

Serial Number 1949/180

THE APPRENTICES REGULATIONS 1949

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 6th day of
December, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Apprentices Act, 1948, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

PRELIMINARY

1. These regulations may be cited as the Apprentices Regulations 1949.
2. These regulations shall come into force on the fourteenth day after the notification in the *Gazette* of the making thereof.
3. (1) In these regulations, unless inconsistent with the context,—
 - “ The Act ” means the Apprentices Act, 1948 :
 - “ Committee ” means a New Zealand Apprenticeship Committee or a local Apprenticeship Committee :
 - “ District Commissioner ” means the appropriate District Commissioner of Apprenticeship :
 - “ Local Committee ” means the appropriate Apprenticeship Committee appointed in respect of a particular locality.
 (2) Unless a contrary intention appears, the following expressions used herein have the same meaning as in the Act, namely :—
 - “ Apprentice ” means any person of either sex who has contracted to serve an employer and to learn and be taught any industry :
 - “ Apprenticeship order ” means an order made pursuant to subsection (1) of section 13 of the Act, and includes any amendment thereof and any matters included therein pursuant to the Act or any other enactment :
 - “ Commissioner ” means the Commissioner of Apprenticeship :
 - “ Court ” means the Court of Arbitration constituted under the Industrial Conciliation and Arbitration Act, 1925 :
 - “ Employer ” includes persons, firms, companies, and corporations employing one or more workers :
 - “ Industry ” means—
 - (a) Any business, trade, manufacture, undertaking, or calling of employers ; and
 - (b) Any calling, service, employment, handicraft, or occupation of workers.
4. The Apprentices Regulations 1947 are revoked.

5. All appointments, certificates, notices, orders, permits, and registrations, and generally all acts of authority and all applications, agreements, and contracts, and all other documents, matters, acts, and things, and all periods of time, which originated or had effect under the regulations hereby revoked and are of continuing effect at the coming into force of these regulations shall enure for the purposes of these regulations as if they had originated or had effect under these regulations, and shall, where necessary, notwithstanding deviation from forms hereinafter prescribed, be deemed to have so originated or to have such effect.

FORMATION OF APPRENTICESHIP COMMITTEES

6. An agreement registrable under subsection (1) of section 5 or under subsection (1) of section 7 of the Act for the appointment of a committee may be in form No. 1 in the Schedule hereto.

7. Registration of an agreement shall be effected in the case of a New Zealand Committee with the Commissioner and, in the case of a local Committee, with the District Commissioner.

8. Registration shall be effected by delivering to the Registering Authority the agreement or a copy thereof, and the Registering Authority, on receiving such evidence as he may require of the existence of the organizations by which the agreement is entered into, and of the due execution of the agreement, and of the due qualification of the persons proposed as members of the Committee, and, in the case where a copy is delivered, of its authenticity, for which purpose he may require production of the signed original, shall register the same by filing the document delivered to him.

9. The Registering Authority shall assign a name to the Committee and shall certify the registration of the agreement and the name so assigned by certificate appended to the document delivered to him in form No. 2 in the Schedule hereto, and the Committee shall thenceforth be known as the name so assigned.

10. Application under subsection (2) of section 5 or under subsection (2) of section 7 of the Act for the appointment of a Committee by the Court shall be addressed to the Clerk of Awards and shall be in form No. 3 in the Schedule hereto.

11. A Committee appointed under the last preceding regulation shall be known by the name appointed by the Court or, in default of such appointment, by a name to be assigned by the Commissioner or District Commissioner.

APPOINTMENT, NOMINATION, AND REMOVAL OF MEMBERS AND DISCHARGE OF COMMITTEES

12. Regulations 13 and 14 shall apply in cases where the agreement or the order of the Court appointing a Committee does not name the members of the Committee and where provision is made in the agreement or order for the members to be nominated in the manner prescribed by these regulations.

13. (1) The member of the Committee conversant with technical education shall, in the case of a New Zealand Committee, be nominated by the Director of Education after consultation with the Commissioner, and, in the case of a local Committee, by the authority or authorities controlling technical classes in its area.

(2) Where there is more than one such authority and those authorities cannot agree upon a nomination the member shall be nominated by the Director of Education after consultation with the Commissioner.

(3) The term of office of a member appointed under this regulation shall commence on the day on which the instrument of nomination is received by the Commissioner or District Commissioner, who shall forthwith cause the person appointed to be informed of his appointment.

14. (1) In the case of the remaining members the Commissioner or District Commissioner, as the case may be, shall send to each organization of employers and to each organization of workers concerned a notice in writing requiring each organization to nominate a person or persons for appointment as representatives on the Committee of the employers or of the workers, as the case may be, and stating the number of both representatives required, and appointing a day for the closing of nominations.

(2) No nomination made by an organization as aforesaid shall be valid unless it is made pursuant to a resolution duly passed at a meeting called in terms of its rules, and unless the notice calling such meeting has included notice of the intention to consider nominations thereat, and unless the number of persons nominated does not exceed the number of representatives required.

(3) Nominations made as aforesaid shall be put into writing signed by the president and secretary of the organization by which the nomination is made, and shall include a statement that the provisions of the last preceding clause of this regulation have been complied with, and shall be delivered to the Commissioner or District Commissioner by hand or by posting to him at his office, but in every case so as to be received by him before noon on the day appointed for the closing of nominations.

