



ANNO TRICESIMO OCTAVO

ELIZABETHAE II REGINAE

A.D. 1989

No. 5 of 1989

An Act to amend the Industrial and Commercial Training Act, 1981.

[Assented to 9 March 1989]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Industrial and Commercial Training Act Amendment Act, 1989*.

(2) The *Industrial and Commercial Training Act, 1981*, is in this Act referred to as "the principal Act".

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Functions of Commission

3. Section 14 of the principal Act is amended—

(a) by striking out paragraph (b) of subsection (1) and substituting the following paragraph:

(b) to inquire into, and keep under review, systems and methods of training for trades and other declared vocations and to report to the Minister on such systems and methods and on the numbers of apprentices and other trainees for the time being in training in the various trades and other declared vocations;

and

(b) by inserting after paragraph (k) of subsection (1) the following paragraph:

(ka) to assess by such means as the Commission thinks fit the competency of persons who have acquired qualifications or skills otherwise than through programmes of training determined by the Commission and, in appropriate cases, to issue certificates recognizing such qualifications or skills;

Function of training advisory committees

4. Section 17 of the principal Act is amended by inserting in paragraph (b) "or other declared vocations" after "trades".

Training under contracts of training

5. Section 21 of the principal Act is amended—

(a) by striking out from subsection (1) “declared vocation” and substituting “trade”;

(b) by inserting after subsection (2) the following subsection:

(2a) An employer may undertake to train a person in a declared vocation (other than a trade) under a contract of training.;

and

(c) by striking out subsection (10) and substituting the following subsections:

(10) A party to a contract of training may, before the end of the probationary period for that contract, terminate the contract by notice in writing to the other party or parties to the contract.

(10a) In subsection (10)—

“probationary period” in relation to a contract of training for a trade or other declared vocation, means the period prescribed in relation to that trade or vocation commencing from the commencement of the term of the contract.

Requirement to attend approved courses of instruction

6. Section 25 of the principal Act is amended by striking out subsection (3) and substituting the following subsection:

(3) Where an apprentice or other trainee attends an approved course of instruction previously undertaken by the apprentice or trainee, the time spent reattending that course need not be counted for the purpose of determining the wages payable to the apprentice or trainee, but, with that exception, the time spent attending or reattending any such course is to be treated for all purposes as part of the employment of an apprentice or other trainee.

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

D. B. DUNSTAN, Governor