

ATIS-046

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Transfer of a registered training contract – permanent or temporary

Information to get started

A permanent or temporary transfer of the training contract from one employer to another may be considered for a variety of reasons such as:

- a change in circumstances of the employer and/or the apprentice or trainee
- a lack of ongoing employment
- to improve training opportunities
- to facilitate the assessment of competency required under the training plan when an employer is temporarily unable to provide the range or work or facilities required.

Probationary periods do not apply to permanent and temporary transfers.

Temporary transfer

The temporary transfer of a training contract period **must not exceed one year and must end before the nominal term of the contract ends.**

Where the employer intends to transfer all obligations of the training contract to another employer, the parties and temporary employer must agree in writing. The [ATF-038 Temporary transfer of a registered training contract form](#) has been developed for this purpose. A temporary transfer does not require approval; however, the original employer must, within **seven days** after the transfer takes effect, give their Australian Apprenticeship Support Network (AASN) provider or the Department of Employment, Small Business and Training a copy of the signed transfer form.

The original employer must also notify the training organisation within **seven days** after the transfer takes effect. The training organisation must ensure that a training plan is negotiated and signed with the temporary employer and apprentice or trainee within **28 days** after the transfer effect date. The training record should be kept up-to-date with details of the work and training undertaken with the temporary employer.

Refer to the [ATIS-040 Training plans and training records information sheet](#).

When the transfer period ends, the original employer must accept the returning apprentice or trainee and organise the updating of the training plan with the training organisation.

Please note that a temporary employer cannot sign the completion agreement. As the training contract is officially with the original employer, only the original employer can sign a completion agreement.

Permanent transfer

Parties may apply to their AASN provider or the department to permanently transfer a training contract for an apprentice or trainee from one employer to another.

Applications for a permanent transfer may be received from:

- the parties of the training contract and the proposed new employer; or
- the apprentice or trainee under the training contract and the proposed new employer.

The [ATF-039 Permanent transfer of a registered training contract form](#) has been developed for this purpose.

Where an application does not include the current employer, the department will give the current employer an opportunity to lodge an objection to the transfer within **14 days**.

All applications for permanent transfer must be decided within **28 days** of receiving the application. If the application is approved, all applicants will be notified in writing, including the date of effect of the transfer. If the application did not include the current employer, they will also be notified in writing. If the application is not approved, the applicants will be notified in writing, including the reasons for the decision.

The nominated AASN provider will also be notified of the transfer so they can conduct an induction with the new employer and apprentice or trainee, ensuring the new employer is aware of the responsibilities of all the stakeholders in the apprenticeship or traineeship. The training organisation will also be notified.

The new employer has the option of changing training organisations if they wish to do so. The [ATF-010 Change of supervising registered training organisation form](#) is available for this purpose.

If the training organisation is no longer able to supervise the apprenticeship or traineeship due to a significant change in the apprentice/trainee's workplace location, it may be necessary for the parties to choose another training organisation to supervise the training.

The training organisation (whether the same or a new organisation) must ensure that a new training plan is negotiated and signed by the new employer and apprentice or trainee within **28 days** after the effective date of transfer. They will also determine the employer's ability to provide [adequate training arrangements in the workplace](#).

Transferred school-based apprentices and trainees and their new employer, parent or guardian (if appropriate), school and training organisation must negotiate a schedule of education, training and employment to ensure the school-based apprenticeship or traineeship arrangements with the new employer continue to impact on the school timetable. Refer to the [ATIS-026 School-based apprenticeships and traineeships information sheet](#).

It is important to note that, if there is a break in the apprentice/trainee's continuity of employment between the old employer and the new, it may require the training contract to be cancelled and a new training contract established with the new employer – recommencement in the same apprenticeship or traineeship would be with credit for time already served.

myApprenticeship

The myApprenticeship self-service website allows apprentices and trainees to securely view details and initiate various tasks, such as transfers, relating to their apprenticeship or traineeship.

Visit www.training.qld.gov.au/myapprenticeship to get started.

For further information

Contact:

- The nominated AASN provider. Registered apprentices and trainees can view their AASN provider in their myApprenticeship account if they are unsure.
- Apprenticeships Info on 1800 210 210, to discuss transfer.
- Fair Work Ombudsman on 13 13 94, to discuss wages and entitlements.

Related document:

- [Transfer of registered training contracts – permanent or temporary procedure](#).