(4) In any case in which the nomination of representatives of the employers or of the workers is in the hands of a single organization, or if in any other case no more candidates are nominated for any class of representatives than there are vacancies to be filled, then the Commissioner or District Commissioner shall in such manner as he thinks fit declare the person or persons so nominated to be appointed as a member or members of the Committee.

(5) Any nomination of a member of a Committee may be in the form No. 8 in the Schedule hereto.

(6) In any case in which the nomination of representatives is in the hands of more organizations than one and if more candidates are nominated for any class of representative members than there are vacancies to be filled, the Commissioner or District Commissioner shall conduct an election by preparing a form of voting-paper and sending the proper number of copies thereof calculated in accordance with clause (8) of this regulation to each organization concerned, and he shall indicate on every voting-paper so sent the date of its despatch and the time not later than which voting-papers returned to him are required to reach him.

(7) Voting-papers shall be marked by the person authorized so to act by the organization, and shall be returned to the Commissioner or District Commissioner so as to reach him not later than noon on the twenty-first day after the date of despatch from the Commissioner or District Commissioner.

(8) (a) Every organization having on the said date of despatch not more than fifty members shall have one vote.

(b) Every organization having on the said date of despatch more than fifty members shall have one vote for every complete fifty of its members and an additional vote for any remainder more than twenty-five and less than fifty, but in no case shall an organization have more than twenty votes.

(c) Any question as to the number of members of any organization for the purposes of this clause shall be decided by the Commissioner or District Commissioner on such evidence as he thinks fit to accept and his decision shall be final.

(9) Forthwith after noon on the prescribed day the Commissioner or District Commissioner shall, in the presence of any persons whom he may in his discretion invite to be present, open the returned voting-papers received by him before noon, and decide on their formality and count the number of votes, and announce in such manner as he thinks fit the result of the election, and declare the person or persons elected to be appointed as a member or members of the Committee.

(10) Upon declaring any person to be a member of a Committee the Commissioner or District Commissioner shall record the appointment and the date thereof in his office, and shall cause each person appointed to be informed of his appointment, and the term of office of such member shall commence on the day on which he is declared to be appointed.

15. Every appointment or nomination by the Commissioner or a District Commissioner pursuant to subsection (6) or subsection (10) of section 8 of the Act of a qualified person to be a member of a Committee upon default in the making of appropriate nominations for thirty-one days may be in form No. 4 in the Schedule hereto.

16. Application under subsection (11) of section 8 of the Act by a person interested for the removal or replacement of a member of a Committee shall be in form No. 5 in the Schedule hereto. Application under the same subsection for the discharge of a Committee shall be in the form No. 6 in the Schedule hereto. Every such form of application shall be addressed to the Clerk of Awards and shall be forwarded, together with four copies thereof, to the Commissioner or District Commissioner, who shall thereupon transmit it to the Clerk of Awards for the industrial district for bringing before the Court.

TERM OF OFFICE OF MEMBERS OF COMMITTEES

17. Not more than four months nor less than two months before the date of expiry of the term of office of any member of a Committee the Commissioner, in the case of a New Zealand Committee, or the District Commissioner, in the case of a local Committee, shall in writing require each authority or organization concerned in the appointment to make a nomination of a qualified person for appointment in place of the retiring member, specifying a day being at least one month prior to the said date of expiry by noon on which nominations must be received by him, and such requirement may be in form No. 7 in the Schedule hereto, and any such nomination may be made in form No 8. in the Schedule hereto.

18. The provisions of Regulation 13, or, as the case may require, Regulation 14 hereof, shall, with any necessary modifications, apply to nominations made pursuant to the last preceding regulation, save that

the term of office of a member appointed to succeed a retiring member shall commence on the day following the day on which the retiring member vacates his office or on the day of appointment, whichever be the later.

19. If by reason of default in the making of nominations a necessary appointment to membership is not made in manner hereinbefore provided, the Commissioner or the District Commissioner, as the case may be, shall appoint a qualified person to fill the vacancy, and the appointment shall be in form No. 4 in the Schedule hereto.

EXERCISE OF POWERS BY COMMITTEES

20. A Committee shall exercise its powers (including powers delegated to it by the Court) only by resolution reduced to writing and certified under the hand of the Chairman of such Committee. A notification of any such resolution shall be served on each person affected.

21. Any reference, application, consent, notification, or other document to be given or executed by a Committee shall be sufficient if in writing signed by the Chairman on behalf of the Committee.

22. Any notice, legal process, or other document to be given to or served upon a Committee shall be sufficient if in writing delivered to the Chairman at his usual place of business during ordinary office hours, and if so delivered shall be deemed to have been then and there given to or served upon every member of the Committee.

REMUNERATION AND TRAVELLING EXPENSES AND ALLOWANCES OF MEMBERS OF NEW ZEALAND COMMITTEES

23. (1) This regulation shall not apply to any person employed in the service of His Majesty in respect of the Government of New Zealand otherwise than in honorary service, except a person so employed who by his retainer, commission, or agreement, or the nature of his employment is not required to give and does not give his whole time to the service of His Majesty, and who is allowed to perform work for other persons outside the service of His Majesty for his own pecuniary advantage and in his private capacity.

