices aged under 18 years and their parent/guardian where possible.

2.4.4 Prior qualifications

Prior qualifications that an Australian Apprentice either has completed, has commenced but not completed, or is undertaking concurrently with another qualification (through an apprenticeship or a non-apprenticeship pathway), do not affect an Australian Apprentice's eligibility to attract payments under the Program (subject to the lifetime limit and concurrent apprenticeships as outlined in the Australian Apprenticeship Support Loan Rules 2023).

2.4.5 Competency based progression

Competency based progression does not affect qualification and payability for payments under the Program.

2.4.6 Recognition of prior learning

Recognition of prior learning does not affect qualification and payability for payments under the Program.

2.4.7 Interactions with other Programs

Qualification and payability for Australian Apprenticeship Support Loans is not affected where the Australian Apprentice is participating in any other loan scheme.

Qualification and payability for support under the Australian Apprenticeship Support Loans Program is not affected where the Australian Apprentice receives support through the Australian Apprenticeships Incentives Program.

2.4.8 NSW Trainee Apprentices

An individual who is deemed to be a Trainee Apprentice (in New South Wales) will be eligible to attract support under the Program subject to meeting the eligibility criteria.

2.4.9 Date of Successful Completion

If the training contract is approved by the State or Territory Training Authority, and is then, later successfully completed, the Australian Apprentice is taken to be in a qualifying apprenticeship until the date that the State or Territory Training Authority notifies the Department (through the Department's IT system) of the successful completion.

2.5 Special case qualification and payability

There are circumstances (exceptional circumstances) where an Australian Apprentice's qualification and payability for Australian Apprenticeship Support Loans, will be subject to special consideration by the Department.

Exceptional circumstances are those that are unusual, uncommon, unexpected or unplanned and the onus of proof is on the person to demonstrate that such exceptional circumstances occurred.

An example of a special qualification and payability case may be where a change of circumstance affects the payability of the Australian Apprenticeship Support Loan, such as a cancellation. Where

the person notifies their Apprenticeship Network Provider of the change, within the required timeframe, and an instalment is still paid the person is taken to have been qualified and payable.

Another example is where the person has completed their qualifying apprenticeship, but the Department has not yet been notified by a designated State or Territory Training Authority that the person is considered to have completed, and a payment falls due and is made. If the person receives payment after they have satisfied all requirements, but before the Department is notified, the payment will be treated as a Australian Apprenticeship Support Loan Debt and not as an overpayment debt for the purposes of the *Australian Apprenticeship Support Loans Act 2014*.

Any other situations that the person or the Apprenticeship Network Provider believes should be considered as a special case should be referred to the State or Territory Office of the Department for advice.

3. Obligation to notify change of circumstance

In taking on a Australian Apprenticeship Support Loan, a person becomes responsible for ensuring they keep their Apprenticeship Network Provider up to date with any changes to their details or circumstances. This ensures they continue to meet the qualifying and payability criteria that are outlined in Chapter 2.

Once a person has qualified for a Australian Apprenticeship Support Loan, they are responsible for notifying their Apprenticeship Network Provider, within 14 days, of any change of circumstance that may affect payability of Australian Apprenticeship Support Loan instalments. The Apprenticeship Network Provider is responsible for notifying how this will be done through the determination letter. The determination letter will specify:

- (a) how the person is to provide the change of circumstance information; and
- (b) the period within which the person must provide the information—14 days; and
- (c) who the information is to be given to; and
- (d) that the notice is an information notice given under the *Australian Apprenticeship Support Loans Act 2014*.

The Apprenticeship Network Provider will notify the person when they receive the person's change of circumstance notification. The Apprenticeship Network Provider may notify the person by a method of their choosing, as long as the notification is documented or file-noted.

A person receiving Australian Apprenticeship Support Loans is not required to notify an Apprenticeship Network Provider of a successful completion. Only State or Territory Training Authorities can notify of successful completion.

3.1 Notification of change of circumstance by State or Territory Training Authority

There may be situations where the Department and/or Apprenticeship Network Provider is notified by the State or Territory Training Authority of a suspension or cancellation of a person's Apprenticeship. This would lead to the person's future instalments of Australian Apprenticeship Support Loans being cancelled. In such situations the Apprenticeship Network Provider should notify the Australian Apprentice, by a method of their choosing, that payments have ceased.

Sometimes the State or Territory Training Authority may backdate the cancellation or suspension. In these cases, the Apprenticeship Network Provider should check to see if the person would have been aware of the cancellation or suspension and therefore should have notified the Apprenticeship Network Provider of the change of circumstances that caused the suspension or cancellation. For instance if the person is stood down and the employer cancels the training contract without notifying the person, the cancellation may be backdated more than 14 days.

When the State or Territory Training Authority backdates the cancellation or suspension, the Australian Apprentice is considered to be undertaking a qualifying apprenticeship for any payments made between the notifiable event and the date of notification. The payments are considered a debt to be repaid through the tax system provided:

- the person correctly notified their Apprenticeship Network Provider of any change of circumstances that caused the cancellation or suspension; or

- the cancellation or suspension occurred without the person's knowledge, and the person could not have reasonably been expected to know that their apprenticeship had been suspended or cancelled.

