

Enforcement of trade apprenticeships RTO Fact Sheet

Frequently Asked Questions (FAQs)

Registered Training Organisations (RTOs)

The South Australian Skills Commission (the Commission) has identified a growing reliance on institutional-based trade training that does not result in a recognised trade certificate issued by the Commission for learners. Beyond the potential breaches of Section 45A of the South Australian Skills Act 2008 (Act), this practice poses unacceptable risks to safety, quality, and the integrity of declared trades across South Australia.

Enforcement of the Act will ensure individuals enter the workforce from the commencement of their training through the proven 'earn and learn' apprenticeship pathway.

1. What are the penalties?

The Commission recognises the complexities involved in the administration of international students who are impacted by the enforcement of Section 45A. Due to impacted RTOs' reliance on Commonwealth-facilitated visa issuance processes, including the need for training providers to issue Student Confirmation of Enrolment (CoE) documentation to enable the Commonwealth's granting of the Subclass 500 Student Visa, a managed transition process will be adopted by the Commission.

Registered Training Organisations (RTOs) that continue to offer institutional training program enrolments aligned with a declared trade from 31 January 2026 (domestic) and from 1 July 2026 (international) will be subject to enforcement action.

This includes issuance of expiation notices of \$315 per non-compliant enrolment for minor or first-time breaches, and referral to the Magistrates Court for serious or continued breaches, with the potential for penalties of up to \$5,000.

RTOs that continue to offer institutional-based training for international learners until 30 June 2026 are required to submit a monthly report to the Commission declaring the student details of ongoing enrolments.

2. What are the grounds for being charged with the full penalty (\$5,000)?

This penalty will be determined by factors including:

- ongoing breach of the legislation
- number of affected learners

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- continuous enrolments in a qualification aligned to a trade that is delivered outside a training contract.

3. Does the South Australian Skills Commission have power to suspend RTOs?

No. Suspension of RTOs is not within the Commission's jurisdiction and is the responsibility of the VET regulator, the Australian Skills Quality Authority (ASQA). The Commission will be enforcing expiation fees and penalties, while working with RTOs and industry partners to ensure everyone is fully compliant.

4. Does this have an impact on a training provider's registration?

Section 45A covers expiation and penalty fees under the South Australian Skills Act 2008 but does not cover revoking an RTO's registration, which sits under the national VET regulation. Serial offending RTOs may be referred to ASQA by the Commission.

5. Will the training organisations who ran these institutional programs from 2021 to present be penalised? Or will the penalties apply after the cut-off date?

Penalties will apply to RTOs with new enrolments in institutional-based training programs aligned with a trade starting 31 January 2026 (domestic) and 1 July 2026 (international). Refer to the [Traineeship and Apprenticeship Pathways \(TAP\) Schedule](#) for qualifications aligned to a trade in South Australia.

6. When are you collecting the penalties from these RTOs and when will we receive the information on collections?

The Commission will start contacting RTOs who breach the Act and send out expiation fee notices from 31 January 2026 (domestic) and 1 July 2026 (international). Communication will be made directly between the Commission and the RTO.

7. What will be the action taken against the RTOs who continue to operate in this way?

- An expiation fee of \$315 will be charged per case
- Reporting to ASQA
- Referral to the Magistrates Court for serious or continued breaches, with the potential for penalties of up to \$5,000

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8. What do we advise our students who have undergone non-apprenticeship training?

This depends on the learner's desired pathway. If an individual has already completed the training, they may be eligible to apply to the Commission for a skills assessment under the [Occupational Recognition Service](#). Where students meet the required standards, the Commission will issue an Occupational Certificate, which is recognised by industry.

If their training is still ongoing:

- [International students](#) can finish their training and then apply for their skills to be assessed by the Commission to potentially secure an Occupational Certificate. If all criteria can be met, this may improve their employability, pending visa conditions.
- [Domestic learners](#) are encouraged to transition to a formal apprenticeship program if their desired outcome is to acquire a trade certificate. Learners can talk to their RTO about entering into a training contract and whether there are subsidies to reduce the cost of the course.

9. Are there other compliance requirements for RTOs during the transition phase?

As part of the transitional arrangements, RTOs must provide monthly records of identification and registration for all students undertaking an apprenticeship pathway outside of a training contract in South Australia. This mandated registration process applies to both fee-for-service domestic and international students.

Similar to the annual process you are required to follow with NCVER, you are required to provide monthly to the Commission through submission of the following AVETMISS NAT Files exported from your Student Management System (SMS):

- NAT00080
- NAT00085
- NAT00120
- NAT00130

Files are to be submitted in the TXT format and do not require validation through the AVETMISS Validation Software.

The requested files are required to be provided electronically to sasc.compliance@sa.gov.au by 5:00 pm ACDT on the following dates:

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- Friday, 20 February 2026
- Friday, 20 March 2026
- Friday, 17 April 2026
- Friday, 15 May 2026
- Friday, 19 June 2026
- Friday, 17 July 2026

RTOs that have not enrolled any students in an apprenticeship pathway outside of a training contract in South Australia are still required to advise the Commission via email at sasc.compliance@sa.gov.au (NAT files are not required to be submitted for zero activity in a month).

Failure to provide the required information by the applicable due date will result in enforcement action being taken in accordance with the relevant provisions of the Act (Maximum penalty is up to \$10,000).

Further Information:

- Visit <https://skillscommission.sa.gov.au/trade-enforcement>
- Phone 1800 673 097

Additional FAQs

From information sessions held on 15 & 16 January 2026

Questions focused on the following topics:

- Skills sets
- International students
- Out of State Training
- Occupational Recognition / Training Outside of a Training Contract
- Reporting requirements
- Assessment-only RTOs
- Commercial Cookery
- General questions

Please note most questions appear verbatim, and some have been combined to avoid duplication.