(2) There shall be paid to each member of a New Zealand Committee to whom this regulation applies for every day or part of a day in which he is in attendance at meetings of the Committee or with the prior authority of the Committee or its Chairman occupied on the business of the Committee, or travelling to or from a meeting of the Committee or to or from a place where he is occupied on the business of the Committee, a fee of £1 15s., save that if he commences his travelling or business after noon on any day or completes his travelling or business before noon on any day he shall be paid a fee of 17s. 6d. for that day.

24. (1) The Travelling-allowance Regulations 1949 shall apply to and be deemed part to be incorporated in these regulations so as to relate to every New Zealand Committee and its members.

(2) The rate of mileage-allowance referred to in Regulation 13 of the Travelling-allowance Regulations 1949 for journeys performed in a motor-vehicle shall be at the rate for the time being authorized in respect of officers of the Public Service.

(3) The subsistence allowance referred to in Regulation 5 of the Travelling-allowance Regulations 1949 shall be at the rate of £1 15s. per day.

(4) Payment of travelling-allowances and travelling-expenses under this regulation may be made in respect of any period commencing on or after the 16th day of May, 1949.

PAYMENTS IN RESPECT OF SERVICES OF MEMBERS OF LOCAL COMMITTEES

25. Compensation for loss of earnings payable to members of local Committees in attending meetings of the Committee of which they are members or in travelling on the business of the Committee with the authority of the Committee shall be at the rate of the normal weekly earnings of the member concerned, but shall not exceed the sum of £1 15s. a day in addition to all amounts actually and reasonably expended by them.

APPRENTICESHIP CONTRACTS

26. Application by an employer for consent under subsection (1) of section 19 of the Act to enter into a contract of apprenticeship shall be in the form No. 9 in the Schedule hereto, and shall set out all the particulars indicated therein.

27. Every contract of apprenticeship and every alteration thereof shall be executed in triplicate and lodged with the District Commissioner for registration under subsection (2) of section 20 of the Act. One copy shall be thereupon returned to the employer, one copy returned to the Apprentice, and one filed by the District Commissioner.

28. A permit under subsection (6) of section 20 of the Act for the employment of a worker pending the decision of the Court on an appeal against a refusal to register shall be in form No. 10 in the Schedule hereto.

29. (1) Notification of the termination of any contract of apprenticeship prior to the expiry of the period of probation or the termination thereof by agreement of the parties or by discharge of the apprentice for good cause, required to be given by the employer to the District Commissioner under subsection (8) of section 20 of the Act, shall be in form No. 11 in the Schedule hereto, and if the termination is by agreement of the parties the consent of all parties, including the parent or guardian (if any) of the apprentice, shall be endorsed on the notice.

(2) Upon receipt of such notification the District Commissioner shall forthwith cancel registration of the contract by endorsing a note of the termination thereof on the filed copy, and shall notify the apprentice, the employer, the guardian (if any), and the appropriate local Committee of such cancellation.

(3) If the District Commissioner is satisfied that a contract of apprenticeship has come to an end by the death of one of the parties, he may endorse on the filed copy a note of the fact, and if he is satisfied of the date of death, may state that date in the endorsement.

TRANSFER OF APPRENTICES

30. (1) Application under subsection (1) of section 27 or under subsection (1) of section 29 of the Act by an employer to the appropriate local Committee or, where there is no Committee, to the District Commissioner, for the transfer of an apprentice shall be made in form No. 12 in the Schedule hereto.

(2) The local Committee or the District Commissioner shall endorse its or his decision thereon, and shall inform the employer and the apprentice of its or his decision.

31. (1) Application under subsection (2) of section 27 or under subsection (1) of section 28 of the Act by the apprentice and his parent or guardian (if the apprentice is under the age of twenty-one years) to the appropriate local Committee or, if there is no such Committee, to the District Commissioner for transfer to another employer shall be made in form No. 13 in the Schedule hereto.

(2) The local Committee or District Commissioner shall endorse its or his decision thereon, and shall inform the employer and the apprentice of its or his decision.

APPEALS

32. Any appeal to the Court authorized by the Act or by any of its amendments against a decision of an Apprenticeship Committee or of a District Commissioner shall be brought by notice in form No. 14 in the Schedule hereto, and the appeal shall be deemed to have commenced upon receipt of the notice of appeal by the Chairman of the Committee or District Commissioner, as the case may be, in accordance with the next succeeding clause of this regulation.

33. (1) The appellant shall forward such notice of appeal to the Chairman of the Committee the decision of which is appealed from or to the District Commissioner whose decision is appealed from, as the case may be, so as to reach him within fourteen days of the notification of the decision of the Committee or District Commissioner to the appellant, and shall, in every case, forward to the District Commissioner, so as to reach him within the same period, five copies of the notice of appeal, and the District Commissioner shall forward one copy to each of the other parties concerned.

(2) Where the appeal is against a refusal to register a contract the appellant shall forward to the District Commissioner, along with the five copies of the notice, a copy of the contract of apprenticeship concerned.

34. (1) The District Commissioner, upon receipt of the five copies of the notice, shall file four of them with the Clerk of Awards for the industrial district, together with the copy of the contract of apprenticeship (if any) received with such copies.

(2) The Clerk of Awards shall thereupon take all necessary steps to bring the appeal before the Court for determination.