If the Australian Apprentice receives any instalments while unknowingly suspended, and later recommences, they will receive the instalment relative to the completed calendar month of their Australian Apprenticeship provided they meet the eligibility criteria (refer to Section 4). This is regardless of if they have already received these instalments during the period of which they were unknowingly suspended.

Example of instalments received while unknowingly suspended

Example 1 - John is unknowingly suspended at the 13th month point of his apprenticeship and receives a further two instalments for the 14th and 15th month while on suspension. John then recommences his apprenticeship and applies for Australian Apprenticeship Support Loans. As he has completed 13 months of his apprenticeship, he will be eligible to receive the instalments for the 14th and 15th month again in line with the completed calendar months of the apprenticeship.

Where the person should have notified their Apprenticeship Network Provider of the suspension or cancellation, but hasn't, any instalment paid after the notifiable event becomes an overpayment debt (refer to Section 7).

3.2 Failure to notify of change of circumstance

Where an Apprenticeship Network Provider discovers that a person may have failed to notify of a change of circumstance, in the first instance the matter is referred to the relevant State or Territory Office of the Department for investigation. Where it does not appear that a person has a reasonable excuse, that matter will be progressed through the Department for further consideration and legal advice if necessary.

It is an offence for a person to fail or refuse to comply with a notice to notify about a change of circumstances affecting qualification or payability (subsection 73 of the *Australian Apprenticeship Support Loans Act 2014*). The penalty is imprisonment for six months. A person does not commit an offence if they have a reasonable excuse.

Where a payment is made in error, the payment is referred to as an overpayment debt. Overpayment debts are collected by the Department and are not repaid through the tax system.

4. Applying for Australian Apprenticeship Support Loans

The Apprenticeship Network Provider should ensure that any person enquiring about Australian Apprenticeship Support Loans are provided with all the relevant documentation about the Australian Apprenticeship Support Loans.

If the person is aged under 18 years (a minor), the Apprenticeship Network Provider must provide them with the *Australian Apprenticeship Support Loans under 18's Fact Sheet* and the *Australian Apprenticeship Support Loans under 18's Parent/ Guardian Fact Sheet* for the person to provide to their parent or guardian.

A person wishing to receive Australian Apprenticeship Support Loans should ensure that they have read the supporting documentation, including fact sheets, are aware of their obligations to notify of change of circumstances (Chapter 3) and of their obligation to repay the loans (Chapter 6).

Australian Apprentices will need to log into (ADMS) to apply for Australian Apprenticeship Support Loans.

4.1 Making an application

After having read and understood all supporting documentation, an Australian Apprentice can apply for Australian Apprenticeship Support Loan payments by completing a Australian Apprenticeship Support Loans application in ADMS.

The Apprenticeship Network Provider are to assist Australian Apprentices with accessing ADMS and resolving any issues with the application. Where an Australian Apprentice is unable to access ADMS, a paper-based application is available from the Apprenticeship Network Providers.

The initial application will cover the six-monthly instalments of Australian Apprenticeship Support Loans after which payments will stop. The initial application collects information used for assessing the qualification and payability criteria.

4.1.1. Residency and Identity documentation

An Australian Apprentice applying for Australian Apprenticeship Support Loans must provide at least two supporting documents: at least one document from Group A, and one document from Group B, below.

Group A <ul style="list-style-type: none"> • full Australian Birth Certificate; • Australian passport*; • Certificate of Citizenship; • Permanent Visa; or • Visa Entitlement Verification Online (VEVO) statement/results. 	Group B <ul style="list-style-type: none"> • current foreign passport; • driver licence; • proof of age card; or • similar ID that meets the requirements below.
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* An Australian passport is acceptable evidence when it is either current; when it expired no more than two years; and when it has not been cancelled or damaged.

The documents should meet the following requirements:

- Each document must show at least the person's first and last name.
- At least one document should include a photo of the person.
- At least one document should show the person's current residential address.
- At least one document must show the person's citizenship status / visa status.

The person can provide additional documents, for example an electricity bill, rental contract or a letter from a referee (see 2.1.1.). If the person doesn't have any of the documents listed in Group B, they can provide their Medicare card, bank card or similar.

Certified copies of identity and residency documents do not need to be provided, as long as the Apprenticeship Network Provider is satisfied that the copies of the documents provided are authentic.

4.1.2. Opt-In

An eligible Australian Apprentice who wishes to receive Australian Apprenticeship Support Loan payments beyond the initial six-month period, can apply by submitting a completed Australian Apprenticeship Support Loans application (opt-in application). The opt-in application is a shortened version of the initial application.

Apprenticeship Network Providers need to advise the Australian Apprentice of the need to re-apply for future payments and provide them with an opt-in application. A paper-based opt-in application is available from the Apprenticeship Network Providers if required.

The Australian Apprentice should submit the opt-in application from 30 days before the last Australian Apprenticeship Support Loans payment is made, at each six-month period as required.

4.1.3 Payability

Australian apprenticeship support loan is payable to a person, in relation to an instalment period of the person, if:

- the person is qualified for Australian apprenticeship support loan on the final day of the instalment period; and
- the person was undertaking a qualifying apprenticeship for the whole of the instalment period; and
- the person made an application for Australian apprenticeship support loan:
 - on or before the final day of the instalment period; or

- if the Secretary or a delegate allows a later day for the person—on or before that later day.

