

SOUTH AUSTRALIA

**INDUSTRIAL AND COMMERCIAL TRAINING REGULATIONS, 1989**

**REGULATIONS UNDER THE INDUSTRIAL AND  
COMMERCIAL TRAINING ACT, 1981**

*Industrial and Commercial Training Regulations, 1989*

being

No. 229 of 1989: *Gaz.* 21 December 1989, p. 1871<sup>1</sup>

as varied by

- No. 184 of 1990: *Gaz.* 20 September 1990, p. 897
- No. 210 of 1990: *Gaz.* 25 October 1990, p. 1306
- No. 226 of 1990: *Gaz.* 15 November 1990, p. 1525
- No. 14 of 1991: *Gaz.* 7 February 1991, p. 407
- No. 35 of 1991: *Gaz.* 28 March 1991, p. 1112
- No. 166 of 1991: *Gaz.* 18 July 1991, p. 331
- No. 230 of 1991: *Gaz.* 14 November 1991, p. 1290
- No. 246 of 1991: *Gaz.* 12 December 1991, p. 1863
- No. 247 of 1991: *Gaz.* 12 December 1991, p. 1864<sup>2</sup>
- No. 43 of 1992: *Gaz.* 30 April 1992, p. 1282
- No. 184 of 1992: *Gaz.* 10 September 1992, p. 1061<sup>3</sup>
- No. 201 of 1993: *Gaz.* 2 September 1993, p. 1025<sup>4</sup>
- No. 12 of 1994: *Gaz.* 10 March 1994, p. 706<sup>5</sup>
- No. 30 of 1994: *Gaz.* 26 May 1994, p. 1298<sup>6</sup>
- No. 119 of 1994: *Gaz.* 21 July 1994, p. 147<sup>7</sup>
- No. 120 of 1994: *Gaz.* 21 July 1994, p. 149<sup>8</sup>
- No. 18 of 1995: *Gaz.* 2 March 1995, p. 805<sup>9</sup>
- No. 151 of 1995: *Gaz.* 29 June 1995, p. 3170<sup>10</sup>  
(Republished *Gaz.* 6 July 1995, p. 32)
- No. 156 of 1995: *Gaz.* 13 July 1995, p. 84<sup>11</sup>
- No. 208 of 1995: *Gaz.* 16 November 1995, p. 1390<sup>12</sup>

- <sup>1</sup> Came into operation 1 January 1990: reg. 2.
- <sup>2</sup> Came into operation 1 January 1992: reg. 2.
- <sup>3</sup> Came into operation 10 January 1993: reg. 2.
- <sup>4</sup> Came into operation 2 January 1994: reg. 2.
- <sup>5</sup> Came into operation 10 July 1994: reg. 2.
- <sup>6</sup> Came into operation 26 May 1994: reg. 2.
- <sup>7</sup> Came into operation 21 July 1994: reg. 2.
- <sup>8</sup> Came into operation 21 July 1994: reg. 2.
- <sup>9</sup> Came into operation 2 March 1995: reg. 2.
- <sup>10</sup> Came into operation 29 June 1995: reg. 2.
- <sup>11</sup> Came into operation 13 July 1995: reg. 2.
- <sup>12</sup> Came into operation 16 November 1995: reg. 2.

*Note: Asterisks indicate repeal or deletion of text. For further explanation see Appendix.*

**Citation**

1. These regulations may be cited as the *Industrial and Commercial Training Regulations, 1989*.

**Commencement**

2. These regulations will come into operation on 1 January, 1990.

**Revocation**

3. The *Industrial and Commercial Training Regulations, 1981*, (see *Gazette*, 19 November, 1981, p. 1589) as varied, are revoked.

**Interpretation**

4. In these regulations, unless the contrary intention appears—

"the Act" means the *Industrial and Commercial Training Act, 1981*;

"trainee" includes an apprentice.

**Declaration of trades and vocations**

5. (1) Each occupation set out in column 1 of schedule 1 in relation to which an asterisk appears in column 2 is declared to be a trade for the purposes of the Act.

