

(8279.) GENERAL ORDER AMENDING APPRENTICESHIP ORDERS.

In the Court of Arbitration of New Zealand.—In the matter of the Apprentices Act, 1923.

Tuesday, the 4th day of August, 1925.

WHEREAS by section 5 (2) of the Apprentices Act, 1923, the Court is empowered to amend any order made under section 5 (2) of the said Act: And whereas it is further provided by section 5 (3) of the said Act that where a proposed amendment of an order is of a routine or trivial nature it shall not be necessary to hear formal evidence in respect thereof: And whereas it has been made to appear to the Court that it is desirable that fuller provision should be made in apprenticeship orders under the said Act for determining the proportion of apprentices to journeymen: Now, therefore, the Court, in pursuance and exercise of the powers vested in it by the said Act, doth hereby order and prescribe as follows:—

1. That in all orders of apprenticeship heretofore made by the Court under the said Act the provisions therein made for the purpose

of ascertaining the number of journeymen employed in the trade or industry in the district shall be modified as follows :—

“For the purpose of ascertaining the number of journeymen employed in the trade or industry in the district every employer shall during the month of April in each year furnish to the District Registrar a return of the average number of journeymen employed by him during the twelve months ended on the 31st day of March last preceding. Such average shall be calculated in manner following :—

“(a.) The number of journeymen employed for not less than two-thirds full time shall be ascertained for each week of the year ended on the said 31st day of March. Where in any apprenticeship order an employer is permitted to count himself as a journeyman he may include himself in the number of journeymen subject to the conditions prescribed in the said order. Journeymen who are absent from work on full pay on any day or days shall be included as if actually employed at work during such absence.

“(b.) The weekly numbers ascertained under (a) shall be totalled and the sum divided by 52. If the custom of the employer or of the trade or industry is to suspend operations for not more than two weeks in the year, the week or two weeks during which operations are suspended by the employer shall be omitted from the computation under (a), and the divisor under (b) shall be 51 or 50, as the case may be, instead of 52.”

2. That in all orders of apprenticeship heretofore made by the Court under the said Act the proportion of apprentices to journeymen employed in the trade or industry in the district shall, for the purpose of determining whether an employer is entitled to enter into a contract of apprenticeship with an apprentice, be based upon the number of journeymen employed in the trade or industry in the district as shown by the last returns furnished to the District Registrar in accordance with the provisions of the last preceding clause. If, previously to being furnished with returns for the year ending on the 31st day of March, 1926, the District Registrar is in doubt as to the district proportion of apprentices to journeymen having been reached in any trade or industry, he may require all employers in the trade or industry in the district to furnish interim returns for the period between the 1st day of April, 1925, and the last day of the calendar month preceding the date on which he requisitions for such interim returns, and it shall be the duty of every employer to furnish an interim return within fourteen days of the date on which he is notified of the requirement of the District Registrar.

3. That in all orders of apprenticeship heretofore made by the Court under the said Act in which no express provision to the contrary is made the proportion of apprentices to journeymen employed by any employer shall, for the purpose of determining whether such employer is entitled to enter into a contract of apprenticeship with an apprentice, be based upon the number of journeymen who at the date of the making of the contract of apprenticeship had been

employed by that employer for full or part time (but not less than two-thirds full time) as prescribed in and by the said order for a period of six months preceding that date.

4. That this order shall be deemed to be an amendment of each and every order of apprenticeship heretofore made by the Court under the said Act.

5. That this order shall be deemed to be in substitution for the general order amending apprenticeship orders made on the 26th day of June, 1925, which said order is hereby revoked.

6. That this order shall operate and take effect as from the day of the date hereof.

[L.S.]

F. V. FRAZER, Judge.

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MEMORANDUM.

The Court, on the 26th June, 1925, made a general order amending all apprenticeship orders, in order to obviate certain difficulties that had arisen in the determination of the basis upon which the proportion of apprentices to journeymen in any trade or industry should be calculated. The attention of the Court has since been drawn to a further difficulty that arises in attempting to ascertain the total number of journeymen employed in any trade or industry in a district, especially where the men change from one employer to another at short intervals. The Court has therefore decided to make the foregoing order, which is in substitution for the order of the 26th June, 1925.

F. V. FRAZER, Judge.