This means that, in most cases, Australian apprenticeship support loan will only be paid in relation to:

- the instalment period in which the person makes the application, provided the person is qualified for Australian apprenticeship support loan in that instalment period; and
- future instalment periods, provided the person is qualified for Australian apprenticeship support loan in those instalment periods.

Subsection 10(1) of the *Australian Apprenticeship Support Loans Act 2014* refers.

The Secretary or a delegate *may* allow, in certain circumstances, for Australian apprenticeship support loan to be paid to a person in relation to a previous instalment period, or previous instalment periods, of the person (provided the person is qualified for Australian apprenticeship support loan in that instalment period or those instalment periods). The Secretary or a delegate can only do this in circumstances that:

- are beyond the person's control; and
- make it impracticable for the person to make an application for Australian apprenticeship support loan on or before the final day of the instalment period.

Subsection 10(1A) of the *Australian Apprenticeship Support Loans Act 2014* and section 10 of the Australian Apprenticeship Support Loans Rules 2023 refer.

4.2 Temporary break in an apprenticeship

Where an Australian Apprentice is receiving Australian Apprenticeship Support Loans and there is a break in, or suspension of, their apprenticeship as determined by the State or Territory Training Authority (i.e. they are no longer *undertaking* a qualifying apprenticeship), they must submit a new application or opt-in application for Australian Apprenticeship Support Loans on recommencement.

Where a new Training Contract is required by the State or Territory Training Authority, the person will need to submit a completed application. Where the Australian Apprentices recommences their apprenticeship under the same Training Contract, they can submit a completed opt-in application.

Examples of when to submit an application or opt-in application

Alex commenced a full-time apprenticeship and was eligible for Australian Apprenticeship Support Loans. Alex then transferred to a new employer with no break in employment. The relevant State/Territory Training Authority approved the transfer, and a new Training Contract was not required. Alex will continue to receive Australian Apprenticeship Support Loans payments and a new application does not need to be submitted as a new Training Contract was not required by the State/Territory Training Authority.

Jamie commenced a full-time apprenticeship and was eligible for Australian Apprenticeship Support Loans. Jamie then resigned and the Australian Apprenticeship Support Loans future payment schedule was cancelled. Jamie recommenced with a new employer at a later date. A new Training Contract was approved by the relevant State/Territory Training Authority. To recommence Australian Apprenticeship Support Loans payments, Jamie will need to submit a new application in ADMS as a new Training Contract was submitted and approved.

Dani commenced a full-time apprenticeship and was eligible for Australian Apprenticeship Support Loans. Dani's apprenticeship was subsequently suspended for eight months and the Australian Apprenticeship Support Loans future payment schedule was cancelled. Dani then recommenced the apprenticeship under the same Training Contract with the same employer. To recommence Australian Apprenticeship Support Loans payments, Dani will need to submit an opt-in application as a new Training Contract was not required by the relevant State/Territory Training Authority.

4.2.1 Worker's compensation

Where an Australian Apprentice is in receipt of worker's compensation payments but is still considered to be undertaking a qualifying apprenticeship in an active Training Contract, the Australian Apprentice is able to apply for, or continue to receive, Australian Apprenticeship Support Loans payments.

Where an Australian Apprentice is in receipt of worker's compensation payments and the Training Contract has been suspended or cancelled, the Australian Apprentice is not considered to be undertaking a qualifying apprenticeship and they are not eligible to apply for, or continue to receive, Australian Apprenticeship Support Loans payments. If the Australian Apprentice, then recommences the apprenticeship, Section 4.2 will apply.

4.3 Withdrawing an application

A person may withdraw an application before it has been granted and it will be considered that the application has not been made.

4.4 Cancelling a payment

The Apprenticeship Network Provider will cancel a Australian Apprenticeship Support Loan that is being paid to a person if they are satisfied that:

- a) the person is not qualified, or
- b) the loan was not payable for the relevant instalment period, or
- c) the person has requested that the loan payment be cancelled (opt-out).

An Apprenticeship Network Provider may also cancel a person's Australian Apprenticeship Support Loans payment if that person has failed to comply with a notification to supply information under the *Australian Apprenticeship Support Loans Act 2014*.

4.5 Opt-out

To continue to receive Australian Apprenticeship Support Loans payments, an Australian Apprentice is required to opt-in every six months for the following six-month period. However, an Australian Apprentice can opt-out at any time by contacting their Apprenticeship Network Provider. Only an Australian Apprentice can opt-out, no other person can opt-out on behalf of the Australian Apprentice. The Apprenticeship Network Provider must provide confirmation of the opt-out to the Australian Apprentice using a method of their choosing (as long as the confirmation is documented or file-noted) within 10 working days.

4.6 Bank accounts

Payments will **only** be made by direct credit to a bank account that is maintained, either alone or jointly, by the Australian Apprentice.

4.7 Apprenticeship Network Provider to assess application

On receiving an application or opt-in application for Australian Apprenticeship Support Loans the Apprenticeship Network Provider will assess the application, ensure it's been fully completed and provide the person with a determination notice.

Where the application is incomplete the Apprenticeship Network Provider will return the application back the person and seek further information.

Where the application is incomplete or incorrect and the Apprenticeship Network Provider does not receive updated or corrected details 13 weeks after the day the application was submitted, the application will be refused. In such circumstances, the Apprenticeship Network Provider will provide the person with a determination notice.

