

NEW ZEALAND **HORTICULTURAL AND GARDENING 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 Horticultural and Gardening Industry Apprenticeship Order, dated the 12th day of May 1961, and recorded in 61 Book of Awards 577.

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 Horticulture and Gardening Apprenticeship Committee for amendment of the New Zealand Horticultural and Gardening Industry Apprenticeship Order, dated the 12th day of May 1961, and recorded in 61 Book of Awards 577: 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 clauses 7, 9 and 10 and substituting therefor the following clauses:

“7. Term of Apprenticeship—(a) For an apprentice commencing before his eighteenth birthday who has not obtained a School Certificate, the term of apprenticeship shall be 9,000 hours divided into nine 1,000-hour periods.

(b) For an apprentice commencing before his eighteenth birthday who has obtained a School Certificate, the term of apprenticeship shall be 8,000 hours divided into eight 1,000-hour periods.

(c) For an apprentice commencing on or after his eighteenth birthday, the term of apprenticeship shall be 8,000 hours divided into eight 1,000-hour periods.

(d) Except for annual holidays under the Annual Holidays Act 1944, all holidays provided for in the award or agreement referred to in clause 10 of this order which are taken by an apprentice shall be deemed to be time served under his contract.

(e) All time lost by an apprentice through sickness in excess of five working days in any 1,000-hour period of his apprenticeship shall be made up by the extension of the final period of the apprenticeship, with wages at the rate prescribed for that period.

(f) Where the New Zealand Committee is of the opinion that time served in a related occupation prior to the date of application for engagement of an apprentice should be credited to the apprentice, it may, on application made to it by or through a local committee, fix the term of apprenticeship.

(g) Time spent by an apprentice during normal working hours at an approved course of instruction in horticulture at an institute approved by the New Zealand Committee shall be deemed to be time served under his contract.

(h) An apprentice working overtime shall have such time added to his ordinary time in calculating the respective 1,000-hour period of his apprenticeship. Each hour worked as overtime shall be deemed to be one hour for the purpose of computing each 1,000-hour apprenticeship.

9. *Proportion*—(a) The proportion of apprentices to journeymen shall be not more than one apprentice to every journeyman employed for six months immediately preceding the date of application.

(b) For the purposes of this order an employer who himself works substantially at the industry and who comes within the definition of a journeyman in terms of subclause (c) of clause 4 shall be entitled to count himself as a journeyman.

(c) The powers and discretions provided for in section 29 of the Apprentices Act 1948 may be exercised by the District Commissioner and the local committee, notwithstanding that the employer to whom it is proposed to transfer the apprentice is already employing the full quota of apprentices as determined by this order.

10. *Wages*—(a) The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly rate for qualified nurserymen (or gardeners) (or if no weekly rate is prescribed, then of an amount equal to 40 times the minimum hourly rate for qualified nurserymen or gardeners) in the branch of the industry to which the apprentice is apprenticed as prescribed by the award or agreement relating to the employment of such nurserymen (or gardeners) for the time being and from time to time in force in the establishment in which the apprentice is employed or, if there is no such award or agreement, as prescribed by the award or agreement relating to the employment of such nurserymen (or gardeners) for the time being and from time to time in force in an establishment of a similar class in a locality including the city of Wellington.

	For Apprentices Serving a 9,000-hour Term Percent	For Apprentices Serving an 8,000-hour Term Percent
First 1,000-hour period	42	48
Second 1,000-hour period	48	54
Third 1,000-hour period	54	60
Fourth 1,000-hour period	60	66
Fifth 1,000-hour period	66	72
Sixth 1,000-hour period	72	78
Seventh 1,000-hour period	78	84
Eighth 1,000-hour period	84	90
Ninth 1,000-hour period	90

(b) Every apprentice who obtains the Junior or Intermediate Certificate issued under the Royal New Zealand Institute of Horticulture Act 1953 shall, upon production of such certificate to his employer, be paid not less than the extra rates payable to the holders of these certificates as provided for in the New Zealand Nurserymen and Gardeners Award.

(c) (i) An apprentice passing the First Qualifying Examination as prescribed by the New Zealand Trades Certification Board shall be paid not less than 5s. (50 cents) a week in addition to the minimum rate prescribed in subclause (a) of this clause, from the date of the granting of a pass in this examination.

(ii) An apprentice passing the Second Qualifying Examination as prescribed by the New Zealand Trades Certification Board shall be paid not less than 10s. (1 dollar) a week in addition to the minimum rate prescribed in subclause (a) of this clause, from the date of the granting of a pass in this examination.

(iii) An apprentice passing the Trade Certificate Examination as prescribed by the New Zealand Trades Certification Board shall be paid not less than 15s. (1 dollar 50 cents) a week in addition to the minimum rate prescribed in subclause (a) of this clause, from the date of the granting of a pass in this examination.

(d) An apprentice who qualifies for both the payments referred to in subclause (b) and subclause (c) of this clause shall receive both payments."

2. That this order shall operate from the day of the date hereof.

Dated this 3rd day of February 1967.

A. P. BLAIR, Judge.
