



ANNO OCTAVO

GEORGII V REGIS.

A.D. 1917.

No. 1294.

An Act to make provision for the Technical Education of Apprentices.

[Assented to, November 15th, 1917.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the “Technical Education of Apprentices Act, 1917.” Short title.

2. In this Act, unless the context requires a different construction— Interpretation.

“Apprentice” means a person whom another person has agreed in writing to teach, or to instruct in, some trade to which this Act applies, whether that is or is not the sole purpose of the agreement, and whether the Factories Acts, 1907 to 1915, apply to such trade or not:

“Trade” includes process, business, occupation, or calling, or any part or parts thereof.

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3. (1) This Act shall apply only to such trades, and, subject to section 7, only within such districts, as are prescribed by proclamation made on the recommendation of the Minister. Application of Act.

(2) Any proclamation made under this section may, from time to time, on the recommendation of the Minister, be altered or revoked.

4. (1) Every

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Particulars concerning apprentices to be furnished.

4. (1) Every person who employs any apprentice shall furnish the Minister with a statement, in the prescribed form, of the full names of such person and of such apprentice, and such other particulars as are prescribed.

(2) The statements required by this section shall respectively be furnished to the Minister within the following times:—

(a) if the apprenticeship has begun before or begins on the day when this Act begins to apply to the trade of the particular apprentice, the statement shall be furnished within seven days after that day ;

(b) if the apprenticeship begins after that day, the statement shall be furnished within seven days after the beginning of such apprenticeship.

(3) If any person is guilty of any contravention of this section he shall be liable to a penalty not exceeding Five Pounds.

Times for attendance at technical schools.

5. (1) The Minister may, by notice published in the *Government Gazette*, prescribe the technical schools or classes at which all apprentices whose apprenticeship has begun after the passing of this Act and every other apprentice who is under the age of eighteen years at the date when this Act is proclaimed to apply to his trade and within his district, and who are employed within districts specified in the notice, in trades so specified, shall attend for instruction.

(2) The Minister may, in like manner, prescribe the lengths of time per week, and the minimum number of occasions during each term, during which such apprentices shall so attend: Provided that—

i. the time shall not be more than one half-day a week during the day time and one evening a week, and shall not be more than six hours in any one week ;

ii. no apprentice shall be bound to so attend during a longer period than three years, unless he has failed to reach the prescribed standard within that period

(3) The Minister may also, by notice in writing delivered to any such apprentice and to his employer, fix the day and evening, or days and evenings, of the week when such apprentice shall so attend. Such notice may also fix the hours for attendance.

Duty of apprentice to attend technical school as prescribed, and of employer to permit attendance.

6. (1) Every apprentice whose apprenticeship has begun after the passing of this Act, and every other apprentice who is under the age of eighteen years at the date when this Act is proclaimed to apply to his trade and within his district, shall attend, and every employer of such apprentice shall permit him to attend, the technical school or class at which he is required to attend as prescribed under subsection (1) of section 5, on every occasion upon which he is required so to attend as fixed by the Minister under subsection (3) of that section.

(2) If

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(2) If any employer in any way, either directly or indirectly—

- (a) interferes with or obstructs any such apprentice in such manner as to prevent him from attending a technical school or class on any occasion upon which he is bound so to attend as provided by subsection (1) hereof, or
- (b) alters his position to his prejudice or places him under any other disadvantage, in consequence of his attendance, or attempt to attend, as so provided, or so as to discourage him from such attendance,

he shall, within the meaning of this section, be deemed not to permit such apprentice to attend as so provided.

(3) If any person is guilty of any contravention of this section, he shall be liable —

- (a) in the case of an apprentice, for a first offence, to a penalty not exceeding Five Shillings, and for any subsequent offence, to a penalty not exceeding One Pound:
- (b) in the case of an employer, for a first offence, to a penalty not exceeding Ten Shillings, and for any subsequent offence, in respect of the same or any other apprentice, to a penalty not exceeding Five Pounds.