The Apprenticeship Network Provider will assess the application as eligible if it determines that:

- (a) the person is qualified for Australian Apprenticeship Support Loans; and
- (b) Australian Apprenticeship Support Loans are expected to be payable.

If the person is assessed to be qualified and is likely to be payable, the date on which they submitted the Australian Apprenticeship Support Loans application or opt-in application becomes the application or opt-in date. Where a paper-based application is required the date on which the Australian Apprenticeship Support Loans application or opt in application was received by the Apprenticeship Network Provider becomes the application or opt-in date. The Australian Apprenticeship Support Loans application or opt-in date will be used for the purpose of determining which instalments a person will receive.

The application or opt-in date is the date on which the application or opt-in application was first submitted. This is regardless of whether information was missing and/or additional information was required to be provided.

If an instalment cannot be paid on the due date (see Section 5.3), it will be made on the earliest day on which it reasonably can be made as assessed by ADMS and the Apprenticeship Network Provider.

If satisfied with the qualification and payability of the person, ADMS and the Apprenticeship Network Provider will determine:

- (a) the period for which the person will receive loans, the opt-in period, which will be:
 - i. six months; or
 - ii. the number of months until the person would reach the lifetime limit, if that number is less than six months.
- (b) the yearly rate, and instalments the person is eligible for.

The yearly rate is determined by calculating the number of complete calendar months that the person has served in their apprenticeship (see section 5).

4.7.1 For recommencements

The yearly rate is determined by calculating the number of complete instalment periods (regardless of whether the person received payments) that the person has served in their apprenticeship excluding time they were not undertaking the apprenticeship.

Examples of yearly rate after a recommencement

Jane completed 10.5 months of her apprenticeship prior to a suspension of her apprenticeship. Jane recommences her apprenticeship and opt-ins for Australian Apprenticeship Support Loans, Jane will receive first year payments for two further instalment periods.

4.7.2 Determination Notice

Once ADMS and the Apprenticeship Network Provider have made an eligible determination, a schedule of the next planned monthly payments (which will be no more than six) will be created in ADMS and the person will be notified of:

- (a) their qualification for Australian Apprenticeship Support Loans
- (b) the period for which the person will receive Australian Apprenticeship Support Loans
- (c) the number of instalments they will receive
- (d) the yearly rate(s) that will apply
- (e) the instalment rate
- (f) when the person will be required to 'opt-in' for Australian Apprenticeship Support Loans again
- (g) the person's obligation to notify the Apprenticeship Network Provider of any change of the person's circumstances.

If the person has not met the qualification or payability criteria, the Apprenticeship Network Provider will assess the application as ineligible, and a notification will be sent outlining the reasons why the application was rejected.

If a person does not receive notice of the assessment of the application within 13 weeks after the day the application was submitted, the application is taken to have been refused.

4.7.2 Variation of Australian Apprenticeship Support Loan rate

If the Apprenticeship Network Provider is satisfied that the rate at which a person is being paid Australian Apprenticeship Support Loans instalment is incorrect, they may vary the rate accordingly. See section 7.2 for further information on varying the rate when there is an overpayment debt.

Example of varying the Australian Apprenticeship Support Loan rate

Marley commenced a full-time apprenticeship on 13 November 2022 and opted-in for Australian Apprenticeship Support Loans on 18 September 2023. Marley's Australian Apprenticeship Support Loan rate was incorrectly assessed at the second-year rate, even though only 10 months of the apprenticeship had been completed. The Apprenticeship Network Provider varied Marley's rate so that Marley is correctly receiving the first-year rate until 12 months of the apprenticeship is completed.

5. Payment structure

5.1 Rates

Payments of Australian Apprenticeship Support Loans are made monthly in arrears. The current yearly amount and instalment rates are listed in Table 1.

Table 1 – Australian Apprenticeship Support Loans yearly amount and instalment rates 2023-24

Time Completed	Year	Yearly rate	Instalment Rate
1 - 12 completed calendar months	1 st year	\$9,797	\$816.41
13 - 24 completed calendar months	2 nd year	\$7,348	\$612.31
25 – 36 completed calendar months	3 rd year	\$4,898	\$408.20
37 + completed calendar months	4 th year	\$2,449	\$204.10

An Australian Apprentice may attract payments at the fourth year rate for any additional years of their apprenticeship (past the fourth year) until they complete their apprenticeship or reach the lifetime limit.

5.2 Indexation of yearly rates

The yearly rates will be indexed on 1 July each year in line with increases in the Consumer Price Index (CPI). The yearly rates are available on the [Department of Employment and Workplace Relations](#) website.

The indexation may result in an increase to the monthly payment amounts available compared to what was available at the commencement of an apprenticeship. A Australian Apprentice who is receiving Australian Apprenticeship Support Loans will be eligible for the increased payment amounts for any payments that fall due after the date of indexation. Where this occurs, the new monthly instalment amounts will be calculated using the formula below.

A Australian Apprentice who is receiving Australian Apprenticeship Support Loans will be eligible for the previous year's payment amounts for any payments that fall due prior to the date of indexation.

5.3 Instalment amounts

ADMS will calculate the monthly instalment amounts payable under the Program.

The monthly instalment amounts are calculated by dividing the yearly amount by 12. Where the monthly instalments do not divide equally, the rounded amount will be used.

