

SECTION 7.—APPRENTICES ACT, 1923

(1) THE APPRENTICES AMENDMENT ACT, 1946

This Act, which came into force from the 1st January, 1947, arose from the recommendations of the Apprenticeship Commission of 1944 and makes widespread changes in the traditional apprenticeship system of the country. In the first place, it makes provision for the appointment of a Commissioner of Apprenticeship and of four District Commissioners, who are to take over the functions of the District Registrars of Apprentices empowered by the original Act. In industries where there are organizations of employers and workers these organizations may agree to set up New Zealand Apprenticeship Committees, which may be registered in the usual way. These New Zealand Committees, which will operate in addition to the existing "local" Committees, will have a number of functions, which, broadly, may be described as to supervise the flow of youths into skilled trades, to apply to the Court of Arbitration for Dominion-wide apprenticeship orders, to ensure proper training of apprentices, and to consider the matter of trade tests. Provision is made as to the membership of Committees and for payment of allowances and travelling-expenses to members. Certain powers of the Court of Arbitration in respect of apprentices may be delegated by it, partly to local Committees and partly to New Zealand Committees. After the commencement of the Act no apprenticeship orders may be made in respect only of a specified locality, but must be made for the whole country.

In future apprenticeship orders the Court is empowered to apply the conditions of awards for the industry to apprentices, and to determine the wages of apprentices by reference to those of journeymen in the industry. The Court may, in an Order, require an employer to pay an apprentice wages for time taken during the day to attend a technical school, and may shorten the period of apprenticeship in the event of an apprentice obtaining a specified qualification. On the making of a new order all contracts in force at the time are to be read subject to the new order and to be deemed modified by it. The hours of apprentices under the age of eighteen years are limited to forty in a week, eight in a day or, on shift-work, to the hours between 7 a.m. and 6 p.m. The limits of hours may be exceeded if an order provides for the working of overtime by apprentices under eighteen. The Court may also make apprenticeship orders in respect of females, and, in that event, the Act applies to those females. An important new provision is that requiring the previous consent of the appropriate Committee before a contract of apprenticeship is entered into. The provision for adult apprenticeship in section 7 of the Statutes Amendment Act, 1936, is repealed, and such apprenticeships may now be entered into subject to the approval of the Court of Arbitration, to which any proposed contract must be submitted, together with the recommendations of the District Commissioner or the local Committee. Where any employer is considered not to be able to provide adequate training, a local Committee or District Commissioner may transfer his apprentice to another employer who is willing and able to undertake the obligations of the original employer, notwithstanding that the second employer's proportion of apprentices to journeymen would thereby be exceeded. In case no employer is to be found to whom such an apprentice might be transferred, the Court may, with the consent of the appropriate Minister, transfer him to a State Department. It is also provided that regulations may be made under the Act authorizing the payment by the State of a lodging-allowance to any apprentice compelled to live away from home.

(2) APPRENTICESHIP COMMITTEES

The reconstitution of existing apprenticeship committees to conform to the provisions of the 1946 Amendment Act requires that they shall consist of seven members other than the Chairman (who is the Commissioner, a District Commissioner, or an officer of the Department), three of whom shall be representatives of employers, three of workers, and one a person conversant with technical education. The re-organization of Committees has been completed in many cases and is proceeding in the remainder. There are at present 142 Committees registered.