

NEW ZEALAND MOTOR INDUSTRY—AMENDMENT OF APPRENTICESHIP ORDER

In the Court of Arbitration of New Zealand—In the matter of the Apprentices Act 1948; and in the matter of the New Zealand Motor Industry Apprenticeship Order dated the 16th day of August 1956, and recorded in 56 Book of Awards 1457.

WHEREAS by section 13 (2) of the Apprentices Act 1948, the Court is empowered to amend any apprenticeship order: And whereas application has been made to the Court by the New Zealand Motor Trades Apprenticeship Committee for amendment of the New Zealand Motor Industry apprenticeship order dated the 16th day of August 1956, and recorded in 56 Book of Awards 1457: And whereas the Court has considered the recommendations made to it by the said Committee: Now therefore, the Court, in pursuance and exercise of the powers vested in it by the said Act, doth hereby order as follows:

1. That the said apprenticeship order shall be amended by deleting clause 12 and substituting therefor the following clause:

“12. *Technical Classes*—(a) Where an apprentice resides or works within a convenient distance of a school which the New Zealand Motor Trade Apprenticeship Committee is satisfied can during normal working hours provide instruction on the syllabus prescribed by the New Zealand Motor Trade Certification Board, it may order such apprentice to attend during three years of his apprenticeship at

such school for four continuous hours of instruction in each week, or alternatively, at the discretion of the New Zealand Committee, for eight hours of instruction in each fortnight. ('Convenient distance' shall be determined by the New Zealand Committee, having regard to distance, transport facilities, and the home circumstances of the apprentice and to any recommendation that may be made by the local Committee.)

(b) As an alternative to the provisions of subclause (a) above the New Zealand Committee may order an apprentice, whether he resides or works within a convenient distance of a school or not, to attend during three years of his apprenticeship for not more than four weeks in a year at a school which the New Zealand Committee is satisfied can provide courses of instruction on the syllabus prescribed by the New Zealand Motor Trade Certification Board.

(c) Where an apprentice has been ordered to attend classes as provided in subclauses (a) and (b) above, the employer shall permit him to attend such classes.

(d) An employer shall not be entitled to make any deduction from the wages of an apprentice ordered to attend a school during normal working-hours; but absence without leave from such school shall be treated as absence through the apprentice's default and the employer shall be entitled to make a rateable deduction from the wages as provided in clause 14 of this order. For the purposes of the term of apprenticeship, time spent at a school during normal working-hours shall be reckoned as time served.

(e) An apprentice ordered to attend as provided in subclauses (a) or (b) above may also be ordered to attend evening classes working on the syllabus referred to for not more than two evenings a week during three years of his apprenticeship: Provided that if a local Committee considers that the attendance or progress of an apprentice at evening classes is unsatisfactory, he may be ordered by the New Zealand Committee to attend classes for such further period as may be approved by that Committee.

(f) As an alternative to attendance at evening classes as mentioned in the preceding subclause, the New Zealand Committee may order any apprentice ordered to attend as in subclauses (a) and (b) above, to enrol for and carry on with the Education Department's Technical Correspondence School a course approved by that Committee.

(g) Where an apprentice ordered to attend evening classes does not regularly attend such classes, the local Committee may exercise the powers delegated to it by the Court under the section 13 (4) (i) and (j) of the Apprentices Act 1948, viz. it may order that any increase in wages due to an apprentice shall be withheld by the employer for such period as the local Committee may think fit, and it may also order that the period during which any increase in wages shall be withheld shall not be deemed to be included in the period of apprenticeship.

(h) If a local Committee receives from the Technical Correspondence School an unsatisfactory report on an apprentice's progress in the theory relating to his trade, it may exercise the same powers as are set out in subclause (g) above.

(i) Where an apprentice is required to attend a school or classes by virtue of the preceding subclauses of this clause, the employer shall refund to him the amount paid in fees in each year in which his attendance is not less than 75 per cent of the maximum possible."

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

Dated this 14th day of October 1958.

[L.S.]

A. TYNDALL, Judge.