(3) Any person appealing, or any person or organization affected by an appeal who desires that the Court should hear evidence or argument on the appeal, shall give notice in writing of his desire to the Clerk of Awards, who shall thereupon set the appeal down for hearing at the next sitting of the Court, and shall notify the appellant, the other parties concerned, and the District Commissioner of the time and place fixed for the hearing of the appeal.

(4) In any case where no such notice is given the Clerk of Awards shall forthwith forward the file relating to such appeal to the Registrar of the Court, and the Registrar shall bring the file to the notice of the Court so that it may consider and determine the appeal.

(5) Immediately upon the delivery of the decision of the Court on any appeal the Registrar shall notify the Clerk of Awards aforesaid and the District Commissioner, and the latter shall in turn immediately notify the appellant and the other parties concerned.

(6) The foregoing clauses of this regulation shall apply, with all necessary modifications, to appeals to a Magistrate under subsection (6) of section 38 of the Act, save that as provided by the said subsection the appeal shall be made and a copy thereof served within seven days after the Committee or the District Commissioner has granted or refused leave to discharge the apprentice, and, for the purposes of this clause, references to the Court shall be deemed to be references to a Magistrate, and references to the Clerk of Awards for the industrial district shall be deemed to be references to the Clerk of the Magistrate's Court most convenient to the place of employment of the apprentice.

DISCHARGE OF SUSPENDED APPRENTICES

35. Application under section 38 of the Act to an Apprenticeship Committee or to a District Commissioner by an employer for leave to discharge an apprentice shall be in form No. 15 in the Schedule hereto, and shall be lodged with the District Commissioner to be placed before the appropriate local Committee if any.

EMPLOYER'S CERTIFICATE OF SERVICE ON DISCHARGE OF APPRENTICE

36. The statement of service to be supplied to the District Commissioner under section 34 of the Act by an employer when an apprentice ceases to be employed by him shall be in form No. 11 in the Schedule hereto.

COMMITTEE'S CERTIFICATE OF COMPLETION OF APPRENTICESHIP

37. The certificate to be supplied under section 35 of the Act by the appropriate local Committee to an apprentice who has duly completed his apprenticeship shall be in form No. 16 in the Schedule hereto.

APPRENTICES' LODGING-ALLOWANCES AND TRAVELLING-ALLOWANCES

38. (1) Where the Commissioner is satisfied that any apprentice is obliged to live away from home in order to learn his trade he may authorize the payment to such apprentice of a lodging-allowance in accordance with the following scale :—

Where Wages Prescribed in Apprenticeship Order do Not Exceed the Percentages of Journeymen's Rates Following—	And Exceed the Percentage of Those Rates Following—	Rate of Lodging-allowance Per Annum.
		£
23	65
29	23	55
35	29	45
41	35	35
47	41	30
53	57	20
59	53	10

(2) The lodging-allowance, when so authorized, shall be payable through an officer of the Department of Labour and Employment to the apprentice on the certificate of the appropriate District Commissioner.

(3) Where an apprentice is required by an order of the Court or otherwise to live away from home in order to attend a course of instruction pertaining to his trade, the Commissioner may authorize the payment to him of a lodging-allowance in accordance with the scale prescribed above.

(4) Application for a lodging-allowance shall be in form No. 17 in the Schedule hereto.

(5) Every lodging-allowance shall be apportionable and shall be paid to the apprentice at such times and in such instalments as the Commissioner from time to time thinks fit to direct.

(6) A lodging-allowance shall not be payable to any apprentice under suspension, and payment may be withheld by direction of the Commissioner if he has reason to doubt whether it continues to be properly payable.

(7) If the Commissioner is satisfied that by reason of any change of circumstances an apprentice is no longer entitled to receive a lodging-allowance, he may direct that his lodging-allowance be no longer payable.

39. In cases where in the opinion of the Commissioner an apprentice might reasonably receive a lodging-allowance under the last preceding regulation but it is feasible and desirable for him to live at home, the Commissioner may in his discretion, and subject to the availability of moneys appropriated by the General Assembly for the purpose, authorize payment of a travelling-allowance at a rate not exceeding that of the lodging-allowance hereinbefore prescribed, and the last preceding regulation shall, with all necessary modifications, apply to the allowance so authorized.

INTERPRETATION BY THE COURT

40. (1) Application to the Court for an interpretation of an order under the Act, or of a determination or direction of the Court under the Act, shall be in form No. 18 in the Schedule hereto.

(2) Four copies of the application shall be filed with the Clerk of Awards for the industrial district. Subject to clause (5) of this regulation, there shall be attached to each such copy a typewritten statement of the views and contentions of the applicant.

(3) The applicant shall also forward a copy of the application and of such statement to the Commissioner and also to any organizations of employers or organizations of workers likely to be affected.

(4) Any organization so served or affected shall be entitled to place its views and contentions before the Court. Subject to clause (5) of this regulation, a typewritten statement of such views and contentions shall be filed with the said Clerk of Awards, together with three copies thereof; another such copy shall be supplied to the applicant, and another to the Commissioner.

(5) If any or all of the parties to an application or any person or organization affected by the same shall desire that the Court should hear evidence or argument on the application, they shall intimate such desire by memorandum in writing to the Clerk of Awards, who shall

then set the matter down for hearing at the next sitting of the Court, and in such cases the typewritten statement of views and contentions of the applicant or persons or organizations affected need not be attached to the application, or filed or served.