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SKILLS SETS

- 1. Does Section 45A and the stricter enforcement mean that anyone enrolled in ANY Unit of Competency (UoC) who resides in South Australia must be on a training contract? For example - a student may require two UoC for an exclusion - does this require a training contract?**

No. RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

- 2. Confirming that the requirement for a training contract does not determine delivery mode - i.e. Face-to-Face, Workplace, RPL & Gap training?**

The Training Plan, which is mandatory within a Training Contract, sets out the mode of delivery (including online, in-person, blended, etc.) for units undertaken in a trade pathway and must be agreed to and endorsed by parties to the contract.

- 3. What happens with long-term adult workers upgrading their skills via skill set training, gap training and RPL and cannot go back into an apprenticeship?**

RTOs can continue to deliver and assess individual units and accredited skills sets in a trade, or aligned to a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

- 4. Can we enrol students under institutional training in skill sets of units to help with adult age apprentices getting maybe half the units in this pathway to get employed as a 3rd or 4th year apprenticeship? This would help the employers to have the ability to afford the adult apprenticeship wages as the person will come with skills to help contribute to the higher wage.**

Yes. RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment. The Commission's Occupational Recognition Service (ORS) is available for individuals to be assessed against industry competency including workplace capability.

- 5. You addressed that we can enrol in single units and skill sets, is there a number of units that would be considered a risk?**

No. RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

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INTERNATIONAL STUDENTS

- 6. Where an international student (in country – active 500 visa) is currently enrolled in ELICOS which has been packaged with a qualification and where the qualification will not commence until after the amnesty date (30 June 2026), is this considered compliant?**

Recognising the interdependency of an RTO's issuance of a valid Confirmation of Enrolment (CoE) and the Commonwealth Government's issuance of a Subclass 500 Student Visa, international students must not be enrolled in an AQF qualification aligned to a declared trade on or after 1 July 2026, unless the student is engaged under a training contract in accordance with the Act. If the student has a current enrolment issued prior to the amnesty end date, then they are exempt.

- 7. Where an international student is enrolled in concurrent qualifications that share several of the same units of competency (e.g. automotive mechanical and automotive electrical qualifications), and who will initially undertake the mechanical component and not commence the electrical component until after the amnesty, is this considered compliant?**

If this transition occurs during the amnesty period, or if a CoE has been issued, then this is allowed. Once the amnesty period has ended, enrolment in any of these qualifications will be impacted by Section 45A, as they have been declared a trade by the Commission.

With the scenario above, the Commission recommends utilisation of the Dual Trade, Light Vehicle Mechanical Technician and Automotive Electrician, under apprenticeship conditions.

- 8. What is the process going to be to identify 'more appropriate pathways' for international students to transition into trade training, any ideas yet on these pathways given their ineligibility to undertake apprenticeships and will international students ever be able to do an apprenticeship?**

The Commission welcomes submissions that may support international students to undertake an apprenticeship and remain compliant with the Act and their visa conditions. The Commission will also work directly with RTOs who are seeking to identify substitute qualifications that provide similar trade exposure to students, without enabling a breach of the Act.

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9. What measures will be implemented to ensure that international students who acquire a trade qualification via an interstate institutional pathway are not employed in South Australia?

International students who acquire a trade qualification via an interstate institutional pathway may be employed in South Australia. Notwithstanding, industry has clearly indicated that their strong preference is for graduates who have completed their training via an apprenticeship.

The Commission will continue to work with co-regulators to ensure that individuals seeking access to state licensing systems enabled by trade pathways have their trade proficiency status confirmed, through either the presentation of a trade certificate or an Occupational Certificate.

The Commission encourages employers to engage with the Commission's Occupational Recognition Service to assess individuals who hold qualifications gained through institutional training, validating their industry competence and relevance.

OUT OF STATE TRAINING

10. What happens when a student based outside of South Australia enrolls, but then moves to South Australia? This could be problematic, particularly with the increase of online students. They may attend institutional training at non-SA venues, but may be subsequently based in SA and have not updated the RTO.

For the purposes of enforcing Section 45A, the location of the student is irrelevant. Training delivered by an RTO in South Australia (either in-person or online), where the Commission has declared that qualification a Trade, will be impacted by Section 45A.

Section 45A of the Skills Act is an offence provision which regulates the actions of RTOs, not the actions of the students enrolled with them. Specifically, the provision provides that “a person must not undertake to train a person in a trade”. Whether or not a student resides outside of South Australia or even Australia is irrelevant for the purposes of Section 45A.

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11. Do the NAT files/reports need to be filtered to only show SA-based students? What about:

- a. **Students who reside in South Australia but may be undertaking their training in our out-of-state teaching locations**
- b. **Students who resided out-of-state for the beginning of their training, but move to South Australia during the life of their training.**
- c. **students who complete their training out-of-state, but move into South Australia between the period of completion of their studies, and the employer sign-off for their qualification."**

Section 45A applies to RTOs registered to deliver or assess training in South Australia (either in-person or online). Whether or not a student resides outside of South Australia or even Australia is irrelevant for the purposes of Section 45A.

Non SA-based students still need to be reported to the Commission. For the purposes of enforcing Section 45A, the location of the student is irrelevant.

12. If a person had completed a Certificate IV in Aeroskills in Queensland (i.e. not under a South Australian training contract), then moved to South Australia and is working as an engineer - can they enrol in Unit of Competency without a training contract?

