

REGULATIONS 1971, No. 16*

1969

Determination under the *Apprentices Ordinance* 1948-1971

I **FREDERICK CHARLES CHANEY**, the Administrator of the Northern Territory of Australia, having received the advice of the Administrator's Council, in pursuance of the powers conferred on me by the *Apprentices Ordinance* 1948-1971 and the *Administrator's Council Ordinance* 1959-1963, hereby make the following Determination.

Dated this twenty-ninth day of June, 1971.

F. CHANEY
Administrator

APPRENTICESHIP DETERMINATION

1. This Determination may be cited as the Apprenticeship Determination. Short title
2. This Determination shall come into operation on the first day of July 1971. Commencement
3. The approved trade course to be undertaken by a person entering an apprenticeship trade as an apprentice shall be an appropriate course provided or administered by the Darwin Adult Education Centre or the Alice Springs Adult Education Centre. Approved trade course
4. Indentures of apprenticeship shall be in accordance with Form 1 in the First Schedule to this Determination, subject to such modifications and adaptations as are agreed to by the parties and approved by the Board. Form of indentures
- 5.—(1.) Where a person enters into an apprenticeship trade as an apprentice, the term of apprenticeship to be provided in his indentures of apprenticeship shall be—Term of apprenticeship
 - (a) in respect of a trade listed in Part I of the Second Schedule to this Determination—four years less the reductions, if any, allowed to him under clause 6 or clause 7 of this Determination; or

* Notified in *Northern Territory Government Gazette* on 30 June 1971.

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(b) in respect of a trade listed in Part II of the Second Schedule to this Determination—

- (i) if the person entering the apprenticeship trade as an apprentice is under the age of seventeen years—four years less the reduction, if any, allowed to him under clause 6 or clause 7 of this Determination; or
- (ii) if the person entering the apprenticeship trade as an apprentice is of or above the age of seventeen years—three years.

(2.) Where a person entered into an apprenticeship trade as an apprentice after the thirtieth day of June, 1970, but before the commencement of this Determination, and the term of apprenticeship provided in his indentures is five years, the term of his apprenticeship shall be reduced to four years.

Reduction of
period of
apprenticeship
Appeal

6.—(1.) An apprentice whose basic period of apprenticeship training, provided in his indentures, is more than three years shall, for each year in respect of which he obtains an average mark of seventy-five per centum in the subjects of an approved trade course and receives a certification from his master that his on-the-job performance is outstanding, have his basic period of apprenticeship training reduced by two months.

(2.) The provisions of the last preceding sub-clause shall not operate so as to allow an apprentice to complete his indentures before he has completed an approved trade course.

7.—(1.) Where the basic period of apprenticeship training provided in the indentures of an apprentice is not reduced under the provisions of clause 6 of this Determination by reason only of his failure to receive a certification from his master that his on-the-job performance is outstanding, he may appeal to the Board for a re-assessment of his on-the-job performance.

(2.) Where the Board receives an appeal under the last preceding sub-clause it shall cause a re-assessment to be made or dismiss the appeal.

(3.) Where a re-assessment under the last preceding sub-clause is made the Board may, if it is satisfied that the on-the-job performance of the apprentice is outstanding, direct the Registrar to certify that the apprentice's on-the-job performance is outstanding.

(4.) Where a certification is made under the last preceding sub-clause the basic period of apprenticeship training of the apprentice in respect of whom it is made shall be reduced in accordance with clause 6 of this Determination.

(5.) Where the Board is not satisfied that the on-the-job performance of the apprentice is outstanding, it shall dismiss the appeal.

SCHEDULES

THE FIRST SCHEDULE

Clause 4.

Form 1.

NORTHERN TERRITORY OF AUSTRALIA

Apprentices Ordinance 1948-1971

FORM OF INDENTURE.

This indenture made the _____ day of _____
One thousand nine hundred and _____ between
son of _____ of _____
and hereinafter designated apprentice, first part;
of the second part (as consenting hereto); and
of _____ in the said Territory, carrying on business
at _____ in the said Territory (hereinafter called
the master), of the third part, witnesseth as follows, that is to say:—

1. The apprentice of his own free will hereby binds himself to serve the master as his apprentice, and to accept training and instruction in the industry or occupation of _____
for the term of _____ years from the _____ day of _____
One thousand nine hundred and _____, less the reductions, if any,
allowed to him under the provisions of a Determination made under the *Apprentices Ordinance 1948-1971*.

2. The master hereby accepts the apprentice as his apprentice during the said term, and undertakes that he will during the same term, to the best of his power, skill and knowledge, train and instruct the apprentice, or cause him to be trained and instructed as a competent journeyman in the industry or occupation of _____
now being carried on by the master at _____

in accordance with the regulations, determinations, or orders, applicable to the case of the master and apprentice made under the provisions of the *Apprentices Ordinance 1948-1971* and the *Commonwealth Conciliation and Arbitration Act 1904-1970*.