(2) Each occupation set out in column 1 of schedule 1 in relation to which an asterisk appears in column 3 is declared to be a declared vocation for the purposes of the Act.

**Term of contract of training**

6. Pursuant to section 23 of the Act, the term of a contract of training for a trade or declared vocation is set out in column 4 of schedule 1.

**Hours of attendance at approved courses of instruction**

7. Pursuant to section 25(1)(c) of the Act, the total number of hours of attendance at approved courses of instruction for each trade or declared vocation is set out in column 5 of schedule 1.

**Probationary period**

8. The probationary period for a contract of training is, in relation to each trade or declared vocation, set out in column 6 of schedule 1.

**Form of contract**

9. (1) A contract of training must, subject to this regulation, be in the form and contain the conditions set out in schedule 2.

(2) Notwithstanding subregulation (1), a contract of training entered into before 1 January 1993 may be in the appropriate form and contain the conditions set out in schedule 2 or 3 of these regulations as in force immediately prior to 1 January 1992.

(2a) Where a form required or permitted to be used by this regulation is unsuited to the expression of a proposed agreement, the Commission may, on the application of an employer or a trainee, authorize such variation of the form as it considers necessary for the purposes of that agreement.

3.

(3) If—

(a) a contract of training is entered into by a trainee who is under the age of 18 years;

and

(b) a parent or guardian of the trainee is not a party to the contract,

the contract must contain an endorsement in the form of schedule 4.

#### **Provision of copies of contract**

10. The employer must, within 14 days after entering into a contract of training under the Act, furnish the Commission and the trainee with a fully executed copy of the contract.

#### **Records**

11. Pursuant to section 31 of the Act, an employer must keep the following records:

(a) a written record of the name, address and date of birth of each trainee with whom the employer has entered into a contract of training;

and

(b) in relation to each trainee—

(i) a written record of the training programme determined by the Commission for the trainee;

(ii) a copy of the contract of training;

and

(iii) a copy of any assignment, transfer, variation, amendment or correction that relates to the contract of training.

#### **Change of address**

12. Where an employer who is a party to a contract of training changes his or her address, the employer must, within 14 days, furnish the Commission with a written notification of that change.

#### **Completion of term of training**

13. When a trainee completes his or her term of training under a contract of training, the employer must, within 14 days, complete and sign the certificate of completion endorsed on his or her copy of the contract and must then send the document to the Commission.

#### **Penalty**

14. A person who contravenes or fails to comply with these regulations is guilty of an offence.

Penalty: \$500.

## 4.

## SCHEDULE 1

Column 1	2	3	4	5	6
Occupations/ Occupation Levels	Trades	Declared Vocations (Other than trades)	Term of Any Contract of Training	Total Hours of Attendance at Approved Courses of Instruction	Probationary Period
<b>1. MANAGERS AND ADMINISTRATORS</b>					
Farming	—	*	24 months	480	2 months
<b>2. PROFESSIONALS</b>					
<b>3. PARA-PROFESSIONALS</b>					
Prosthetic/Orthotic Technician	—	*	48 months	900	3 months
Sportsperson (Player)	—	*	12 months	440	1 month
<b>4. TRADES</b>					
<b>(BUILDING)</b>					
Bricklaying	*	—	48 months	800	3 months
Carpentry and/or Joinery	*	—	48 months	800	3 months
Mechanical Services Plumbing	*	—	48 months	800	3 months
Painting and Decorating	*	—	48 months	800	3 months
Plastering (Solid and/or Fibrous)	*	—	48 months	800	3 months
Plumbing and/or Gasfitting	*	—	48 months	800	3 months
Roof Plumbing	*	—	48 months	800	3 months
Roof Tiling	*	—	30 months	440	3 months
Signwriting	*	—	48 months	800	3 months
Sprinkler Fitting	*	—	48 months	960	3 months
Stone Masonry and/or Carving and/or Letter Cutting	*	—	48 months	—	3 months
Tiling (Wall and Floor)	*	—	48 months	800	3 months