7. (1) Any apprentice who is not employed within a district prescribed under section 3, and any apprentice employed within any such district whose apprenticeship began before the passing of this Act, and who is not such an apprentice as is referred to in subsection (1) of section 6, may attend, and every employer of any such apprentice shall permit him to attend, a technical school or class which has been prescribed under section 5 in respect of such apprentice's trade, on such occasions as are fixed by the Minister by notice in writing delivered to such apprentice and to his employer (which notice may also fix the hours for attendance): Provided that—

Apprentice employed outside prescribed districts may attend. Duty of employer to permit such attendance.

- i. the occasions so fixed, to the extent that they occur during the ordinary working hours of such apprentice, are not more than one half-day a week; and
- ii. the time, during such working hours, occupied by such apprentice in attending such school or class (including the time occupied by him going from his work to such school or class and returning to his work) does not exceed the time, during ordinary working hours, prescribed in the case of his trade under section 5.

(2) Subsection (2) of section 6, but with the substitution of the expression "occasion upon which he may attend" for the expression "occasion upon which he is bound so to attend" shall apply to every employer referred to in subsection (1) of this section.

(3) Employers guilty of contravention of this section shall be liable to the same penalties as provided, in the case of employers, by section 6:

(4) Notwithstanding

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(4) Notwithstanding anything contained in the Factories Acts, 1907 to 1915, or any other Act, the time, during his working hours, occupied by an apprentice in attending a technical school or class under this Act (including the time occupied by him going from his work to such school or class and returning to his work) shall be reckoned as part of the time served under his indentures of apprenticeship, and such attendance shall not delay the completion of his indentures, or interfere with the periodic increase of his wages under his indentures.

Financial provision.

8. All fees payable by any apprentice for instruction at any technical school or class which he has attended as required, or as permitted, by this Act, and all other moneys required for the purposes of this Act, shall be paid by the Treasurer out of moneys provided by Parliament for the purpose.

Provision for scholarships, &c.

9. The Minister may make provision for—

- (a) rewards, by way of scholarships or prizes or otherwise, for regular attendance, zeal, and industry, on the part of apprentices attending technical schools or classes under this Act, and
- (b) scholarships and other rewards or privileges to encourage such apprentices to pass on to more advanced technical schools or classes.

Provision for examinations.

10. (1) Every apprentice shall submit himself for examination to a Board of Examiners when required, and shall satisfy such Board of Examiners that he has made reasonable progress in proficiency during each year of his attendance at a technical school or class under this Act.

(2) Such Board of Examiners shall consist of the Trade Committee of the trade to which such apprentice is indentured, or of a sub-committee of such Committee.

(3) On the advice of such Board of Examiners the Minister may grant the apprentice a certificate of competency for each year, or other prescribed period, of his attendance under this Act at the trade course at any technical school or class.

(4) The Committee shall have power to insist, when the Committee thinks proper, that an apprentice shall repeat his attendance at any class where his work has been unsatisfactory.

Supplementary Provisions.

Apprentices Board.

11. (1) The Governor may appoint a Board to be called the "Apprentices Advisory Board."

(2) The Board shall consist of the following members:—

- I. The Superintendent of Technical Education, who shall be Chairman of the Board:
- II. Two persons to be nominated by the Minister:

III. Two

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III. Two representatives to be nominated by the United Trades and Labor Council of South Australia in manner prescribed :

IV. One representative to be nominated by the South Australian Employers' Federation in manner prescribed ; and

v. One representative to be nominated by the South Australian Chamber of Manufactures, Incorporated, in manner prescribed.

(3) No member other than the Chairman shall hold office on the Board for a longer period than three years without reappointment.

(4) The members of the Board shall be paid such expenses incurred in connection with the exercise of their functions, as are prescribed.

12. (1) The Chairman and three other members of the Board shall form a quorum for the transaction of business. Quorum.

(2) The Chairman shall have a deliberative vote, and in the case of equality of votes a casting vote. Voting by Chairman.