3. It is further, in consideration of the premises, mutually agreed between the parties to this indenture:—

- (a) that the apprentice will diligently and faithfully obey and serve the master as his apprentice at the said place during the said term, and, except in accordance with any provisions for an annual or other holiday or vacation, or for attendance at any school which may be required applicable to the case of the master and apprentice and duly made as aforesaid, will not absent himself from the master's service during the hours prescribed by the master for such service without the master's leave;

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(b) that the apprentice shall attend the approved classes during the period of his apprenticeship for a course of supplementary training, if available, in the practical portion of his trade, together with any theoretical teaching necessary to make him a competent journeyman;

(c) that the apprentice shall submit himself to the prescribed examinations held periodically in the approved classes, and that an unsatisfactory report from the school and/or Tutor may be deemed by the Apprentices Board to be good cause for the cancellation of the indentures;

(d) that the master shall, provided the apprentice gains a pass at the annual examinations of the classes and completes 80 per cent. of the possible attendances for the year, refund the full class fees for such year to the apprentice;

(e) that the apprentice will not commit or permit or be accessory to any hurt or damage to the master or his property, or conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same;

(f) that the master will pay to the apprentice during the said term, the prescribed rates and observe the prescribed conditions of employment.

Nothing herein contained shall be deemed to impose any obligation on the master to pay the apprentice for any day or part of a day on which he shall be voluntarily absent from work without the consent of the master;

(g) that in case the apprentice shall at any time during the said term be persistently disobedient to the lawful orders or commands of the master, or those whom he may please to set over the apprentice in his said business, or be slothful or negligent, or shall otherwise grossly misbehave himself, then it shall be lawful for the master to give the apprentice notice of his intention to apply to the Apprentices Board for the cancellation of the indenture.

The Apprentices Board may inquire into the question and the determination of the Apprentices Board shall be final and binding on both parties;

(h) that the apprentice shall not be deemed to have completed any particular year of his service unless he shall have actually given service to the master upon not less than the ordinary working days prescribed by law for the industry.

Time spent in attending before the said Apprentices Board or at school by permission of the master shall, unless the Apprentices Board otherwise orders, be regarded as time actually given to the service of the master;

(i) that the apprentice, at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed by law for the industry, or in which he has voluntarily absented himself without the master's consent, shall, for every day short of the said number of working days—less fourteen days—and in the second case for every day of such absence, if the Apprentices Board shall so order, serve one day; and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served;

(j) that the master and apprentice shall faithfully comply with and carry out the conditions and terms of any orders of the Apprentices Board applicable to their case, and duly made in accordance with the provisions of the *Apprentices Ordinance 1948-1971*;

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(k) that this indenture may be annulled by the Apprentices Board upon the application of the master or apprentice for good cause shown.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first abovewritten.

Signed, sealed and delivered by the said

Apprentice [Seal] In the prescence of

And by the said Master [Seal] In the prescence of

And by the said [Seal] In the prescence of

Indentures duly completed.

Employer.

Dated

TRANSFER OF APPRENTICESHIP.

Name of employer.

the employer doth hereby with the consent of the apprentice and the parent (or guardian) transfer and assign the agreement dated the _____ day of _____ 19 _____, and the services of the apprentice unto

New employer

of

New employer.

And the said

for himself his executors administrators and assigns doth hereby declare his acceptance of the said apprentice and acknowledge himself bound by the covenants conditions and agreements contained in the said agreement and on the part of the employer to be observed and performed and will keep the said

Previous employer.

indemnified from the same and from all actions claims and demands in respect thereof.

As witness the hands and seals of the parties this

day of _____ 19 _____

Signature of previous employer [Seal] Witness.

Signature of new employer. [Seal] Witness.

Signature of parent or guardian. [Seal] Witness.

Signature of apprentice. [Seal] Witness.

Noted and registered this _____ day of _____ 19 _____

Registrar.

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THE SECOND SCHEDULE

Part I

Airconditioning Mechanics
Aircraft Mechanics (Airframe)
Aircraft Mechanics (Engine)
Automotive Electrical Mechanics
Blacksmithing
Boilermaking/Welding
Butchering—Slaughtermen
Butchering—Smallgoodsmen
Cabinet Making
Carpentry and Joinery
Diesel Mechanics
Dressmaking
Electrical Fitting
Electrical Fitting/Mechanics
Electrical Mechanics
Fitting and Turning
Hairdressing—Ladies
Horticulture
Instrument Making
Motor Mechanics
Painting and Decorating
Painting, Decorating and Signwriting
Panel Beating
Panel Beating/Spray Painting
Plumbing
Plumbing and Draining
Printing/Bookbinding
Printing/Hand Compositing
Printing/Letterpress Machinist
Printing/Linotype Mechanic
Printing/Machine Compositing
Radio Mechanics
Refrigeration Mechanics
Sheet Metal Working
Signwriting
Spray Painting
Tailoring—Ladies
Tailoring—Gents

Part II

Baking
Bricklaying
Butchering—Shopman
Glazing
Hairdressing—Mens
Millinery
Pastry Cooking
Plastering
Typewriter/Calculating Machine Mechanics
Upholstering
Welding
Wood Machining