Yes. RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

13. We don't do COE in SA, nor do we deliver full fee trade quals to SA, do we still need to submit data?

RTOs that have not enrolled any students in an apprenticeship pathway outside of a training contract in South Australia are still required to advise the Commission via email at sasc.compliance@sa.gov.au. NAT files are not required to be submitted for zero activity in a month.

14. If a participant living in SA applies to enrol in a trade qualification in Queensland, do we have to report that student? Or does this only cover training delivered in SA? Also, we do have an office in South Australia however our head office is in Perth, are we only prohibited from enrolling SA residents?

No, the participant living in SA but enrolled in Queensland does not have to be reported. To the extent that an RTO is undertaking to deliver training in a "trade" as defined by the Act in South Australia, then yes, they are subject to Section 45A.

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Training delivered by an RTO in South Australia where the Commission has declared that qualification a Trade will be impacted by Section 45A.

OCCUPATIONAL RECOGNITION / TRAINING OUTSIDE OF A TRAINING CONTRACT

15. Will a list of RTOs who are undertaking assessments as part of the Occupational Recognition Service be available publicly?

Yes, however individuals will need to contact the Commission's Occupational Recognition Service, rather than approach the RTO directly.

16. ASQA govern all RTOs across Australia and allows Recognition of Prior Learning across all states. There has not been a notice from ASQA stating that Recognition of Prior Learning cannot be issued for students in South Australia. This then puts them at a disadvantage, especially for older students who never finished their apprenticeship pathways.

Recognition of Prior Learning can be issued for students in South Australia, however, a qualification cannot be issued.

17. Is it permissible for domestic workers with relevant industry experience to undertake full RPL for these trade qualifications?

Recognition of Prior Learning can be issued for students in South Australia, however, a qualification cannot be issued.

REPORTING

18. Our RTO offers skills sets and single unit courses for employees that are not in an apprenticeship or traineeship. Are we required to submit this training data to SASC monthly?

RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

19. Legislation seems to suggest that jurisdiction is decided by place of residence, not place of training and assessment. As an interstate provider, we seek clarification on our obligations. We don't do traineeships. Do we still need to report monthly?

Section 45A applies to RTOs registered to deliver / assess training in a trade in South Australia, either in-person or online, irrespective of the RTO's location.

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Whether or not a student resides outside of South Australia or even Australia is irrelevant for the purposes of Section 45A.

20. Does the submission need to include the full extract of each NAT file, or only a subset of the records referencing the courses on the list?

Only a subset of the records referencing the courses on the list is required, however a full extract of each NAT file may be submitted if this is more expedient.

21. Can you confirm if general student already enrolled outside of a Training Contract in a Trade Qualification has no training activity so far in 2026, do we need to report NAT files in first report notification due on 20th Feb? Or do we wait to submit NAT files only when training activity is available this year?

An amnesty period for existing enrolments in trade qualifications (apprenticeships) undertaken outside of a training contract remains in effect until 30 January 2026. From 31 January 2026, data for all new enrolments undertaking training in a trade outside of a training contract is required. Transitional arrangements for new enrolments will continue for international students until 30 June 2026.

22. Can you confirm if general student already enrolled outside of a Training Contract in a Trade Qualification has no training activity so far in 2026, do we need to report NAT files in first report notification due on 20th Feb? Or do we wait to submit NAT files only when training activity is available this year? Please explain the process for submitting a NIL return (zero enrolments).

The RTO may respond with a zero for the entire reporting period. Please submit your response to sasc.compliance@sa.gov.au.

23. Does an RTO need to submit the same NAT Files or need to extract the required student's data for trade qualification for this submission? And if extract required, does the data need to include all current registered students without Contract of Training (including continuing students), or only the new commenced students?

Similar to the annual process RTOs are following with NCVET, monthly submissions of an RTO's AVETMISS NAT files exported from RTO Student Management System (SMS) are required. No separate extract is required.

Data for all new enrolments undertaking training in a trade outside of a training contract is required.

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24. For the AVETMISS files, the commission requires files by a particular date every month.

The commission doesn't state the start date and end date of the reporting duration.

Data for each month is required, starting from the first to the last day of each month.

25. Why is the reporting done on a monthly basis and not quarterly like other reporting schedules?

The Commission needs to ensure that any RTOs that may be unknowingly in breach of Section 45A are identified as soon as possible so the Commission can begin working together with these RTOs and resolve any enrolments made in error.

Early and regular communication is key, especially during the transition periods.

26. Do we report students monthly who have been enrolled prior to the 31st of January 2026 without an apprenticeship contract for a Declared Trade?

No, an amnesty period for existing enrolments in trade qualifications (apprenticeships) undertaken outside of a training contract remains in effect until 30 January 2026.

27. If an RTO did not enrol any student from SA in 2025 or to date in 2026, do they still need to submit data in each month?

No, the RTO can respond reporting a zero for the reporting period outlined in the notice.

28. What happens if we remove ourselves from the TGA delivery location for South Australia? Do we still need to report?

Reporting is required for qualifications delivered in SA. If SA is removed from the delivery list, reporting no longer required. If SA removed from the delivery list, RTO to inform SASC at sasc.compliance@sa.gov.au.

29. With no declared trades on scope and no enrolments of any SA students in qualifications outside traineeships, can we be exempt from monthly reporting of sending an email confirming that we have no enrolments outside of a training contract? Do we need to send the same email each month if there is no activity and no future planned activity?

Reporting is required for qualifications delivered in SA. If there is no current or planned future activity, RTO should inform SASC prior to due date for first submission. If SA is removed from the delivery list, reporting is no longer required. If SA removed from the delivery list, RTO to inform SASC at sasc.compliance@sa.gov.au.

