

APPRENTICES (AMENDMENT) ACT.

Act No. 58, 1915.

An Act to protect the interests of apprentices enlisting for active service ; to amend the Apprentices Act, 1901, and the Industrial Arbitration Act, 1912 ; and for purposes consequent thereon or incidental thereto. George V,
No. 58.
[Assented to, 21st December, 1915.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the “Apprentices (Amendment) Act, 1915.” Short title.

It shall be construed with the Industrial Arbitration Act, 1912, and shall extend to and be binding upon the Crown.

2. When any apprentice, whether before or after the commencement of this Act, has been enlisted or enrolled for active naval or military service, his contract or apprenticeship shall be taken to have been and to be suspended during the period of such service and six months thereafter unless revived under this Act. Suspension of
apprentice-
ship.

3. (1) If any such apprentice within such six months gives to his master notice in writing that he desires the contract of apprenticeship to revive and be continued from the date of such notice,—

(a) until the expiration of the period fixed in the contract of apprenticeship ; or

(b) for the term unexpired at the date of suspension, or any portion thereof,

the contract of apprenticeship shall thereupon revive accordingly. (2)

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(2) Any limitations as to the age of apprentices, or as to the term of any apprenticeship, or any other provisions which would prevent the revival as aforesaid, or the carrying out after revival of a contract of apprenticeship, whether contained in any award made before the commencement of this Act, or in the Industrial Arbitration Act, 1912, or in the Apprentices Act, 1901, and in particular the provisions of section fifteen of the last mentioned Act, shall not apply to apprentices serving under a contract of apprenticeship revived as aforesaid.

(3) If no such notice be given within the time above limited the contract of apprenticeship shall lapse and become void, but the time served by the apprentice shall, for the purpose of determining his trade status, be deemed to include the period of his naval or military service.

Number or
proportion of
apprentices.

4. Subject to the provisions of any award made after the commencement of this Act—

- (a) an employer may during any suspension of a contract of apprenticeship take and employ another apprentice in the place of the one whose contract of apprenticeship has been suspended under this Act;
- (b) in determining the number of apprentices, or proportion of apprentices, to journeymen under any award or industrial agreement made prior to the commencement of this Act, any apprentice whose contract of apprenticeship has been suspended under this Act shall, during the period of such suspension, and during the period of service under such contract of apprenticeship as revived under this Act, be excluded; and any journeyman absent from his employment on active naval or military service, but entitled to return thereto on the termination of such service, and not temporarily replaced, shall be regarded as an employee in the service of his late employer.