(6) In the absence of any such intimation the Clerk of Awards shall immediately forward three copies of the application and typewritten statements to the Court.

(7) Should the Court upon perusal of an application decide that it desires to hear evidence or argument on the application it shall return the application to the Clerk of Awards and direct him to set the matter down for hearing at the next sitting of the Court.

(8) The Clerk of Awards shall thereupon notify the applicant, the Commissioner, and such organizations as file a statement of their views with him of such direction and of the time and place fixed for hearing.

APPLICATIONS FOR APPRENTICESHIP ORDERS OR AMENDMENTS TO ORDERS

41. (1) An application to the Court for an apprenticeship order, or for an amendment to an apprenticeship order, whether made by a New Zealand Committee under paragraph (c) of section 6 of the Act or otherwise, shall be in form No. 19 in the Schedule hereto.

(2) The application, together with five copies thereof, shall be lodged with the Commissioner, who shall forthwith file the application, together with four copies thereof, with the Clerk of Awards at Wellington in the case of a New Zealand order, or with the Clerk of Awards in the district concerned in any other case.

(3) If the application is supported by the recommendations of a Committee, such recommendations shall be incorporated in the application, and if the applicant desires to be heard the application shall so state.

(4) If a hearing is desired or directed by the Court, the Clerk of Awards shall place the application on the list of business for the next sitting of the Court in Wellington or in the district concerned, and shall give notice in writing of the place and date of the sitting of the Court to the Commissioner and to any District Commissioner concerned, and to the organizations (if any) of employers and workers concerned.

(5) In any case where the recommendations of an Apprenticeship Committee are complete and a hearing is not desired the Clerk of Awards shall forward the file relating to the application to the Court so that the Court may, if it thinks fit, deal with the application without the formality of a hearing.

SCHEDULE

Form No. 1
(Reg. 6)

The Apprentices Act, 1948, Sections 5 and 7

AGREEMENT FOR APPOINTMENT OF APPRENTICESHIP COMMITTEE

MEMORANDUM of agreement between the [Name or names of organization or organizations of employers], of the one part, and the [Name or names of organization or organizations of workers], of the other part whereby it is agreed as follows :—

(1) That an Apprenticeship Committee shall be formed for the industry (or the group of industries following—namely :) for [Specify the locality, stating the boundaries within which it is proposed that the Committee shall exercise its functions, or “ the whole of New Zealand,” as the case may be].

(2) That the Committee (apart from the Chairman) shall comprise the following seven* persons, namely :—

Full Name.	Occupation.	Address.

Or, (alternatives permitted by section 8 (6) of the Act). That the members of the Committee (apart from the Chairman) shall be nominated in (the manner prescribed by the Apprentices Regulations 1949) (a manner approved by the Court).

Application is hereby made by the parties to this agreement to the Commissioner of Apprenticeship (in the case of a New Zealand Committee) (or the District Commissioner of Apprenticeship at) for registration of this agreement.

Signatures :
.....

Signed at, this day of, 19.., on behalf of the [Name of organization of employers], in the presence of

Signed at, this day of, 19.., on behalf of the [Name of organization of workers], in the presence of

* Where a New Zealand Committee has been established in respect of a group of industries there may be four representatives of employers and four of workers—Apprentices Act, 1948, section 8.

Form No. 2
(Reg. 9)

CERTIFICATE OF REGISTRATION OF APPRENTICESHIP COMMITTEE

I HEREBY certify that I have this day registered the above-written agreement, and that I have assigned to the Committee so constituted the name following :.....

Dated at, this day of, 19..

.....
(District) Commissioner of Apprenticeship.

Form No. 3.
(Reg. 10)

The Apprentices Act, 1948, Sections 5 (2) and 7 (2)

APPLICATION FOR THE APPOINTMENT OF AN APPRENTICESHIP COMMITTEE
BY THE COURT

To the Clerk of Awards at

I/We, [State full name, address, and occupation in each case], hereby apply to the Court of Arbitration for the appointment of (a New Zealand) (a local) Apprenticeship Committee for the industry (or the group of industries following, namely :.....), (in the case of a local Committee, add : [for the following locality (Specify the locality, stating the boundaries within which it is proposed that the Committee shall exercise its functions)]).

It is proposed that the Committee (apart from the Chairman) should comprise the following *seven** persons, namely :—

Full Name.	Occupation.	Address.

Or, (alternatives permitted by section 8 (6) of the Act). It is proposed that the members of the Committee (apart from the Chairman) should be nominated in (the manner prescribed by the Apprentices Regulations 1949) [a manner approved by the Court and the Court is respectfully asked to approve the following manner of nomination—namely, (Set it out)].

This application is made on behalf of [Name of any organization of employers or of workers promoting the application].

The reasons for the application are [Set out reasons].

Dated at, this day of, 19..

.....
Signature(s) of Applicant(s).

* Where a New Zealand Committee has been established in respect of a group of industries there may be four representatives of employers and four of workers—Apprentices Act, 1948, section 8.