13. (1) If any member of the Board is absent from four consecutive meetings of the Board, without leave granted by the Board, his office shall thereupon become vacant. Vacancies on Board.

(2) When the office of any member of the Board becomes vacant the Governor may fill the vacancy : Provided that—

i. if such member was a nominated member, the new member shall be appointed after nomination by the person or body which nominated the member in whose place he is appointed ; and

ii. if the vacancy occurs otherwise than by effluxion of time, the term of office of the new member shall be computed from the beginning of the term of office of the member in whose place he is appointed.

14. During any vacancy on the Board the remaining members may act as if no vacancy existed. Board may act during vacancy.

15. (1) The Board shall report, and make such recommendations as they think fit, to the Minister— Functions of the Board.

(a) upon the training, education, and instruction of apprentices generally, and in particular as to the training, education, and instruction which, in the opinion of the Board, it is desirable should be given to apprentices employed in any particular trade :

(b) upon any matters connected with the training, education, and instruction of apprentices which are referred to the Board by the Minister ; and

(c) generally as to the best means of carrying into effect the objects of this Act. (2) The

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(2) The Board shall also discharge such (if any) other duties and functions as are prescribed.

Technical schools and classes to be subject to inspection.

16. (1) Every technical school or class attended by apprentices under this Act shall be subject to inspection by the Superintendent of Technical Education, who shall present a report thereon to the Minister at least once in every year.

(2) The Minister may, on receipt of an unfavorable report on any such school or class, by notice published in the *Government Gazette* remove such school or class from the list of schools and classes prescribed by him under section 5.

Trade Committees.

17. (1) The Minister may appoint a Trade Committee for any trade to which this Act applies.

(2) The members of every such Committee shall, as far as possible, be representative of the employers and employees engaged in the trade for which the Committee is appointed: Provided that the Minister may, in his discretion, appoint any person who is not connected with such trade to be a member of such Committee.

(3) The Superintendent of Technical Education shall be *ex officio* chairman of every such Committee.

(4) Every such Committee shall from time to time obtain and furnish to the Board such information as the Board may require for the purpose of enabling the Board to exercise its duties and functions under section 15.

Every apprentice to serve three months on probation.

18. (1) Notwithstanding anything contained in the Factories Acts, 1907 to 1915, or in any other Act, or any law or usage to the contrary, it shall not be lawful for any employer in any trade to agree (either in writing or otherwise) to teach or to instruct any person in such trade unless such person has already been employed at such trade for a probationary period of at least three months.

(2) No probationer shall be so employed without a licence in that behalf signed by the Chief Inspector of Factories, for which licence application shall be made in the prescribed form by the employer and the probationer.

(3) Any person guilty of any contravention of this section shall be liable to a penalty not exceeding Twenty Pounds.

Commencement of attendance at technical school.

19. (1) Every such probationer shall commence his course of attendance at a technical school or class under this Act immediately upon commencing his probationary period.

(2) The three years' course at such school or class required by this Act shall be undertaken during the first three years of his apprenticeship.

Provision for cancellation of indentures of apprenticeship.

20. The employer of an apprentice to a trade, and within a district, to which this Act applies, upon the conviction of such apprentice

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apprentice for a second or any subsequent contravention of section 6, may apply to the Industrial Court for the cancellation of the indentures of apprenticeship of such apprentice, and the Industrial Court may thereupon cancel such indentures accordingly.

21. (1) The Governor may make regulations prescribing all matters and things which by this Act are contemplated, required, or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed for the purpose of more effectually carrying into effect the provisions of this Act. Governor may make regulations.

(2) Any regulation may impose a penalty not exceeding Ten Pounds for any breach of the same or any other regulation. Penalties.

22. All proceedings in respect of offences against this Act shall be disposed of summarily. Summary proceedings for offences.

23. There shall be an appeal in respect of proceedings in respect of offences against this Act. Appeal.

24. In the event of an appeal in respect of proceedings in respect of offences against this Act, a special case may be stated. Special case.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.