## 5.

## (CLOTHING)

Cutter Marking in and/or Cutting out (Clothing)	*	—	48 months	—	3 months
Dressmaking	*	—	48 months	—	3 months
Tailoring	*	—	48 months	—	3 months

## (ELECTRICAL)

Aircraft Mechanics (Electrical)	*	—	48 months	800	3 months
Automotive Electrics	*	—	48 months	800	3 months
Electrical Fitting and/or Armature Winding	*	—	48 months	864	3 months
Electrical Fitting and/or Armature Winding (Auto)	*	—	48 months	800	3 months
Electrical Mechanics	*	—	48 months	864	3 months
Electrical tradesperson (Power line)	*	—	48 months	900	3 months
Instrumentation	*	—	48 months	1026	3 months
Office Machine Mechanics	*	—	48 months	1026	3 months
Scalermaking	*	—	48 months	1026	3 months
Tradesperson Radio	*	—	48 months	1026	3 months

## (ENGINEERING)

Engineering tradesperson (electrical/electronics)	*	—	48 months	864	3 months
Engineering tradesperson (fabrication)	*	—	48 months	864	3 months
Engineering tradesperson (mechanical)	*	—	48 months	864	3 months

## (FOOD)

Breadmaking	*	—	48 months	640	3 months
Breadmaking and Pastry Cooking	*	—	48 months	800	3 months
Butchering and/or Slaughtering	*	—	48 months	480	4 months
Butchering and/or Smallgoods Making	*	—	48 months	480	4 months
Confectionary Making	*	—	48 months	—	3 months
Cooking	*	—	48 months	800	3 months
Pastry Cooking	*	—	48 months	640	3 months

## 6.

## (FOOTWEAR MAKING)

Clicking (Footwear Trade)	*	—	36 months	640	3 months
Finishing (Footwear Trade)	*	—	36 months	640	3 months
Footwear Making	*	—	36 months	640	3 months
Footwear Repairing	*	—	36 months	640	3 months
Pattern Cutting (Footwear Trade)	*	—	48 months	640	3 months
Slipper Making	*	—	36 months	640	3 months
Stuffcutting (Footwear Trade)	*	—	36 months	640	3 months

## (FURNITURE)

Cabinet Making	*	—	48 months	800	3 months
Cane Furniture Making	*	—	48 months	—	3 months
Chair and/or Frame Making	*	—	48 months	800	3 months
Floor Finishing and Covering	*	—	48 months	800	3 months
Furniture Machining	*	—	48 months	800	3 months
Furniture Polishing	*	—	48 months	800	3 months
Furniture Tradesperson	*	—	48 months	800	3 months
Glass Bevelling	*	—	48 months	800	3 months
Glass Embossing	*	—	48 months	800	3 months
Glazing	*	—	48 months	800	3 months
Organ Building	*	—	48 months	—	3 months
Upholstering	*	—	48 months	800	3 months
Wood Carving	*	—	48 months	800	3 months
Wood Turning	*	—	48 months	800	3 months

## (HAIRDRESSING)

Hairdressing	*	—	48 months	704	3 months
Hairdressing (Mens and/or Ladies)	*	—	48 months	704	3 months

