



ANNO QUARTO

GEORGII VI REGIS.

A.D. 1940.

No. 47 of 1940.

An Act to amend the Technical Education of
Apprentices Act, 1917-1934.

[Assented to 28th November, 1940.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

Short titles.

1. (1) This Act may be cited as the "Technical Education of Apprentices Act Amendment Act, 1940."

(2) The Technical Education of Apprentices Act, 1917-1934, as amended by this Act, may be cited as the "Technical Education of Apprentices Act, 1917-1940".

(3) The Technical Education of Apprentices Act, 1917-1934, is hereinafter called "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act, and that Act and this Act shall be read as one Act.

**Amendment of
s. 2 of principal
Act—
Definition of
apprentice.**

3. Section 2 of the principal Act is amended by adding at the end of the definition of "apprentice" therein the words "and any person who is a trainee apprentice, as defined in any award of the Commonwealth Court of Conciliation and Arbitration, in any such trade".

**Amendment
of s. 11 (3) of
principal Act—
Term of office
of Apprentices
Advisory
Board.**

4. Subsection (3) of section 11 of the principal Act is repealed and the following subsection enacted in lieu thereof :—

(3) All the nominated members of the board in office at the time of the passing of the Technical Education of Apprentices Act Amendment Act, 1940, shall retire

together on the thirtieth day of June, nineteen hundred and forty-three, and thereafter the nominated members of the board shall retire at regular intervals of three years: Provided that—

- (a) a retiring member shall be eligible for re-appointment:
- (b) if the members to hold office in the place of any retiring members have not been appointed on or before the day of retirement, those retiring members shall be deemed to remain in office until their successors are appointed:
- (c) a member appointed to a casual vacancy shall hold office for the balance of the term of the person in whose place he was appointed.

5. (1) Section 17 of the principal Act is amended by inserting therein after subsection (2) thereof the following subsections:—

Amendment of
s. 17 of the
principal Act—

(2a) Subject to this section, every member of a trade committee (including members in office at the time of the enactment of this subsection) shall hold office until the next general retirement of members of the Apprentices Advisory Board, following the appointment of such member: Provided that—

Term of office
of trade
committees.

- (a) a retiring member shall be eligible for re-election:
- (b) if the members to hold office in the place of any retiring members have not been appointed on or before the day of retirement, those retiring members shall be deemed to remain in office until their successors are appointed.

(2b) The Minister may remove any member of a trade committee from office if he is satisfied that such member is for any reason unable to perform the duties of his office, or has been guilty of neglect of duty, or of conduct which in the Minister's opinion shows him to be unfit to remain in office.

(2c) A person appointed to a casual vacancy shall hold office for the balance of the term of the person in whose place he was appointed.

(2) Section 17 of the principal Act is further amended by striking out subsection (4) thereof, and inserting in lieu thereof the following subsection:—

(4) Every such committee—

- (a) may report to the board on any matters relating to the technical education of apprentices in the trade for which the committee is appointed;

**Technical Education of Apprentices Act Amendment
Act, 1940.**

(b) shall, upon written notice from the board, report to the board within a reasonable period to be specified in the notice, upon such matters relating to the technical education of apprentices in the said trade, as are specified in the notice.

Repeal of ss. 18
and 19 of
principal Act
and enactment
of other
provisions—

6. Sections 18 and 19 of the principal Act are repealed and the following section is enacted and inserted in lieu thereof:—

Right to
terminate
apprenticeship
during first
six months.

18. (1) Notwithstanding anything contained in the Industrial Code 1920, or in any other Act, any party to a contract of apprenticeship in any trade to which this Act applies may, at any time during the first six months of the period of such apprenticeship, terminate the contract by giving fourteen days written notice to the other party.

(2) Every indenture or written contract of apprenticeship entered into after the passing of this Act shall be in triplicate, and the employer shall, upon the signing of the indenture or contract, deliver one part thereof to the apprentice and one part to the Chief Inspector appointed under the Industrial Code, 1920-1937.

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

C. M. BARCLAY-HARVEY, Governor.