Form No. 4
(Reg. 15)

The Apprentices Act, 1948, Sections 8 (6) and 8 (10)

APPOINTMENT OR NOMINATION BY COMMISSIONER OR DISTRICT COMMISSIONER
IN DEFAULT IN THE MAKING OF APPROPRIATE NOMINATION OF A QUALIFIED
PERSON TO BE MEMBER OF A COMMITTEE

DEFAULT having been made for a space of thirty-one days in the making of
appropriate nominations for membership of the Apprenticeship Com-
mittee in respect of representatives of the employers and in respect
of representatives of the workers, I do hereby appoint as representatives
of the employers on the said Committee the following persons:—

Full Name.	Occupation.	Address.

and as representatives of the workers the following persons:—

Full Name.	Occupation.	Address.

Dated at, this day of, 19..

.....
(District) Commissioner of Apprenticeship.

Form No. 5
(Reg. 16)

The Apprentices Act, 1948, Section 8 (11)

APPLICATION FOR REMOVAL OR REPLACEMENT OF A MEMBER OF A COMMITTEE

To the Clerk of Awards at

I, [*Full name, address, and occupation*], being a person interested in the
membership of the Apprenticeship Committee, registered on,
19.., in my capacity as [*State capacity—e.g., Secretary of the Industrial
Union of]*, hereby apply to the Court of Arbitration to remove the
following member of the said committee: [*State member's full name, address, and
occupation*].

My grounds for making this application are: [*State grounds*].

(Where desired, add): I also apply to have the said member replaced by
[*State proposed member's full name, address, and occupation*].

Dated at, this day of, 19..

Signature of Applicant:

NOTE.—This form is to be transmitted through the Commissioner of
Apprenticeship (in the case of a New Zealand Committee) or through the
District Commissioner of Apprenticeship (in the case of a local Committee),
together with four copies thereof.

Form No. 6
(Reg. 16)

The Apprentices Act, 1948, section 8 (11)

APPLICATION FOR DISCHARGE OF COMMITTEE

To the Clerk of Awards at

I, [*Full name, address, and occupation*], being a person interested in the Apprenticeship Committee, registered on, 19.., in my capacity as [*State capacity—e.g., Secretary of the Union*], hereby apply to the Court of Arbitration to discharge the said Committee on the grounds: [*State grounds*].

Dated at, this day of, 19..

Signature of Applicant :

NOTE.—This form is to be transmitted through the Commissioner of Apprenticeship (in the case of a New Zealand Committee) or through the District Commissioner of Apprenticeship (in the case of a local Committee), in either case together with four copies thereof.

Form No. 7
(Reg. 17)

The Apprentices Act, 1948, Section 8 (4)

NOTICE REQUIRING THE MAKING OF NOMINATIONS FOR MEMBERSHIP OF AN APPRENTICESHIP COMMITTEE

To [*Name of authority or organization concerned*]

PURSUANT to the Apprentices Regulations 1949, I hereby notify you that the term of office of Mr. on the Apprenticeship Committee expires on the day of, 19.., and I hereby require you to make a nomination of a qualified person for appointment in his stead.

Nominations must comply with clauses (2) and (3) of Regulation 14 of the said regulations and must be delivered to me by hand or by posting to me at my office, but in every case so as to be received by me before noon on the day of, 19..

A retiring member of the Committee is eligible for reappointment.

Dated at, this day of, 19..

.....
(District) Commissioner of Apprenticeship.

Form No. 8
(Regs. 14 and 17)

The Apprentices Act, 1948, Section 8 (4)

FORM OF NOMINATION FOR MEMBERSHIP OF AN APPRENTICESHIP COMMITTEE

MR. [*Full name*], of [*Address*], is hereby nominated for membership of the Apprenticeship Committee, as a representative of the [*Give title of organization*].

The nomination has been made pursuant to a resolution duly passed at a meeting duly called in terms of the rules and held on, 19.. The notice calling that meeting included notice of the intention to consider nominations for membership of the said Committee.

Date :

Signature : President } of the

Signature :, Secretary }

Form No. 9
(Reg. 26)

The Apprentices Act, 1948, Section 19 (1)

APPLICATION FOR CONSENT TO ENTER INTO A CONTRACT OF APPRENTICESHIP

To the District Commissioner of Apprenticeship,
I, [*Full name of employer*], do hereby make application for consent to enter into a contract of apprenticeship with [*Full name of proposed apprentice*], of, as apprentice, and supply the following particulars:—

1. Address of employer :.....
 2. Full name and address of guardian of proposed apprentice (not required if proposed apprentice is over twenty-one years of age) :.....
 3. Occupation of guardian :.....
 4. Address of proposed apprentice :.....
 5. Date of birth of apprentice :.....
 6. Educational qualifications of apprentice :.....
 7. Intended date of commencement of apprenticeship :.....
 8. Has proposed apprentice had any previous employment?.....
If so, nature and duration of same and names and addresses of previous employers :.....
 9. The industry or branch of the industry which employer undertakes to teach apprentice :.....
 10. A list of the operations and skills to be taught to the apprentice based on the Schedule to the Apprenticeship Order :.....
 11. The title of the person who is to undertake or supervise the actual training of the apprentice, and a definition of the scope of his responsibility :.....
 12. Number and names of journeymen employed in the said [branch of the] industry for full time during six months prior to date of application :.....
 13. Number of apprentices at present employed in the said [branch of the] industry :.....
 14. Whether employer actively engaged at industry or branch thereof or not :.....
 15. Period of proposed contract :.....
 16. Proposed scale of wages :.....
 17. Whether employer's premises are a registered factory or not :.....
- Dated at, this day of, 19..

