

Trade Support Loans Legislation Amendment Instrument 2021

I, Stuart Robert, Minister for Employment, Workforce, Skills, Small and Family Business, make the following instrument under sections 105 and 106 of the *Trade Support Loans Act 2014*.

Dated 21 December 2021

Stuart Robert

Minister for Employment, Skills, Small and Family Business

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1 Name

 This instrument is the *Trade Support Loans Legislation Amendment Instrument 2021*.

2 Commencement

 (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information |
| --- |
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| The whole of this instrument | The day after this instrument is registered. |  |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

 (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

 This instrument is made under sections 105 and 106 of the *Trade Support Loans Act 2014*.

4 Schedule

 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Trade Support Loans Priority List 2014

1 Section 6

Omit “published on the website of the Department of Industry (www.industry.gov.au)”, substitute “available from www.australianapprenticeships.gov.au”.

Trade Support Loan Rules 2014

2 Title

Omit “Loan”, substitute “Loans”.

3 Section 1

Omit “Loan”, substitute “Loans”.

4 Section 4, definition of *ATO Occupation Code*

Omit definition, substitute:

***ATO Occupation Code*** means the salary and wage occupation codes 2021 published by the Australian Taxation Office in November 2021.

Note: As of November 2021, the *Salary and wage occupation codes 2020* is available at [www.ato.gov.au/forms/salary-and-wage-occupation-codes-2021/](http://www.ato.gov.au/forms/salary-and-wage-occupation-codes-2021/).

5 Section 4, definition of *rural or regional area*

Omit definition, substitute:

***rural or regional area*** means a suburb with a postcode listed in Schedule 1 to these Rules.

6 Paragraph 6(a)

Omit “in Schedule 1 of”, substitute “on”.

7 Paragraph 8(b)

Omit “Department of Industry”, substitute “Department”.

8 Rule 11

Repeal rule 11, substitute:

1. **Special case qualification and payability (the Act, ss 11(2))**
2. The Secretary is to determine that subsection 11(1) of the Act applies to a person where before the end of an instalment period specified in a determination made for the person under section 16 of the Act, the person has notified the Secretary of a change of circumstances which would affect payability of trade support loan, but payments of trade support loan have continued to be made to the person for that period.
3. To avoid doubt, paragraph (a) does not limit the circumstances in which the Secretary may determine that subsection 11(1) of the Act applies to a person.

9 Rule 12

Repeal rule 12, substitute:

**12 Manner of lodgement for applications for trade support loan (the Act, s 13(2))**

1. Subject to paragraph (b), a person making an application for trade support loan must lodge their application:
2. in person;
3. by mail;
4. by email; or
5. electronically through a website or software program made available by the Department for that purpose.
6. If:
7. a person is undertaking a qualifying apprenticeship in respect of which the Secretary has previously made a determination granting an application by the person for trade support loan; and
8. the person is continuing that apprenticeship under the same training contract,

the person may lodge a subsequent application for trade support loan in respect to that apprenticeship:

1. in person; or
2. by mail; or
3. by email; or
4. electronically through a website or software program made available by the Department for that purpose.

10 Schedule 1

Repeal the schedule, substitute:

Schedule 1 – List of postcodes in rural or regional areas

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