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30. Does the RTO need to submit the same NAT files that were submitted a week earlier, or should it extract the required student data for the trade qualification for this submission? If extraction is required, should the data include all currently registered students without a Contract of Training (including continuing students), or only newly commenced students?

- a. Reporting is required for qualifications delivered in/from SA
- b. If SA not on the delivery list, RTO to inform SASC at sasc.compliance@sa.gov.au
- c. Data to include all newly commenced students without a Contract of Training

31. Should an RTO remove themselves from delivery in SA to absolve their responsibility to participate in the reporting process?

This is at the discretion of the RTO. Alternatively, an RTO can submit a zero response per the reporting requirements for the entire reporting period if they do not deliver training in South Australia.

32. What about single units that are not in a skill set. e.g. skidsteer RIIMPO318F that is in both trade pathway and many other qualifications including Cert II level. Does this lead to monthly reporting requirement?

RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

ASSESSMENT-ONLY RTOs

33. What is the impact of the amnesty for assessment-only RTOs where students are assessed on their previous skills through RPL (including for units of competency and qualifications)?

RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

34. When we are an assessment-only RTO that doesn't offer training does this apply? We only assess current skills and if there are gaps students are required to enrol with another RTO to complete training. Are we prohibited to enrol students in SA? The documentation refers to Training Delivery and institution-based training.

Individual assessment of units of competency is permitted under Section 45A. Where the intention is the issuing of the full qualification, RTOs are required to register through the Occupational Recognition Service. For RTOs who are interested in participating, they can register their interest at ORS@sa.gov.au.

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COMMERCIAL COOKERY

- 35. With the Certificate III in Commercial Cookery having recently been changed from a trade to a declared vocation (traineeship), will existing / currently enrolled apprentices receive their trade certificate?**

Yes, apprentices currently enrolled will receive their trade certificate.

- 36. With the Certificate III in Commercial Cookery having recently been changed from a trade to a declared vocation (traineeship), will existing/ current students enrolled institutionally be able to access their Trade Recognition Certificate through the Occupational Recognition Service? If so, what is the process/ cost?**

Yes, students enrolled institutionally will be able to apply for an Occupational Certificate through the Commission's Occupational Recognition Service. Costs can be found [here](#).

- 37. Now that the change from apprenticeship to traineeship has been activated, will RTOs need to provide any reports to the Commission during the amnesty period?**

Only training delivered in a trade outside of a training contract needs to be reported, i.e., Declared Vocations (traineeships) are not required to be reported.

- 38. Who is the preferred RTO for the delivery of Commercial Cookery as part of the Industry Accelerated Apprenticeship Pilot?**

The Australian Hotels Association is still negotiating with Registered Training Organisations to confirm which Nominated Training Organisations will support the pilot.

- 39. Will Technical College students be able to access the Industry Accelerated Apprenticeship Pilot program (Commercial Cookery)?**

No, the IAAP is not offered to school students, however the traineeship is a valid option for VET in Schools.

- 40. What assessments do employers need to undertake to be approved/ registered with the Commission to employ an apprentice/ trainee? (noting instances of apprentices working under unsafe conditions).**

Any employer that employs an apprentice or trainee under a training contract must be registered with the Commission. The Commission undertakes an assessment including, fit and proper person checks, co-regulatory checks with SafeWork SA/ Return to Work SA and Comcare.

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41. What level of due diligence is undertaken around employers registered with the Commission?

South Australia is the most proactive jurisdiction in terms of apprentice and trainee training and safety and the only jurisdiction that can prohibit employers from employing apprentices and trainees (which has occurred on four occasions). The Commission has a very active intervention and direct compliance model. Compliance Officers are actively out on site, undertaking co-regulatory work in the regions. Importantly, students who are experiencing difficulties need to report this to the Commission and direct assistance will be provided via 1800 673 097 or sasc.compliance@sa.gov.au.

42. Is a listing of registered employers available on the Commission's website?

Yes — South Australia does have a public register of employers who are registered to employ apprentices and trainees.

The Commission maintains an official, publicly accessible Register of Approved Employers – Apprenticeships & Traineeships. This [register](#) lists all employers who are legally registered to enter into training contracts with apprentices or trainees under the South Australian Skills Act 2008 <https://employerregister.tasc.sa.gov.au/>.

GENERAL QUESTIONS

43. How have the impacted RTOs been identified? Has this been based on the information on training.gov.au?

Yes.

44. Will an Apprentice Connect Australia Provider need to be engaged to handle the completion and maintenance of the contract, or can it be handled in house?

An ACAP provider needs to be engaged for the establishment of the training contract – further applications related to the contract's lifecycle can be completed by an employer via the employer portal, or forms available on the Commission's [website](#).

45. Is this: <https://providers.skills.sa.gov.au/tools/form-training-plan> the correct proforma?

This document is the Training Plan required for all training contracts. It sets out the training required under an apprenticeship or traineeship, how and when it is to occur. It is agreed to by employer, apprentice/trainee and endorsed by the NTO.

This is not a reporting template for the purposes of Section 45A reporting requirements.

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- 46. Confirming - Any Declared Vocation - Traineeships are not affected then? Based on the excel document you provided on your website. These rules and regulations only apply to Declared Trades. Therefore, RTOs do not need to report to you any Declared Vocation listed qualifications.**

Yes that is correct, the enforcement of Section 45A refers to RTOs delivering Trade qualifications institutionally.