Signature of Applicant :.....

Form No. 10
(Reg. 28)

The Apprentices Act, 1948, Section 20 (6)

PERMIT FOR TEMPORARY EMPLOYMENT OF WORKER AS APPRENTICE

I HEREBY authorize the employment of as an apprentice by [*Name of employer, occupation, and address*], in the industry (or branch of the industry) in accordance with the proposed (alteration of) contract of apprenticeship between the said parties forwarded to me for registration, pending the decision of the Court of Arbitration upon the appeal from a refusal to register the said proposed (alteration of) contract.

Dated at, this day of, 19..

.....
District Commissioner of Apprenticeship.

Form No. 11
(Regs. 29 and 36)

The Apprentices Act, 1948, Sections 20 (8) and 34

NOTIFICATION OF SERVICE AND OF TERMINATION OF CONTRACT

To the District Commissioner of Apprenticeship,

I HEREBY notify you that the contract of apprenticeship described below has been terminated :—

Full name and address of apprentice :

Full name and address of employer :

Industry : Date of contract :

Reason for termination (*Completion of contract, agreement of parties, discharge for good cause, or as case may be*) :

Details of service : From, 19.., to [*Date of termination*] 19..

Time (included in above-mentioned period) lost by apprentice through sickness or default :

Overtime worked :

Dated this day of, 19..

.....
Signature of Employer.

When contract is terminated by agreement of the parties, add

.....
Signature of Apprentice.

.....
Signature of Guardian.

Form No. 12
(Reg. 30 (1))

The Apprentices Act, 1948, Sections 27 (1) and 29 (1)

APPLICATION BY EMPLOYER FOR TRANSFER OF APPRENTICE

To the [*Name of local Apprenticeship Committee*]
or (where there is no local Committee),—

To the District Commissioner of Apprenticeship at

I, [*Full name, address, and occupation*], as the employer of [*Name of apprentice*], under a contract of apprenticeship in the industry at, do hereby make application for the transfer of the said apprentice to, of [*Address*], another employer in the same industry and locality, who is willing and able to carry out the obligations of the employer under the said contract.

The grounds for the application for the transfer are : [*Set out in detail*].

Dated this, day of, 19.., at

.....
Signature of Employer.

I,, of, the proposed employer above mentioned, do hereby agree to accept the above-named apprentice in accordance with his contract of apprenticeship with

Dated at, this day of, 19..

.....
Signature of Proposed Employer.

I,, of, as apprentice, do (not) hereby consent to the above-proposed transfer.

.....
Signature of Apprentice.

I,, of, the parent (*or guardian*) of the above-named apprentice, do (not) hereby consent to the above-proposed transfer.

Dated at, this day of, 19..

.....
Signature of Parent (*or Guardian*).

Decision of the local Committee or the District Commissioner :

Form No. 13
(Reg. 31)

The Apprentices Act, 1948, Sections 27 (2) and 28 (1)

APPLICATION BY APPRENTICE FOR TRANSFER TO ANOTHER EMPLOYER

To the [Name of local apprenticeship Committee]
or (where there is no local Committee),—

To the District Commissioner of Apprenticeship at

I, [Full name and address], an apprentice under a contract of apprenticeship with in the industry at, do hereby make application for my transfer from my present employer to of, another employer in the same industry and locality, who is willing and able to undertake the obligations of my present employer under the said contract, upon the grounds that: [Set out in detail].

Dated at, this day of, 19..

.....
Signature of Apprentice.

I, [Full name and address], the parent (or guardian) of the above-named apprentice, join in the above-written application for transfer.

.....
Signature of parent (or guardian) of apprentice.

NOTE.—If the apprentice is under twenty-one years of age his parent (or guardian) must join in the application.

I, [Full name and address], the proposed employer above mentioned, do hereby agree to accept the above-named apprentice in accordance with his contract of apprenticeship with

Dated at, this day of, 19..

.....
Signature of Employer.

Form No. 14
(Reg. 32)

The Apprentices Act, 1948, Sections 14 (4), 19 (2), 20 (5), 30, and 38 (6)

NOTICE OF APPEAL AGAINST DECISION OF APPRENTICESHIP COMMITTEE OR DISTRICT COMMISSIONER OF APPRENTICESHIP

To the Apprenticeship Committee,

Or,—

To the District Commissioner of Apprenticeship at

And,—

To the Clerk of Awards at

Or (where the appeal lies to a Magistrate).

To the Clerk of the Magistrates' Court at

TAKE notice that I intend to appeal to the Court of Arbitration (or to a Magistrate) from the decision of the Apprenticeship Committee (or the District Commissioner of Apprenticeship) dated, wherein it was decided that

(In the case of appeal against refusal of District Commissioner to register a contract of apprenticeship, add)—

I attach hereto copy of contract of apprenticeship between and

The grounds of this appeal are that

Dated at, this day of, 19..

.....
[Signature, occupation, and address.]

(Also state whether employer or apprentice.)