The *Australian Apprenticeship Support Loans Act 2014* has rounding provisions which allow for the monthly amounts to exceed the yearly amount. Where this occurs, ADMS will adjust the monthly instalment amount, and the final payment will be adjusted so that the lifetime limit is not exceeded.

Where an instalment payment causes the Australian Apprentice to reach their lifetime limit, the payment will be adjusted in ADMS so that the lifetime limit is not exceeded.

5.3 Instalment due date

Instalments under the program fall due after the opt-in date, on the next monthly anniversary of the commencement (or recommencement) of the apprenticeship.

Example of an instalment due date

Lee commenced a full-time apprenticeship on 15 July 2023 and opted-in for Australian Apprenticeship Support Loans on 1 August 2023. The due date for the first Australian Apprenticeship Support Loan payment is 15 August 2023, with further payments due on the 15th of each subsequent month.

For monthly anniversaries that do not fall in some calendar months i.e. the 29th, 30th and 31st days for February or the 31st day for April, June, September and November, then the monthly anniversary reverts to the last day of the month for these months.

ADMS will automatically calculate the due dates based on the commencement and opt-in dates entered.

5.4 Payments made after successful completion of the apprenticeship

Once an Australian Apprentice successfully completes their apprenticeship, they are no longer eligible to receive further Australian Apprenticeship Support Loan payments for that apprenticeship.

However, where an Australian Apprentice has completed their qualifying apprenticeship, but the Department has not yet been notified by a designated State or Territory Training Authority of the completion, and payments fall due, the Australian Apprentice is still considered eligible to receive the payments if they have not reached their lifetime limit. Accordingly, these payments are not treated as overpayment debts to be recovered by the Department.

5.5 Australian Apprenticeship Support Loans debts

The amount of Australian Apprenticeship Support Loan payments a person receives is referred to as their Australian Apprenticeship Support Loans debt. The Australian Apprenticeship Support Loans debt is incurred on the day an instalment is paid and is equal to the amount of the instalments paid to that date.

Where an instalment of Australian Apprenticeship Support Loans becomes an overpayment debt, it is not considered a Australian Apprenticeship Support Loans debt, see Chapter 7 of the Guidelines.

Through the Department's IT systems, the ATO will be notified if a person incurs a Australian Apprenticeship Support Loans debt. The notice will specify the amount and may include other details the ATO requests for the purpose of ensuring they have the information needed to exercise powers and perform functions under the *Australian Apprenticeship Support Loans Act 2014*.

6. Australian Apprenticeship Support Loan repayments

The ATO is responsible for collecting Australian Apprenticeship Support Loans debts made under the *Australian Apprenticeship Support Loans Act 2014*.

6.1 Transferring loan payments

Loan information is transferred to the ATO through the Department's IT systems after payments are made. The ATO uses this information to calculate indexation and facilitate repayment through the tax system.

6.2 Repaying a loan

Australian Apprenticeship Support Loans are repaid through the tax system or by voluntary repayments.

- A person is required to repay the loan through the tax system once their income is above the minimum repayment threshold and they have debts that are at least six months old—this is known as a compulsory repayment.
- A person can also choose to make payments on the loan prior to reaching the minimum repayment threshold—this is known as a voluntary repayment.

A person should contact the ATO for further information on repaying a Australian Apprenticeship Support Loan.

6.2.1 Minimum repayment income

A person must start making compulsory repayments once the minimum repayment threshold is reached, even if the Australian Apprentice is still undertaking their apprenticeship.

The minimum repayment threshold for 2023-24 is \$51,550. This amount is in line with the *Higher Education Support Act 2003* and is indexed each financial year.

6.2.2 Repayment rates

Compulsory repayments are made using a percentage of the individual's income. The repayment rates used to calculate repayments are available on the [ATO website](#).

6.2.3 Overseas repayment obligations

Individuals who move overseas and have a Australian Apprenticeship Support Loan debt are obliged to make compulsory repayments on their loan if their Australian and foreign-sourced income is above the minimum repayment threshold. Further information about overseas repayment obligations for Australian Apprenticeship Support Loans are available on the [ATO website](#).

6.2.4 Order of repayment

Australian Apprenticeship Support Loan repayments will occur after any HELP debts have been discharged.

6.2.5 Debt discharged by death

A Australian Apprenticeship Support Loan debt is taken to be paid upon the death of the person who owes the debt.

6.3 Indexation of Australian Apprenticeship Support Loans debts

The ATO is responsible for all aspects of indexation of individual Australian Apprenticeship Support Loans debts and queries should be directed accordingly.

On 1 June each year, the ATO will apply indexation to the part of a person's individual Australian Apprenticeship Support Loans debt that has remained unpaid for more than 11 months. Indexation will be applied in line with the CPI to maintain the real value of the loan. This means it's likely a Australian Apprenticeship Support Loans debt will grow.

Example indexation being applied to Australian Apprenticeship Support Loans debt

Erin has \$9,000 of Australian Apprenticeship Support Loans debt left to repay from 2015-17. On 1 June 2023, the Australian Apprenticeship Support Loans debt was indexed at 7.1% ($\$9,000 \times 7.1\% = \639.00). Erin now owes $(\$9,000 + \$639.00) = \$9,639.00$.