Frequently Asked Questions – updated 30 January 2026

SKILLS SETS

- 47. We have fee-for-service electricians enrolled in UEE31225 Certificate III in Instrumentation and Control who have completed their electrical apprenticeship and want to upskill but do not want to enter into a second apprenticeship.**

Consideration could be given to undertaking the Certificate IV in Electrical – Instrumentation (UEE40420) which is a Declared Vocation (Traineeship). Note Entry into this pathway requires the Certificate III in Electrotechnology Electrician or a current 'Unrestricted Electrical Licence' (or its equivalent), and is not available for school-based students.

Contact can also be made with the Commission to confirm the status of dual qualification pathways.

- 48. What about single units that are not in a skill set. e.g. skidsteer RIIMPO318F that is in both trade pathway and many other qualifications including Cert II level. Does this lead to monthly reporting requirement?**

RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued.

- 49. Our RTO offers skills sets and single unit courses for employees that are not in an apprenticeship or traineeship. Are we required to submit this training data to SASC monthly?**

See Question 48.

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50. If an individual holds a CASA licence but not a trade certificate, can they work in South Australia as an Aircraft Engineer?

Licensing requirements are an issue for the individual licensing authority - in this instance [CASA](#). CASA regulates all civil aviation licensing in Australia and sets the legal, medical, training, and competency standards for pilots, drone operators, aircraft engineers, and other aviation personnel. The licensing requirements vary depending on the type of licence.

OUT OF STATE TRAINING

51. What if someone is coming from offshore to SA and already has an Australian qualification for visa purposes?

Normally, an individual that has obtained a skills assessment for the purposes of migration holds an Offshore Technical Skills Record (OTSR) and is required, through this process, to undertake Minimum Australian Context Gap Training (MACGT) to complete this process. You generally must have an OTSR to undertake MACGT. This is not impacted by Section 45A, however the RTO needs to report these students to the Commission.

52. Students who undertake their training out-of-state, but undertake work with their employer within South Australia.

If the training is delivered out-of-state by an RTO that does not deliver to students in South Australia, then the RTO is not impacted by Section 45A.

53. Legislation seems to suggest that jurisdiction is decided by place of residence, not place of training and assessment. As an interstate provider, we seek clarification on our obligations. We don't do traineeships. Do we still need to report monthly?

Section 45A applies to RTOs registered to deliver / assess training in a trade outside of a Training Contract in South Australia, either in-person or online, irrespective of the RTO's location.

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OCCUPATIONAL RECOGNITION / TRAINING OUTSIDE OF CONTRACT OF TRAINING

54. For individuals who have commenced assessment using the services of Trade Recognition Australia, will they be required to also undertake an assessment with the Commission's Occupational Recognition Service?

Students who achieved their qualification under the Trades Recognition Australia skills assessment and gap training pathway are not required to also undertake an assessment with the Commission's Occupational Recognition Service, however they will need to be registered with the Commission so that it is understood what pathway they are undertaking.

Skilled Migrants undertaking Australian Minimum Context Gap Training as a result of obtaining an Offshore Technical Skills Record (OTSR) normally undertake this gap training as an accredited course. As these courses are not a qualification declared in South Australia as a Trade, they are exempt from Section 45A enforcement.

If this process results in the issue of a qualification that has been declared in South Australia as a Trade then Section 45A applies. The Commission encourages individuals to register with the Occupational Recognition Service.

55. RTOs in Victoria that have not delivered any training to candidates in SA will have to send just an email of NIL Enrolment. How does this apply to students who achieved their qualification under the Trades Recognition Australia skills assessment and gap training pathway?

See Question 10 above.

56. Can RTOs apply Recognition of Prior Learning to Declared Trades eg: Cert II / Labourer for 10+ years.

RTOs can continue to deliver and assess individual units in a trade pathway outside of a Training Contract and issue the associated Statement of Attainment, however, a qualification cannot be issued.

RPL is a valid process for an individual under a Training Contract, and provides an individual with the opportunity to access a 'mid-stream' apprenticeship process.

The Commission encourages individuals seeking to obtain a qualification but do not wish to undertake an apprenticeship to register with the Occupational Recognition Service via the Commission's [website](#).

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57. How are Recognition of Prior Learning (RPL) pathways affected? Are these no longer allowed under the legislation?

See Question 56.

58. ASQA governs all RTOs across Australia and allows Recognition of Prior Learning across all states. There has not been a notice from ASQA stating that Recognition of Prior Learning cannot be issued for students in South Australia. This then puts them at a disadvantage, especially for older students who never finished their apprenticeship pathways.

See Question 56.

59. Is it permissible for domestic workers with relevant industry experience to undertake full RPL for these trade qualifications?

See Question 56.

60. Can you please clarify what is meant by the following:

- a. Training can occur without a training contract if training or retraining of a person who has already completed the training required.
- b. Training can occur without a training contract if a person has an equivalent qualification.

See Question 59.

61. What does it mean to be permitted under the Act to train someone without a training contract as long as they have been certified by the Commission as competent?

Students who have completed a qualification institutionally can apply to the Commission for a skills assessment under the Occupational Recognition Service (ORS), which may result in the issuance of an industry-recognised Occupational Certificate.

Students who have not yet completed their course will be encouraged to transition into a formal apprenticeship pathway if their intention is to obtain a trade certificate.

Where relevant workplace experience or previous study exists, the duration of the apprenticeship may be reduced, subject to assessment.

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Visa holders will need to confirm their work and study rights associated with their stay conditions to be able to enter into a training contract.

REPORTING

62. The reporting data, is it for 2025 or 2026 to be reported on 20th Feb?

Data for January 2026 is required to be submitted on 20 February 2026.

63. We are CRICOS-based and in Melbourne only, do we need to respond? If we remove SA from our delivery location and are not an SA based RTO, would we need to submit monthly reports for no students?