## 7.

## (METAL)

Aircraft Mechanics	*	—	48 months	1280	3 months
Aircraft Mechanics (Instrument)	*	—	48 months	—	3 months
Bicycle Mechanics	*	—	48 months	—	3 months
Blacksmithing	*	—	48 months	800	3 months
Boilermaking and/or Structural Steel Work and/or Welding 1st Class	*	—	48 months	840	3 months
Brass Finishing	*	—	48 months	—	3 months
Electroplating 1st Class	*	—	48 months	640	3 months
Engraving (Hand and/or Machine and/or Chemical)	*	—	48 months	—	3 months
Farrery	*	—	48 months	—	3 months
Fitting and/or Turning	*	—	48 months	800	3 months
Lead Burning	*	—	48 months	—	3 months
Locksmithing	*	—	48 months	753	3 months
Machining 1st Class	*	—	48 months	800	3 months
Moulding and/or Coremaking (Jobbing)	*	—	48 months	800	3 months
Optical Mechanics	*	—	48 months	800	3 months
Patternmaking (Metal Trades)	*	—	48 months	800	3 months
Refrigeration Mechanics or Servicing	*	—	48 months	880	3 months
Saw Doctoring	*	—	48 months	840	3 months
Scientific Instrument Making	*	—	48 months	800	3 months
Sewing Machine Mechanics	*	—	48 months	960	3 months
Sheet Metal Working 1st Class	*	—	48 months	800	3 months
Surgical Instrument Making	*	—	48 months	800	3 months
Textile Mechanics	*	—	48 months	960	3 months
Watch and Clock Making	*	—	48 months	640	3 months



## 8.

## (PRINTING)

Binding and Finishing	*	—	48 months	800	6 months
Composition	*	—	48 months	800	6 months
Graphic Reproduction	*	—	48 months	800	6 months
Printing Machining	*	—	48 months	800	6 months
Screen Printing Stencil Preparation	*	—	48 months	768	6 months
Stereotyping and/or Electrotyping	*	—	48 months	—	6 months

## (SHIP AND BOAT BUILDING)

Boat Building	*	—	48 months	800	3 months
Ships Carpentry and Joinery	*	—	48 months	800	3 months
Shipwrighting	*	-	48 months	800	3 months

## (VEHICLE)

Automotive Parts Interpreting (Specialist)	*	—	48 months	520	3 months
Bodymaking 1st Class and/or Wheelmaking and/or Wheelwrighting	*	-	48 months	800	3 months
Brake Mechanics	*	—	48 months	800	3 months
Carriage Painting	*	—	48 months	800	3 months
Carriage and Wagon Building	*	—	48 months	800	3 months
Engine Reconditioning	*	—	48 months	856	3 months
Motor Cycle Mechanics	*	—	48 months	800	3 months
Motor Mechanics	*	—	48 months	880	3 months
Motor Mechanics (Diesel)	*	—	48 months	1000	3 months
Motor Painting	*	—	48 months	800	3 months
Panel Beating	*	—	48 months	800	3 months
Spring Making and Spring Fitting	*	—	48 months	800	3 months
Trimming (Vehicle)	*	—	48 months	800	3 months

## 9.

## (OTHER)

Amenity Horticulture (Gardening)	*	—	48 months	800	3 months
Amenity Horticulture (Landscaping)	*	—	48 months	800	3 months
Amenity Horticulture (Turfkeeping)	*	—	48 months	800	3 months
Coopering and Vatmaking	*	—	48 months	800	3 months
Dental Prosthetics	*	—	48 months	960	3 months
Dyeing (Textiles)	*	—	48 months	960	3 months
Gardening/Greenkeeping	*	—	48 months	800	3 months
Jewellery Making	*	—	48 months	810	3 months
Leather Goods Making	*	—	48 months	810	3 months
Saddle and/or Harness Making	*	—	48 months	—	3 months
Silver Smithing	*	—	48 months	810	3 months
Wood Machining	*	—	48 months	800	3 months

## 5. CLERKS

Clerical Processing (Advertising)	—	*	12 months	390	1 month
Clerical Processing (Building and Construction Industry)	—	*	12 months	390	1 month
Clerical Processing (General Office)	—	*	12 months	390	1 month
Clerical Processing (Insurance)	—	*	12 months	390	1 month
Clerical Processing (Legal)	—	*	12 months	380	1 month
Clerical Processing (Library Assistant)	—	*	12 months	390	1 month
Electronic Data Processing (Office)	—	*	12 months	390	1 month