6.4 Successful completion discount

A 20 per cent discount will be granted where a Australian Apprentice successfully completes their apprenticeship. The discount applies to the amount borrowed and does not include any indexation that has been applied or repayments that have been made. The Department's IT systems will calculate the discount and advise the ATO of the amount the person's Australian Apprenticeship Support Loans debt should be reduced.

Where an Australian Apprentice repays the Australian Apprenticeship Support Loan (either as a compulsory or voluntary repayment) before successfully completing the apprenticeship, the 20 per cent discount will still be applied to the full amount of the Australian Apprenticeship Support Loans payments. The ATO will use any credit on the person's account to pay off any primary tax debts that may apply to the individual, and any balance will be refunded to the Australian Apprentice as part of regular taxation arrangements. This is a matter between the Australian Apprentice and the ATO, and a person should contact the [ATO](#) for further information if required.

Examples of applying the successful completion discount

Example 1 - Riley commenced a full-time apprenticeship in 2015 and received \$14,000 in Australian Apprenticeship Support Loans payments before successfully completing the apprenticeship in 2017. The 20 per cent successful completion discount is applied to the \$14,000 in Australian Apprenticeship Support Loans Riley received. Riley commenced another full-time apprenticeship in 2017 and received \$4,000 in Australian Apprenticeship Support Loans payments before successfully completing the apprenticeship in 2018. The 20 per cent successful completion discount is applied to all Australian Apprenticeship Support Loans payments made after the initial discount was applied (i.e. to the \$14,000), so the discount is applied to the \$4,000 in Australian Apprenticeship Support Loans payments Riley received.

Example 2 - Taylor commenced a full-time apprenticeship in 2015 and received \$20,808 in Australian Apprenticeship Support Loans payments before cancelling the apprenticeship in June 2019. Taylor commenced another full-time apprenticeship in 2019. While Taylor was assessed as eligible to attract Australian Apprenticeship Support Loans for the apprenticeship, no further payments were made as the lifetime limit had already been reached. Taylor successfully completed the apprenticeship in 2019. The 20 per cent successful completion discount is applied to the \$20,808 in Australian Apprenticeship Support Loans payments Taylor received.

7. Overpayment debts

7.1 Payments made in error

If a person receives a Australian Apprenticeship Support Loan instalment and was not entitled to receive it, the instalment becomes an overpayment debt due to the Commonwealth. It is not repayable through the taxation system and is collected by the Department. This occurs regardless of the residency status of the person and/or if the person is overseas.

The Department delegate may enter into an arrangement for the repayment of the overpayment debt. Legal proceedings may commence if the overpayment debt is not repaid.

7.2 Offsetting an overpayment debt

Where a person has incurred an overpayment debt and is in receipt of Australian Apprenticeship Support Loan payments, the Department delegate will reduce future Australian Apprenticeship Support Loan instalments to offset the debt. The offsetting should generally occur as soon as possible. Where deemed appropriate, the delegate may split the offsetting amount across several instalments. Where future TSL instalments are reduced, the reduced instalment amount must be a minimum of \$1.00.

Examples of offsetting on overpayment debt (based on rates valid until 30 June 2024)

Joey was paid an instalment at the first year rate of \$816.41, when the instalment should have been paid at the second year rate of \$612.31. Joey has been overpaid by \$204.10. The next instalment payment Joey receives will be reduced by the overpayment amount of \$204.10 to \$408.21. For subsequent instalments, payments at the second year rate will continue as normal.

Rebecca had a Australian Apprenticeship Support Loan overpayment debt at the second year rate of \$612.31. As the next instalment is for the same amount as the overpayment, this instalment is reduced to the minimum instalment amount of \$1.00, and the following instalment will be reduced to \$611.31. Once the overpayment has been offset, subsequent payments will continue as normal.

7.3 Waivers

The Department delegate may decide to waive the Commonwealth's right to recover the whole or part of an overpayment debt where:

- the overpayment is due to an administrative error made by the Department or an Apprenticeship Network Provider who is performing services on behalf of the Commonwealth; or
- if the debt is, or is likely to be, less than \$200; or
- it is not cost effective to recover the overpayment debt.

Overpayment debt waivers will be made by the Department delegate.

7.4 Write offs

The Department delegate may decide to write off an overpayment debt if:

- the debt is irrecoverable by law; or

- the person has no capacity to repay the debt; or
- the person's whereabouts are unknown after all reasonable efforts have been made to locate the them; or
- it is not cost effective to take action to recover the debt.

Overpayment debt write off decisions will be made by the Department delegate.

8. Review of decisions

The *Australian Apprenticeship Support Loans Act 2014* divides reviewable decisions into two categories. They are:

- a) reviewable Secretary decisions; and
- b) reviewable Commissioner decisions.

Reviewable Secretary decisions

Reviewable Secretary decisions are decisions made by Department delegates (including Apprenticeship Network Providers) and may include (but are not limited to) decisions on:

- a) refusal to grant an application for Australian Apprenticeship Support Loans;
- b) varying the rate;
- c) cancelling payments of Australian Apprenticeship Support Loans;
- d) the completion discount; and
- e) raising an overpayment debt.

If an Apprenticeship Network Provider makes (as an authorised review officer) a reviewable Secretary decision, the reasons behind this decision must be included in the notice given.

Reviewable Commissioner decision

A reviewable Commissioner decision is any decision made by ATO delegates under section 50 or 51 of the *Australian Apprenticeship Support Loans Act 2014*.