If no activity, then report NIL (0) at sasc.compliance@sa.gov.au. If SA is removed from the delivery list, reporting is no longer required, but the RTO is required to inform SASC at sasc.compliance@sa.gov.au.

64. We would prefer to send files via a secure transfer (not email), as they contain sensitive and identifiable information. Is this an option please?

Confidentiality of information is paramount. The SA Government email system is secure for handling information classified up to OFFICIAL: Sensitive. There are no other options for file transfers available at this time.

65. We require confirmation of which qualifications to include, as the list provided with the January letter (TAPS list) differs to that data requested in December. If the TAPS list should be used:

a) Which qualifications on the TAPS list need to be included and how are they identified?

The Traineeship and Apprenticeship Pathways Schedule (TAPS) should be used. Those pathways identified with a "T" on the TAPS can only be undertaken under a training contract. These pathways are within scope and should be included where applicable.

b) If a qualification has two national codes due to transition should both versions be included, or only the version listed on the TAPS list?

Pathways aligned to transitioned qualifications will remain listed as active on TAPS until the applicable transition period end date.

Enforcement of trade apprenticeships

RTO Fact Sheet

During this period, those pathways continue to be valid for use under a training contract and are within scope and should be included where applicable.

c) How will changes to the list be managed, maintained, and communicated?

TAPS is maintained by the South Australian Skills Commission and updated as required. TAPS is available to be downloaded in either PDF or XLSX at [Traineeship and Apprenticeship \(TAP\) Schedule - South Australian Skills Commission](#)

When updates occur, notification emails can be sent to a nominated contact. To be added to the TAPS distribution list, please email sasc.tastaps@sa.gov.au.

66. Does an RTO need to submit the same NAT Files or need to extract the required student's data for trade qualification for this submission? And if extract required, does the data need to include all current registered students without Contract of Training (including continuing students), or only the new commenced students?

Similar to the annual process RTOs are following with NCVET, monthly submissions of an RTO's AVETMISS NAT files exported from RTO Student Management System (SMS) are required. No separate extract is required.

Data for all new enrolments undertaking training in a trade outside of a training contract is required.

COMMERCIAL COOKERY

67. Now that the change from apprenticeship to traineeship has been activated, will RTOs need to provide any reports to the Commission during the amnesty period?

Only training delivered in a trade outside of a training contract needs to be reported, i.e., Declared Vocations (traineeships) are not required to be reported.

GENERAL QUESTIONS

68. How are these examples handled?

- a) if someone had completed a Certificate IV in Aeroskills under a training contract - could they enrol in further Aeroskills Unit of Competency without a training contract?
- b) if a student has a B1.1 licence - can they enrol in UoC without a training contract?

Enforcement of trade apprenticeships

RTO Fact Sheet

RTOs can continue to deliver and assess individual units in a trade pathway and issue the associated Statement of Attainment, however a qualification cannot be issued.

69. Could you please clarify your understanding of Section 45A (2)?

The requirement in Section 45A that training be completed under a “training contract” is subject to certain exceptions set out in (2) relating to further training or re-training, including a person who “has an equivalent qualification”.

“Equivalent qualification” is not defined within the Skills Act, however, given its ordinary meaning “equivalent” means “equal in value, measure, force, effect, significance”.

“Qualification” is defined within the Skills Act to mean “means a VET qualification within the meaning of the National Vocational Education and Training Regulator Act 2011 of the Commonwealth”.

In that respect, if the “prior learning” that is completed by a student is an “equivalent qualification” then any further training or re-training undertaken by an RTO need not be under a training contract for the purposes of Section 45A.

70. How have the impacted RTOs been identified? Has this been based on the information on training.gov.au?

Yes, training.gov.au was referenced to identify RTOs who have it on their scope to deliver training in South Australia.

71. Does this new enforcement only apply to permanent employees undertaking the training, or does it apply to casual employees also?

Training contracts can only be issued to apprentices who are employed on a full-time or part-time basis. Casual employment is not supported within the national apprenticeship system.

72. Will an Apprentice Connect Australia Provider need to be engaged to handle the completion and maintenance of the contract, or can it be handled in house?

An ACAP provider needs to be engaged for the establishment of the training contract – further applications related to the contract's lifecycle can be completed by an employer via the [employer portal](#), or forms available on the [Commission's website](#).

Enforcement of trade apprenticeships RTO Fact Sheet

73. Is this: <https://providers.skills.sa.gov.au/tools/form-training-plan> the correct proforma?

This document is the Training Plan required for all training contracts. It sets out the training required under an apprenticeship or traineeship, how and when it is to occur. It is agreed to by employer, apprentice/trainee and endorsed by the NTO.

This is not a reporting template for the purposes of Section 45A reporting requirements.

74. What is the process and the documentation requirements for setting up a South Australian training contract - both at commencement and completion?

Information on how to establish a training contract and its lifecycle to completion can be found on the Commission's [website](#).

75. What will the criteria be to identify non-compliant records? eg:

- a) Where the qualification is on the TAPS list (or a subset, see questions above)
- b) Training contract field is blank
- c) New enrolments only
- d) The letter mentions enrolment date deadlines, how is the enrolment date defined?

See Question 66 above.

76. How should we handle enrolments that:

- a) Had an active training contract in a previous collection year, but not the current collection year?

Section 45A enforcement only applies to new enrolments occurring after the amnesty period. Previous year continuing enrolments are not impacted by Section 45A and may be taught out.

- b) Have an active training contract but some of their records are full fee paying rather than apprentice/trainee?

See Question 66.