## 6. SALES AND PERSONAL SERVICE WORKERS

Customer Servicing (Accommodation)	—	*	12 months	390	1 month
Customer Servicing (Automotive Sales)	—	*	12 months	390	1 month
Customer Servicing (Financial Institutions)	—	*	12 months	390	1 month
Customer Servicing (Food and Beverages)	—	*	12 months	390	1 month

## 10.

Customer Servicing (General Retail)	—	*	12 months	390	1 month
Customer Servicing (Real Estate Operations—Sales)	—	*	18 months	416	1 month
Customer Servicing (Service Station Operations)	—	*	12 months	390	1 month
Personal Servicing (Developmental Care)	—	*	12 months	390	1 month

## 7. PLANT AND MACHINE OPERATORS AND DRIVERS

Engineering Production Employee Level III	—	*	12 months	320	1 month
Engineering Production Employee Level IV	—	*	36 months	640	3 months
Machining and Cutting (Clothing)	—	*	12 months	390	1 month
Machining and Cutting (Textiles)	—	*	12 months	390	1 month
Machining (Footwear)	—	*	12 months	390	1 month
Machine Operating (Plastics)	—	*	24 months	445	2 months
Machine Operating (Textiles)	—	*	12 months	390	1 month
Metal Rolling Mill Operator	—	*	24 months	1292	2 months
Production System Employee	—	*	48 months	960	3 months

## 8. TRADES ASSISTANTS, LABOURERS AND OTHERS

Animal Attendant	—	*	12 months	390	1 month
Automotive Servicing	—	*	12 months	400	1 month
Civil Construction and Maintenance Worker	—	*	12 months	390	1 month
Civil Construction and Maintenance Worker (Plant) Level 1	—	*	12 months	240	1 month
Civil Construction and Maintenance Worker (Plant) Level 2	—	*	24 months	480	2 months
Civil Construction and Maintenance Worker (Plant) Level 3	—	*	36 months	960	3 months
Electrical/Electronics Trades Assistant	—	*	18 months	590	6 weeks
Freight Handling	—	*	12 months	325	1 month
Kitchen Hand	—	*	12 months	390	1 month

## 11.

Laboratory (Technical Assistant)	—	*	12 months	390	1 month
Manufactured Goods Assembling	—	*	12 months	390	1 month
Nurse Assistant	—	*	12 months	401	1 month
Skilled Process Worker (Optical)	—	*	24 months	780	2 months
Stevedoring Employee	—	*	24 months	450	2 months
Student Ambulance Officer	—	*	24 months	780	2 months
Telecommunications Installing	—	*	12 months	390	1 month
Wine Industry Worker (Level 2)	—	*	18 months	450	2 months
Wine Industry Worker (Level 3)	—	*	42 months	900	3 months

SCHEDULE 2

*Form of Contract of Training*

Industrial and Commercial Training Act 1981

CONTRACT OF TRAINING

Trainee Registration No. ....

This contract of training is made between the following parties:

Trainee (full name) .....

Address .....

.....

Postcode

Date of Birth     /     /

Employer (full name, full names of partners, name of incorporated body)

.....

.....

Address .....

.....

.....

Postcode

Parent/Guardian .....

(If Trainee under 18)

Address .....

.....

Postcode

The parties AGREE as follows:

1. that the trainee (with the consent of the parent/guardian, where appropriate) will train in the vocation of

..... ("the specified vocation")

for a term of ..... months ("the agreed term")

commencing on .....

2. that the employer, the trainee and, where applicable, the parent/guardian, will faithfully observe the terms and conditions of this contract.

Signed and agreed on (date) .....

..... Trainee Witness

..... Employer Witness

..... Parent/Guardian Witness

CONDITIONS OF AGREEMENT

1. THE EMPLOYER AGREES with the trainee and (where applicable) the parent/guardian and with each of them separately—

- (a) to employ and to teach and instruct the trainee (or cause the trainee to be taught and instructed) in the specified vocation by the best means in the employer's power throughout the agreed term;
(b) to provide facilities for the practical training of the trainee.