Applications for review of a reviewable Commissioner decision should be directed to the ATO.

8.1 Reviewers of Secretary or Commissioner reviewable decisions

A person affected by any decision made under the *Australian Apprenticeship Support Loans Act 2014*, may request a review of the decision.

A reviewable decision may be reviewed even if the review was not requested by the person (such as where an administrative error is identified).

The reviewer of a reviewable Secretary decision is either:

- a) the Secretary of the Department (or their delegate); or
- b) an authorised review officer.

The reviewer of a reviewable Commissioner decision is either:

- a) the Commissioner of the ATO; or
- b) the delegate of the Commissioner.

8.2 Authorised review officers

The Secretary's power to authorise an officer to perform the duties of an authorised review officer has been delegated. That Secretary has authorised an officer at Executive Level 2 or above within the Skills and Training Group of the Department to appoint authorised review officers.

Authorised review officers can review a Secretary reviewable decision provided that they:

- a) were not involved in making that decision; and

- b) occupy a position that is senior to that occupied by any person involved in the decision making.

8.3 Application for review of a decision

A written request for a review of a decision must be lodged within 28 days of the person receiving notice of the decision. The request must outline why the claimant considers the decision to be incorrect and, where appropriate, provide additional evidence to support a review of the case. The Secretary may decide to extend the 28 day period in exceptional circumstances.

A person must be informed of the outcome of the review of a decision, including reasons for that outcome. The reviewer of a decision (that is, either the Secretary or an authorised review officer) can affirm, vary or set aside the decision and substitute a new decision.

A person who has applied for a review of a decision may withdraw the application at any time before the review has been completed. If an application for review of a decision is withdrawn, the application is taken never to have been made. Applications must be withdrawn in writing or orally.

8.4 Review process

Requests for a review of a reviewable Commissioner decision should be referred to the ATO.

Requests for review of reviewable Secretary decisions should be sent to the Apprenticeship Network Provider. Apprenticeship Network Providers do not have the authority to review decisions on completion discounts or overpayment debts, however requests for review of these decisions should still be forwarded to the Apprenticeship Network Provider who will forward it to the Department for review.

Requests for review of a reviewable decision (that is both reviewable Secretary decisions and reviewable Commissioner decisions), by the Administrative Appeals Tribunal (AAT) should be sent to the AAT.

8.4.1 Reviews of decisions by the Secretary

A reviewable Secretary decision is first reviewed by a person's Apprenticeship Network Provider. If the person is not satisfied with the outcome of the review they can request a further review of the decision which is then undertaken by the Department.

If the person is not satisfied with the review of the decision by the Department, they may request a further review by the Administrative Appeals Tribunal (AAT).

Reviews by Apprenticeship Network Providers

The Apprenticeship Network Provider is required to re-examine the decision based on the *Australian Apprenticeship Support Loans Act 2014*, the Australian Apprenticeship Support Loans Rules 2023 and the Australian Apprenticeship Priority List, and any further information provided by the person.

The review by the Apprenticeship Network Provider must either:

- a) Affirm the decision (uphold the original decision);
- b) Vary the decision (change the original decision); or
- c) Set the decision aside and substitute a new decision.

The person must be notified in writing of the outcome of the review of the decision. The notification must include a full explanation, including the reasons for the decision.

Reviews by the Department

Where a review is escalated to the Department, the Apprenticeship Network Provider must forward the evidence provided by the Australian Apprentice and all relevant documentation to their State or Territory Contract Manager.

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

The Department shall review the decision taking into account the *Australian Apprenticeship Support Loans Act 2014*, the Australian Apprenticeship Support Loans Rules and Australian Apprenticeship Priority List.

The review by the Department must either:

- a) Affirm the decision;
- b) Vary the decision; or
- c) Set the decision aside and substitute a new decision.

The person must be notified in writing of the outcome of the review of the decision. The notification must include a full explanation, including the reasons for the decision.

8.4.2 Reviews by the AAT

A person can apply to the AAT, for a review of a reviewable Secretary decision, particularly if they are dissatisfied with the outcome of a previous review.

The AAT provides an independent review of administrative decisions made by the Australian Government. Detailed information on AAT reviews is available on the [AAT website](#).

A request for review by the AAT should be lodged within 28 days after the person receives the decision that they want reviewed. In some circumstances an extension may be granted on application.

If an authorised review officer varies a decision, or sets aside and substitutes a new decision, after an application for review by the AAT has been made, then the AAT reviews the varied or substituted decision.

The AAT may dismiss a request for a review relating to an overpayment debt where the Department delegate and the person requesting the review reach a settlement.

Applications to the AAT can be made by filling out the application form available on the [AAT website](#), by letter, by post, email or fax.

8.4.3 Commonwealth Ombudsman

If a person is dissatisfied with the way the Department has handled their application, they can also contact the Commonwealth Ombudsman. The Commonwealth Ombudsman can investigate complaints about the administrative actions and decisions of Australian Government Departments.

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

More information on the role of the Commonwealth Ombudsman, including an online complaint form, is available from the [Commonwealth Ombudsman](#) website.

9. Delegations

Under the *Australian Apprenticeship Support Loan Act 2014*, a number of powers and functions of the Secretary of the Department have been delegated to Apprenticeship Network Providers and staff within the Department.

In general, delegations align with the roles and responsibilities outlined below.