Enforcement of trade apprenticeships

RTO Fact Sheet

- c) If the full fee paying enrolment occurs after the amnesty period, and it is in a qualification that has been declared a Trade in South Australia and there is no training contract aligned to that qualification, Section 45A enforcement applies. In these two instances the training contract field can be populated but may not be accepted by STELA, etc.

Correct.

77. For qualifications listed on the schedule as Declared Trade which has been listed as a (T), will they need an apprenticeship contract with an ASN and quals listed in the schedule as Declared Vocation (DV)? And not be required to have an apprenticeship contract with an ASN?

Yes that is correct. Declared Trades must be completed under an apprenticeship.

NOTE: AASNs were officially renamed and transitioned to ACAPs on 1 July 2024 as part of a national overhaul designed to provide more targeted, improved support for apprentices and employers.

78. Is the 30 June 2026 amnesty deadline based on the CoE issue date or the actual start of study in a trade qualification?

If there has been a Confirmation of Enrolment (CoE) issued prior to the amnesty deadline but the training commences post the amnesty period then this is accepted.

In this scenario the Skills Commission will request the relevant CoEs for reporting purposes.

Enforcement of trade apprenticeships

RTO Fact Sheet

Frequently Asked Questions – updated 6 February 2026

SKILLS SETS

- 79. We have fee-for-service electricians enrolled in UEE31225 Certificate III in Instrumentation and Control who have completed their electrical apprenticeship and want to upskill but do not want to enter into a second apprenticeship.**

For licenced electricians who are seeking to upskill in instrumentation, the Certificate IV in Electrical - Instrumentation (UEE40420) would be the preferred pathway. This qualification, which is a Declared Vocation (Traineeship) in South Australia, requires a licensing pre-requisite and is not impacted by Section 45A.

If this alignment is still not deemed suitable, please contact the Commission directly to engage in further technical discussions.

INTERNATIONAL STUDENTS

- 80. An international student currently enrolled in Semester One, 2026, classes end in June. July 1 2026 arrives, can this student 'continue' their course into Semester Two? They do NOT have enrolments as yet for this course?**

International students who are currently enrolled in an institutional-based training program aligned with a trade prior to 1 July 2026 can complete their course of study.

OUT OF STATE TRAINING

- 81. If a participant living in SA applies to enrol in an online trade qualification in Queensland, do we have to report that student? Or does this only cover training delivered in SA? Also, we do have an office in South Australia however our head office is in Perth, are we only prohibited from enrolling SA residents?**

To the extent that the Queensland RTO is undertaking to deliver training in a "trade" as defined by the Act in South Australia outside of a training contract to a participant living in SA, then yes, they are subject to Section 45A.

Enforcement of trade apprenticeships

RTO Fact Sheet

Training delivered by an RTO in South Australia where the Commission has declared that qualification a Trade will be impacted by Section 45A.

Yes, interstate RTOs (e.g., head office in Perth) are prohibited from enrolling and delivering training to SA residents in a trade outside of a training contract.

OCCUPATIONAL RECOGNITION / TRAINING OUTSIDE OF CONTRACT OF TRAINING

82. What about people who are moving between states? Do they need to apply for a trade certificate?

Students who receive training in a trade in South Australia by an RTO that is registered to deliver training in South Australia will be impacted by Section 45A.

Students who receive training in a trade outside of a training contract whilst in South Australia are ineligible to receive a trade certificate, however they may wish to apply for an Occupational Recognition Certificate from the Commission.

The Occupational Recognition Service supports individuals who want to be recognised as having equivalency of someone who has undertaken and successfully completed an apprenticeship in South Australia.

The Commission encourages any individual that has skills and/or experience in occupations declared a Trade in South Australia but who have not completed an apprenticeship to enquire with the [Commission](#).

83. What prompted the change and how are employers being updated regarding the change in the Commercial Cookery pathway from an apprenticeship to a traineeship?

84. Why has the Commercial Cookery apprenticeship been changed to a traineeship and are there any other changes RTOs need to make to their training plans?

85. Why has cookery been changed from a Trade to a Declared Vocation through the TAPS?

86. Why has the Commercial Cookery apprenticeship been changed to a traineeship and are there any other changes RTOs need to make to their training plans?

87. Why has cookery has been changed from a trade to a declared vocation through the TAPS?

Discussions with the relevant Industry Skills Council and industry members highlighted the preferred training model to bring people into the industry was a traineeship.

Enforcement of trade apprenticeships

RTO Fact Sheet

It is only the status of the pathway that has changed and there are no changes to the training plan (e.g. requirement to attend off-job training).

Apprenticeships have not been removed; they remain available through the Industry Accelerated Apprenticeship Pathway (IAAP) and a traineeship pathway.

The intent of the change is to align training pathways with actual delivery patterns, while maintaining workforce quality, food safety and industry standards. Apprenticeships are currently the least utilised pathway in cookery training.

For a number of years, the majority of Certificate III in Commercial Cookery students have not completed a traditional apprenticeship or received a trade certificate. National data confirms that apprenticeships are the least utilised pathway for this qualification and that most learners complete training outside an apprenticeship. NCVER Total VET Activity Program Enrolments report that in 2024 there were 320 individuals undertaking Certificate III in Commercial Cookery in an apprenticeship out of a total of 3,045 program enrolments.

Historically, this meant that the majority of students completing the qualification did not receive any form of trade certificate.

Enforcement of trade apprenticeships RTO Fact Sheet

Frequently Asked Questions – updated 13 February 2026

INTERNATIONAL STUDENTS

88. The Information Sessions stated that transitional arrangements are in place until 30 June 2026 for Subclass 500 (Student Visa) holders. Do these arrangements also apply to Subclass 485 and all other international student visa holders?

No, the transitional arrangements apply only to Subclass 500 Student Visa holders.

