

# STANDARD 13

## Recognition of Other Qualifications and Experience in Trades and Declared Vocations

This Standard relates to the assessment and certification of a person's qualifications and/or experience in relation to a particular trade or declared vocation, where the person has:

- Not completed an apprenticeship or traineeship but developed the skills and knowledge for a trade or declared vocation through employment and training in an occupation listed on the Traineeship and Apprenticeship Pathways Schedule.
- Gained a trade or declared vocation-related qualification overseas.

This Standard is in accordance with the requirements contained in the *South Australian Skills Act 2008 (the Act)*.

Recognition arrangements outlined in this Standard may be used in support of, but does not guarantee, the receipt of an Australian visa. Individuals should seek information on visa application processes from the Australian Government Department of Home Affairs.

The Commission provides certification arrangements for trades and declared vocations that acknowledge employment-based skills outcomes, and also provide recognition for:

- obtaining non-conditional occupational licenses (if a license is required for the purpose of employment in South Australia)
- accessing trade or declared vocation-level remuneration under awards or other industrial agreements
- further career progression and up-skilling
- recognising overseas-qualified applicants.

The Commission does not award qualifications under the Australian Qualifications Framework (AQF), or occupational licenses. Individuals are responsible for acquiring these if required.

## Governance arrangements

Under Section 70A of the *Act*, a person may apply to the Commission for recognition of the person's qualifications or experience in relation to a particular trade or declared vocation (not being qualifications obtained under a Training Contract).

Under Section 70B of the *Act*, the Commission, if it is satisfied that an applicant for recognition of qualifications or experience in a particular trade or declared vocation has acquired the competencies of the trade or declared vocation, may:

- Determine that the applicant is adequately trained to pursue that vocation; and
- Certify to that effect.

Where the Commission determines that an individual competency assessment is required, the Commission will utilise any appropriate skilled or experienced person or body to undertake the competency assessment of applications, and may engage with appropriately skilled or experienced persons or bodies to provide any other advice to the Commission in relation to applications for the recognition of qualifications or experience.

This Standard is limited to the recognition of qualifications or experience in the trades and vocations declared by the South Australian Skills Commission as listed on the Traineeship and Apprenticeship Pathways Schedule excluding higher education apprenticeships and traineeships.

## Compliance with the Standard

### 13.1 Criteria for certification

13.1.1 The assessment arrangements for an application for an Occupational Certificate must have regard to:

- a) the need to maintain a satisfactory level of equivalence to the standards and outcomes of the relevant nationally endorsed qualification
- b) the breadth, depth and currency of employment experience required for trade or declared vocation recognition.

13.1.2 In the case of an overseas qualification, the assessment arrangements must establish a satisfactory level of equivalence between the overseas qualification and requirements for trade or declared vocation recognition in Australia. The assessment may lead to a recommendation that an overseas qualification is equivalent, contingent upon the satisfactory attainment of specified units of competence from an AQF qualification.

### 13.2 Application process

13.2.1 A person may apply to the Commission for recognition of their qualifications (not being obtained under a Training Contract) and/or experience in relation to a particular trade or declared vocation.

13.2.2 An individual may have acquired the skills and knowledge for a particular trade or declared vocation through any combination of:

- a) employment
- b) training in a qualification aligned to a particular trade or declared vocation in South Australia, or
- c) other training that allowed the person to develop skills related to the trade or declared vocation in question.

13.2.3 An application must be made using the application form and must be accompanied by:

- a) such supporting information and documents as are stipulated in the application form
- b) the prescribed fee.

### 13.3 Assessment of applications (SAS Act, S70A)

13.3.1 To determine whether the applicant has acquired the competencies of the relevant trade or declared vocation, the Commission may require the applicant to:

- a) Undertake an examination or test; or
- b) Undergo an independent competency assessment of a kind specified by the Commission.

- 13.3.2 The Commission may, in determining the application, seek advice from any person or body who, in the Commission's opinion, has special knowledge of, and experience in, the relevant trade or declared vocation.
- 13.3.3 In determining whether a person has acquired the competencies of the trade or declared vocation the Commission must have regard to:
- a) The length of time the applicant has been working in the relevant trade or declared vocation
  - b) The nature and duration of any instruction or training received by the applicant in the relevant trade or declared vocation
  - c) The nature of any qualifications held by the applicant in relation to the relevant trade or declared vocation
  - d) Any advice received from a person or body under section 13.3.2 of this Standard.
- 13.3.4 If the Commission, or delegate, determines that the applicant requires further training to acquire the competencies of the relevant trade or declared vocation, it may refuse to make a determination until it is satisfied that the applicant has satisfactorily completed such training.
- 13.3.5 Any training undertaken to acquire the competencies of the relevant trade or declared vocation will be at the individual's expense.

#### **13.4 Issuance of an Occupational Certificate (SAS Act, S70B)**

- 13.4.1 The Commission will determine whether it is satisfied the applicant has acquired the competencies of the relevant trade or declared vocation and, if satisfied, certify to that effect.
- 13.4.2 The certification issued by the Commission (or appropriate delegate) will take the form of an Occupational Certificate.

#### **13.5 Prescribed fees (SAS Act, S70A, South Australian Skills (Fees) Notice 2021, Schedule 1, cl. 1)**

- 13.5.1 Prescribed fees are published in the South Australian Skills (Fees) Notice 2021.
- 13.5.2 The mechanism for paying the prescribed fee is contained in the application form.
- 13.5.3 The prescribed fees payable for recognition of qualifications and/or experience in relation to a particular trade or declared vocation are:
- a) \$550 for a first or initial assessment
  - b) \$1,101 for a competency assessment or examination or test
  - c) \$220 for a second or subsequent assessment.
- 13.5.4 Under the *South Australian Skills Regulations 2021* (the *Regulations*), the Commission has the ability to:
- a) waive the prescribed fee in full, or
  - b) charge 80 per cent of the fees specified in Clause 13.5.3 (in effect, a 20 per cent reduction in the fees).

13.5.5 Application fees are reviewed annually and increased in line with the standard indexation rate.

**13.6 Review of decisions by the South Australian Civil and Administrative Tribunal (SAS Act, S70F)**

13.6.1 The South Australian Civil and Administrative Tribunal (SACAT) has jurisdiction to review a decision of the Commission to refuse an application for recognition of a person's qualifications or experience under Section 70B of the *Act*.

13.6.2 An applicant must apply to the SACAT within 28 days of receiving notice of the relevant decision.

13.6.3 The SACAT may allow an extension of time to this application period if it is satisfied that:

- a) special circumstances exist
- b) another party will not be unreasonably disadvantaged because of the delay in commencing proceedings.

13.6.4 An application to the SACAT to review a decision must be made using the online form available at [www.sacat.sa.gov.au/applications-and-hearings/how-to-apply-to-sacat](http://www.sacat.sa.gov.au/applications-and-hearings/how-to-apply-to-sacat).

13.6.5 Fees apply for commencing a review in the SACAT. The SACAT can reduce or waive a fee in a particular case, or in relation to a particular class of applicant, based on financial hardship or where it is in the interests of justice to do so. An applicant may also apply for a partial waiver of the fee if they hold a valid concession card.