**Training benchmark A - industry training fund**

Industry training funds are statutory authorities responsible for providing funding for training of eligible workers in certain industries. For example, some State/Territory governments have construction industry training funds established by Acts of Parliament to support the training of eligible persons in the building and construction industry such as the ACT Building and Construction Industry Training Fund that is administered under the Building and Construction Industry Training Levy Act 1999. These training funds generally source revenue through levies from businesses operating in that industry. Industry training funds operate in a range of sectors including construction and mining but are not limited to these industries. Immigration has no authority to register or establish industry training funds.

The responsibilities of an industry training fund may include, but is not limited to, paying for training provided to existing and entry level workers, and working with employers and training organisations to assist in the employment of apprentices and trainees.

If an applicant seeks to meet this requirement by demonstrating payment of the equivalent of at least 2% of payroll expenditure to an industry training fund, the applicant should be operating in the same industry as the fund. This is because the training must be related to the purpose of the applicant's business. To meet this benchmark, applicants should provide evidence of having made these contributions, such as a receipt or letter from the industry training fund.

Note: There is no requirement that the monetary contribution made to an industry training fund directly benefits employees of the business that is making the contribution. The intention of this option is that the applicant for sponsorship contributes to the training of Australian citizens or permanent residents to meet skill needs in the industry, not necessarily in the applicant's business. The contribution may benefit employees of their business but this is not a requirement.

To summarise, training benchmark A is available to businesses that have been trading for at least 12 months and do not have a training plan in effect for the training of their Australian citizen or permanent resident employees that is sufficient to meet training benchmark B.

**Sectors where there is no statutory industry training fund operating**

If there is no statutory industry training fund operating in the same sector as the applicant for approval, for the purposes of meeting Training Benchmark A, the department will accept evidence of contributions made to:

* a recognised industry body who provide training opportunities or
* a recognised scholarship fund operated by an Australian university or TAFE college.

**Recognised industry bodies**

To meet the requirements of Training Benchmark A, a recognised industry body must have established procedures in place to accept contributions towards the provision of training for Australian workers in their industry sector. Contributions received for this purpose should be quarantined for training purposes only, with no percentage of contributions being allocated to commissions.

Governance of the funds received by a recognised industry body should be administered by a committee overseen by an independent Chairperson and that includes industry representatives (employers and employees). The processes of this committee should be impartial and well documented so as to be transparent and accountable. Moneys should be allocated under established guidelines that:

* allow any potential recipient involved in the industry to apply for funding
* detail the application process
* outline industry training priorities and
* specify the attributes that need to be met for funding to be approved.

Immigration cannot endorse or advertise recognised industry bodies who accept contributions for the purposes of Training Benchmark A.

Contributions to private registered training organisations (RTOs) do not satisfy the requirements of Training Benchmark A.

**Recognised scholarship funds operated by Australian universities or TAFE colleges**

To meet the requirements of Training Benchmark A, the applicant can show evidence of having made a contribution to a recognised scholarship fund that is operated by an Australian university or TAFE college. The scholarship fund should support education or training for Australian citizens or permanent residents in a course related to the business of the applicant, with no percentage of the contributions being allocated to commissions.

Contributions to scholarship funds that advertise refunds to contributors on the basis of refused immigration applications may not be acceptable for the purpose of meeting Training Benchmark A. In such cases it is generally clear that the applicant does not meet the requirement that they are committing to maintaining the expenditure for the term of approval as a sponsor. However, decisions should be made on a case by case basis and officers should consider all evidence before them.

Contributions to private RTOs do not satisfy the requirements of Training Benchmark A.

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