NOTE.—(a) This notice of appeal must be in the hands of the Chairman of the Apprenticeship Committee whose decision is appealed from, or, in the case of an appeal from a decision of a District Commissioner, in his hands, within fourteen days of the notification to the appellant of the decision appealed from, except that in the case of an appeal to a Magistrate under subsection (6) of section 18 of the Act it shall be within seven days.

(b) Within the same period five copies of the notice must be lodged with the District Commissioner, who will forward four of them to the Clerk of Awards, or Clerk of Court, for the purposes of the Court or Magistrate.

Form No. 15
(Reg. 35)

The Apprentices Act, 1948, Section 38

APPLICATION BY EMPLOYER FOR LEAVE TO DISCHARGE APPRENTICE

To the Local Apprenticeship Committee for

Or (where there is no local Committee).—

To the District Commissioner of Apprenticeship at

I, [*Full name, address, and occupation*], hereby apply for leave to discharge, an apprentice in the industry, on the grounds that he has so misconducted himself (or proved himself to be so incapable) that if he were an employee other than an apprentice it would be reasonable for his employer to discharge him, in that [*State details*].

Dated at, this day of, 19..

.....
Signature of Employer.

Decision of local Committee or District Commissioner :.....

NOTE.—This application when completed is to be lodged with the District Commissioner for placing before the Committee.

Form No. 16
(Reg. 37)

The Apprentices Act, 1948, Section 35

CERTIFICATE OF DUE COMPLETION OF APPRENTICESHIP

THIS is to certify that on the day of, 19.., [*Full name and address*], duly completed his apprenticeship in the branch of the industry under a contract of apprenticeship with [*Full name and address*], as employer.

[During the said term the apprentice was transferred to the employer(s) named below on the (respective) date(s) shown opposite his (their) name(s).]

Dated at, this day of, 19..

.....
Chairman, Apprenticeship Committee.

.....
(or District Commissioner of Apprenticeship.)

Form No. 17
(Regs. 38 and 39)

The Apprentices Act, 1948, Section 41

APPLICATION BY APPRENTICE FOR LODGING-ALLOWANCE

To the District Commissioner of Apprenticeship,

I, [*Full name of apprentice*], an apprentice serving on and since the day of, 19.., under a contract of apprenticeship dated day of, 19.., to as employer, do hereby apply for a lodging-allowance on the ground that I am at present obliged to live away from home in order to learn my trade. My home address is My present place of employment is I am at present residing at My present wages under the contract of apprenticeship are

Dated at, this day of, 19..

.....
Signature of Apprentice.

The facts as set out above are correct.

.....
Signature of Parent (or Guardian).

The rate of wages set out in this application is correct.

.....
Signature of Employer.

Form No. 18
(Reg. 40)

The Apprentices Act, 1948, Section 18

APPLICATION FOR INTERPRETATION OF APPRENTICESHIP ORDER (OR OF DETERMINATION OR DIRECTION OF THE COURT)

APPLICATION is hereby made to the Court of Arbitration for the opinion of the Court upon the question stated in paragraph (d) hereof connected with the construction of the apprenticeship order (or determination of the Court) (or direction of the Court) described in paragraph (c) hereof:—

- (a) The full name, address, and occupation of the applicant (or the full description of the Committee or organization making this application) is
- (b) The capacity in which this application is made is:..... (e.g., Commissioner of Apprenticeship, District Commissioner of Apprenticeship at, employer, apprentice).
- (c) The full description of the apprenticeship order (or determination of the Court) (or direction of the Court) in respect of which the question arises is:..... (e.g., an apprenticeship order dated, and published in Book of Awards, page A decision under section of the Apprentices Act, 1948, published in the to the effect that)
- (d) The question upon which the opinion of the Court is sought is:.....
- (e) This application is accompanied by the following papers, books, and documents (as the case may be) relating to the subject-matter of this application:.....

Dated at, this day of, 19..

.....
Signature of Applicant.

To the Clerk of Awards at

NOTE.—(a) This application is to be filed in quadruplicate, and must be accompanied by a typewritten statement of the views and contentions of the applicant.

(b) The applicant must forward a copy of this application to the Commissioner of Apprenticeship and a copy to any organizations of employers or of workers likely to be affected.

Form No. 19
(Reg. 41)*The Apprentices Act, 1948, Section 6 (c)*APPLICATION FOR AN APPRENTICESHIP ORDER, OR FOR AN AMENDMENT OF AN
ORDER

APPLICATION is hereby made by [*Name of Apprenticeship Committee, or as the case may be*] to the Court of Arbitration for an apprenticeship order in the [*Name of the industry*] in New Zealand.

[*Or,—*

for an amendment of the apprenticeship order dated the day of, 19.., and recorded in Book of Awards, in page

The recommendations submitted by [*Name of Apprenticeship Committee*] are the following:—

1. That the order (*or* amending order) should take the following form (delete if no form of order is recommended):.....
2. [*Here insert any further recommendations.*]

A hearing is (*or* is not) desired.

Dated at, this day of, 19..

Signature of Applicant :.....

Capacity in which the Applicant applies to the Court :.....

Address of Applicant :.....

NOTE.—Where application is made on behalf of a Committee or organization the name of the Committee or organization should be stated. This application, together with five copies thereof is to be lodged with the Commissioner of Apprenticeship.

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 8th day of December, 1949.
These regulations are administered in the Department of Labour.