OUT OF STATE TRAINING

89. Applicability of Section 45A to Offshore Education Delivery – Online Theory and Hands-On Practical Training

Could the Commission please confirm in writing that Section 45A does not apply to:

- learners who reside outside Australia, and
- training and assessment that is delivered and/or assessed outside South Australia?

Section 45A of the SA Skills Act is an offence provision which regulates the actions of RTOs, not the actions of the students enrolled with the RTOs. Specifically, the provision provides that “a person must not undertake to train a person in a trade” and trade is defined to mean “an occupation declared under section 6 to be a trade for the purposes of this Act”. Whether or not a student resides outside of South Australia or even Australia is irrelevant for the purposes of Section 45A.

To the extent that an RTO (whether overseas or not) is undertaking to train in a “trade” as defined by the Act, then they are subject to Section 45A.

90. Applicability of Section 45A to RPL Assessments for Learners Living and Working in South Australia

We also request clarification regarding the application of Section 45A in relation to Recognition of Prior Learning (RPL) and whether the Act differentiates between training delivery and assessment-only pathways.

Enforcement of trade apprenticeships

RTO Fact Sheet

Specifically, we seek guidance on the following:

- RPL for South Australian Residents Not in a Training Contract
If a learner lives and works in South Australia and seeks RPL toward a declared trade qualification, can an RTO still conduct an RPL assessment where the individual is not currently employed under a training contract?
 - See Question 3:
(RTOs can continue to deliver and assess individual units and accredited skills sets in a trade, or aligned to a trade pathway and issue the associated Statement of Attainment, however, a qualification cannot be issued).
- We seek clarification on whether RPL is considered “delivery of training” under Section 45A, or whether assessment-only pathways are treated differently within the legislative framework. Note: Stela V2 Student Training Enrolment Logistics Application (Government of South Australia) - States-Delivery mode not applicable - for RPL.
 - As above.

91. RPL Delivery Outside of South Australia Under a National RTO Licence

As we hold a national RTO registration, we request confirmation on whether we may continue to conduct RPL assessments for learners located outside of South Australia, including those residing in other Australian states and territories, without restriction under Section 45A.

Our understanding is that Section 45A applies specifically to training delivered within South Australia, and we seek written confirmation that this provision does not affect:

- RPL candidates domiciled interstate
- Industry Members Already Skilled and Working in South Australia Without qualification.

We also request clear direction regarding experienced industry practitioners who are currently working in the barbering or hairdressing sectors within South Australia but do not hold a formal qualification.

Enforcement of trade apprenticeships

RTO Fact Sheet

These individuals frequently seek RPL to obtain recognised certification that reflects their demonstrated skills and experience.

Under the enforcement of Section 45A, we seek advice on:

- whether they remain eligible for an RPL-only assessment pathway
- whether they must enter into a training contract prior to any assessment activity
- what specific guidance RTOs should provide to these workers to ensure they can obtain industry-recognised credentials in a compliant manner.

The requirement in Section 45A that training be completed under a “training contract” is subject to certain exceptions set out in (2) relating to further training or re-training, including a person who “has an equivalent qualification”.

If the “prior learning” that is completed by a student is an “equivalent qualification” then any further training or re-training undertaken by an RTO need not be under a training contract for the purposes of Section 45A. This applies whether or not the student is located in South Australia or in a different State or even overseas.

To the extent that an RTO is only undertaking an “assessment” of a student’s prior learning, that would not constitute “training” for the purposes of Section 45A(1).

Regarding experienced industry practitioners who are currently working in the barbering or hairdressing sectors within South Australia but do not hold a formal qualification, ideally they should enrol in an apprenticeship under a training contract if they are seeking a trade qualification.

Alternatively, they may apply to the Commission for an Occupational Recognition Certificate which is recognised as a trade equivalent certification.

An RTO can continue to recognise individual units in a trade pathway and issue the associated statements of attainment, however a qualification cannot be issued.

92. Delivery and Assessment for Learners Residing in Other Australian States

We also deliver nationally recognised qualifications to learners residing in other Australian states and territories.

Enforcement of trade apprenticeships

RTO Fact Sheet

Can the Commission please confirm whether Section 45A:

- applies only to learners based in South Australia, or
- extends to training and assessment conducted for learners residing and working interstate?

Please see comment above - whether or not a student resides outside of South Australia or even Australia is irrelevant for the purposes of Section 45A.

OCCUPATIONAL RECOGNITION / TRAINING OUTSIDE OF CONTRACT OF TRAINING

93. VET in Schools and Adult Learners – Request to Apply for Approved Short Skill Sets, Clustered Units, and Pre-Vocational Programs

To ensure clear and equitable industry pathways for both school-aged learners and adult entrants, we seek confirmation on whether Registered Training Organisations may formally apply for approval to deliver the following programs for VET in Schools students and adult learners, provided these offerings do not constitute the delivery of a full declared trade qualification:

- Short skill sets
- Clustered accredited units, and
- Pre-vocational introductory

Additionally, we seek guidance on how Statements of Attainment may be issued for learners living in South Australia under these approved short programs.

Specifically:

- Are RTOs permitted to issue Statements of Attainment for partial completion of units within declared trade qualifications when delivered as approved skill sets or pre-vocational clusters?
- What conditions or restrictions apply to the issuing of Statements of Attainment for South Australian residents under Section 45A?
- Does the Commission require a separate approval process for Statements of Attainment linked to short skill sets for VET in Schools and adult learners?

We can confirm that short skill sets, clustered accredited units, and pre-vocational introductory programs for VET in Schools students and adult learners is permitted, provided these offerings do not constitute the delivery of a full declared trade qualification.