9.1 Program roles and responsibilities

The Program is delivered jointly through Apprenticeship Network Providers, the Department of Employment and Workplace Relations, and the Australian Taxation Office (ATO).

Apprenticeship Network Providers are contracted by the Department to deliver support services to administer the Program. This involves exercising any powers or functions that have been delegated by the Secretary of the Department under the *Australian Apprenticeship Support Loans Act 2014*.

More specifically, Apprenticeship Network Providers are responsible for:

- providing information on the Program to Australian Apprentices, parents/guardians and interested stakeholders
- managing the application process
- managing the opt-in and payment cancellation process for Australian Apprentices
- assessing applications against the qualification and payability criteria and making a determination either granting or refusing the person's application
- entering application details into the Department's IT system in a timely manner as needed
- processing payments under the Program through the Department's IT system
- ensuring that the Department's IT system is up to date with information on suspensions, cancellations, completions and recommencements as needed
- providing advice to the Australian Apprentice regarding notifications, payments schedules, prompting for opting-in for payment periods using program templates
- ensuring personal information is administered in keeping with *the Privacy Act 1988*
- where requested, reviewing decisions made by them under the *Australian Apprenticeship Support Loans Act 2014*

The Department is responsible for:

- the overarching policy of the Program including the development and maintenance of relevant legislation and guidelines
- the financial management of the Program
- Program monitoring and evaluation
- reporting on the outcomes of the Program, including providing an annual report for the Minister to table in Parliament
- maintaining the Australian Apprenticeship Priority List and the Australian Apprenticeship Support Loans Rules 2023 application of the indexation of the Lifetime Limit
- development and maintenance of Program materials

- Program management including providing training and support to Apprenticeship Network Providers
- recovering payments made in error (overpayment debts) under the Program
- where applicable, determining waivers and write-off of debt
- informing the ATO of loans that have been paid to Australian Apprentices
- calculating and informing the ATO of the completion discount amount, after receiving notice that an Australian Apprentice has successfully completed a qualifying apprenticeship
- ensuring personal information is administered in keeping with *the Privacy Act 1988*
- undertaking review of reviewable Secretary decisions
- determining times in which special case qualification and payability criteria may apply to a person

The Australian Taxation Office is responsible for:

- verification of Tax File Numbers
- collecting Australian Apprenticeship Support Loan repayments through the taxation system
- calculating and applying indexation to an individual's Australian Apprenticeship Support Loan debt
- providing Australian Apprentices with loan balances as required
- upon the receipt of a notice that a completion discount is to apply to the loan, applying that discount in accordance with the *Australian Apprenticeship Support Loans Act 2014*
- ensuring personal information is administered in keeping with *the Privacy Act 1988*
- undertaking review of reviewable Commissioner decisions

ATO documentation and systems may refer to the previous program name Trade Support Loans until 1 January 2025.

The person taking up a Australian Apprenticeship Support Loan is responsible for:

- ensuring that they have read the available fact sheets and understood the requirements of the Program which include but are not limited to understanding obligations imposed by taking on a loan and opting in and out of the program
- ensuring that all information provided on the application and opt-in applications is correct to the best knowledge of the Australian Apprentice
- notifying their Apprenticeship Network Provider of changes to their circumstances that may affect their eligibility for Australian Apprenticeship Support Loans
- notifying their Apprenticeship Network Provider of changes to their contact details
- repaying the indexed amount borrowed through the taxation system
- meeting any requirements with regards to the repayment of overpayment debts to the Department

10. Privacy

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

The Information Commissioner has powers to investigate possible interferences with privacy, either following a complaint by the individual or of the Commissioner's own initiative. Further information can be found on the Office of the Australian Information Commissioner's website at <https://www.oaic.gov.au/privacy/the-privacy-act/>.

10.1 Use and disclosure of personal information

An individual's personal information can be collected, disclosed, or otherwise used if the record, disclosure or use of that information is made for the purposes of the Australian Apprenticeship Support Loans Program and under the *Australian Apprenticeship Support Loans Act 2014*, or with the express or implied authorisation of the person to whom the personal information relates.

Personal information may be used for research, statistical analysis and policy development where the Secretary reasonably believes that the use of this information is reasonably necessary.

Personal information may be disclosed to third parties for the purposes of administering and carrying out the functions of the Australian Apprenticeship Support Loans Program. Third parties include:

- Departmental employees;
- Employees of the Minister's Office;
- Contracted Service Providers; and
- Other Commonwealth State or Territory government departments and agencies.

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

10.2 Power to obtain information from a person who owes a debt

The Department's delegate may require a person who owes an overpayment debt to the Commonwealth:

- a) to provide information relevant to the person's financial situation
- b) to inform the Secretary of any new address within 14 days after the change

If the Department's delegate believes that a person has information about the location and/or financial situation of a person who owes an overpayment debt, the Secretary may require the person to produce that information.

Requests to obtain information must be made in writing to the person. Offences apply if requests for information are not complied with unless the person has a reasonable excuse.

11. Conflict of Interest

The Department's procedures for managing disclosure of interest are in accordance with the requirements of the APS Code of Conduct (section 13 (7) of the Public Service Act 1999) and are published on the [ComLaw website](#).

Apprenticeship Network Providers also have requirements to notify and resolve or otherwise deal with Conflict of Interest under their Services Contract with the Commonwealth.