2. THE TRAINEE, AND (WHERE APPLICABLE) THE PARENT/GUARDIAN AS SURETY FOR THE TRAINEE, jointly and severally AGREE(S) with the employer that the trainee—

- (a) will serve the employer as trainee throughout the agreed term;
(b) will, in the course of employment with the employer, obey the lawful commands of the employer and the employer's representatives and behave in a courteous and proper manner;
(c) will not commit or permit (or assist or encourage any other person to commit or permit)—
(i) any waste of the property of the employer;
or
(ii) any damage or other injury to the property or business of the employer.

3. ALL PARTIES TO THIS CONTRACT AGREE—

- (a) that the conditions of employment for the trainee, including remuneration, will be as prescribed from time to time by the appropriate industrial award, order or industrial agreement that applies to the employer and the trainee;
- (b) that this contract will not be discharged, assigned, transferred, varied, suspended or cancelled except in accordance with the provisions of the *Industrial and Commercial Training Act 1981* and the regulations made under that Act;
- (c) that the parent/guardian is bound by this contract until the trainee attains the age of 18 years or until the expiration of the agreed term, whichever first occurs;
- (d) that this contract is subject to, and the parties must comply with, the provisions of the *Industrial and Commercial Training Act 1981* and the regulations made under that Act and with any applicable award, order or agreement made pursuant to the *Industrial Relations Act 1988* of the Commonwealth.

CERTIFICATE OF COMPLETION

This is to certify that the abovenamed trainee duly completed the training program under the above contract on

(date) .....

Date .....

Employer

The requirements of the *Industrial and Commercial Training Act 1981* have been fulfilled.

Date .....

Chairman

Industrial and Commercial Training Commission

\* Where, with the approval of the Commission under section 21(7) of the *Industrial and Commercial Training Act 1981*, an employer is a group of two or more employers (whether as an employer organization or otherwise), the contract of training must be in the form of this schedule but must include the following additional paragraph to clause 2:

- (d) will, as directed and for such periods as are required by the employer, serve as trainee with persons or organizations participating in the group training scheme approved by the Commission that is conducted by the employer or of which the employer is a member.

\* \* \* \* \*

15.

SCHEDULE 4

Prescribed Form of Endorsement

. . The Commission gives its approval to the trainee and the employer entering into the contract of training without a parent or guardian of the trainee being a party to the contract.

Dated ..... 19.....

.....  
Chairman, Industrial and Commercial  
Training Commission



**APPENDIX****LEGISLATIVE HISTORY**

Regulation 9(1) and (2):	substituted by 247, 1991, reg. 3
Regulation 9(2a):	inserted by 247, 1991, reg. 3
Regulation 13:	amended by 43, 1992, reg. 2
Schedule 1	
clause 3:	varied by 151, 1995, reg. 3
clause 4:	varied by 14, 1991, reg. 2; 35, 1991, reg. 2; 230, 1991, reg. 2(a); 246, 1991, reg. 2; 12, 1994, reg. 3; 18, 1995, reg. 3(a), (b)
clause 5:	varied by 210, 1990, reg. 2(a); 43, 1992, reg. 3
clause 6:	varied by 226, 1990, reg. 2; 166, 1991, reg. 2; 18, 1995, reg. 3(c), (d)
clause 7:	varied by 210, 1990, reg. 2(b); 30, 1994, reg. 3(a), (b); 119, 1994, reg. 3; 120, 1994, reg. 3; 156, 1995, reg. 3; 208, 1995, reg. 3(a)
clause 8:	varied by 184, 1990, reg. 2; 230, 1991, reg. 2(b); 184, 1992, reg. 3; 201, 1993, reg. 3; 30, 1994, reg. 3(c)-(f); 18, 1995, reg. 3(e), (f); 208, 1995, reg. 3(b)
Schedule 2:	substituted by 247, 1991, reg. 4
Schedule 3:	revoked by 247, 1991, reg. 4