



Fact sheet

Employer eligibility

The Department of Training and Workforce Development registers and administers training contracts and regulates the apprenticeship system in Western Australia, consistent with Part 7 of the *Vocational Education and Training Act 1996* and Part 4 of the *Vocational Education and Training (General) Regulations 2009*.

Ineligible employers

Under a training contract, the employer and the apprentice/trainee must fulfil certain obligations to each other. This means that the employer and the apprentice/trainee cannot be the same person. The following employment arrangements are not eligible for a training contract.

- The business is operated as a sole trader who is also the apprentice/trainee.
- The business is operated as a partnership between the apprentice/trainee and others.
- The businesses is operated as an incorporated entity (eg company) of which the apprentice/trainee is the sole director.
- The business is operated as a trust, of which the apprentice/trainee is a trustee.
- The business is operated as a trust, of which a company is a trustee and the apprentice/trainee is the sole director of that company.

Employers operating under a labour hire/GTO arrangement

Under a labour hire/GTO arrangement an apprentice/trainee is employed by Business A to perform work at Business B. Under this type of arrangement, it is generally Business B that directs and controls the apprentice/trainee's day-to-day work and working environment.

Business A is the employer under the training contract. Therefore Business A must comply with obligations relating to the provision of on-the-job training and assessment as per the agreed training plan, provision of relevant work, appropriate supervision and training facilities to the apprentice/trainee.

Business A, being the employer under a training contract, must be able to fulfil the required obligations and show that they can train the apprentice/trainee adequately, in order for a training contract to be registered, or continue to be registered.