



ANNO SEXTO

GEORGII V REGIS.

A.D. 1915.

No. 1222.

An Act for the Relief of Apprentices engaged on Active Service during the present war, and for other purposes.

[Assented to, December 23rd, 1915.]

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

1. This Act may be cited as the "Apprentices (War Service) Relief Act, 1915." Short title.

2. (1) For the purposes of this Act an apprentice shall be deemed to be on active service— Interpretation.

(a) if he is engaged on naval or military service, with His Majesty's navy or army, or under the provisions of any Act of the Parliament of the Commonwealth of Australia, during the war in which His Majesty is at present engaged; or

(b) if, in connection with the said war, he is a prisoner of war in the enemy's country, or is interned in the country of a neutral Power.

(2) In this Act—

"Apprentice" includes every person who has entered into, and is for the time being bound by, indentures of apprenticeship in any process, trade, business, occupation, or calling, whether the same were entered into under the Factories Acts, 1907 to 1910, or otherwise; "Minister"

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“Minister” means the Minister of Industry, or the Minister of the Crown for the time being performing the duties of Minister of Industry.

Application of Act.

3. This Act shall apply to apprentices who have enlisted for active service before the passing of this Act, as well as to those who have so enlisted after such passing.

Absence of apprentice on active service not to constitute breach of his indentures of apprenticeship.

4. (1) The absence of any apprentice from his employment, in consequence of his being on active service, shall not constitute a breach of his indentures of apprenticeship, nor subject him to suffer anything to his prejudice thereunder, nor subject him to any penalty or other punishment under such indentures or otherwise.

(2) The indentures of apprenticeship of every such apprentice shall, during such absence as aforesaid and until the expiration of a period of three months from the date when such apprentice ceases to be on active service, be deemed to be suspended.

(3) If any such apprentice, by notice in writing given to his employer within the period of three months after his ceasing to be on active service, states his desire to continue his apprenticeship, and, within such period, resumes work pursuant to such notice, his employer shall treat the indentures of apprenticeship as continuing, but otherwise his indentures shall be deemed to be cancelled.

Provision for time lost by apprentices in consequence of being on active service.

5. Notwithstanding any provision of any indenture of apprenticeship, but subject to section 6, when any apprentice who has enlisted for active service, and has afterwards, pursuant to section 4, resumed work, all the time, not exceeding twelve months, during which he has been on active service shall, for the purpose of determining the rate of wages or other remuneration to be paid for work under his indentures after such resumption, be deemed to have been time during which he has worked under his indentures; and if the period of service under his indentures is four years or longer his apprenticeship shall be deemed to be completed when he has actually served for four years in the aggregate, or at such earlier time as his employer, with the approval in writing of the Minister, thinks fit.

Provision for apprentices over 21 years of age discharged from military duty.

6. Any apprentice who has enlisted for active service and afterwards attains the age of twenty-one years before completing his apprenticeship, may, notwithstanding that he has attained that age, continue his apprenticeship pursuant to a notice under section 4, and shall, during the period between his resuming work pursuant to such notice and the completion of his apprenticeship, be paid at a rate to be fixed in each case in writing by the Chief Inspector of Factories: Provided that such rate shall not be less than the highest rate fixed by the indentures of apprenticeship of such apprentice, nor (if his apprenticeship is subject to the Factories Acts, 1907 to 1910) more than the rate (if any) fixed by a Wages Board appointed under the said Acts,
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to be paid to employees in the process, trade, business, occupation, or calling in which such apprentice is apprenticed and performing similar work to that of such apprentice.

7. Any apprentice who has enlisted for active service and has afterwards resumed work in pursuance of a notice under section 4 may, until the completion of his apprenticeship, attend for technical instruction at any school or class approved by the Minister, and any fees which become payable by the apprentice in consequence of his so attending shall be paid by the Minister.

Provision for technical instruction of apprentices discharged from military duty.

8. The provisions of this Act shall have effect notwithstanding anything contained in the Factories Acts, 1907 to 1910.

Act to apply notwithstanding Factories Acts.

9. All moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for such purposes.

Financial provision.

10. This Act shall bind the Crown.

Crown to be bound.

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

H. L. GALWAY, Governor.