

ED301*

Industrial Training Act 1975

Industrial Training (Apprenticeship Training) Amendment Regulations 2006

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Industrial Training (Apprenticeship Training) Amendment Regulations 2006*.

2. Commencement

These regulations come into operation on 1 May 2006.

3. The regulations amended

The amendments in these regulations are to the *Industrial Training (Apprenticeship Training) Regulations 1981**.

[* Reprinted as at 2 August 2002.

For amendments to 22 March 2006 see Gazette 12 August and 18 November 2005.]

4. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by deleting the items for —
- (i) Bricklaying;
 - (ii) Carpentry and Joinery;
 - (iii) Plastering;
 - (iv) Tilelaying;
 - (v) Wall and Ceiling Fixing;
- (b) after the item for “Baking (Combined Breadmaking and Pastrycooking)” by inserting the following items in the appropriate alphabetical positions —

“
 Bricklaying
 Carpentry and Joinery
 Plastering
 Tilelaying
 Wall and Ceiling Fixing
 ”;

- (c) after the item for “Wall and Ceiling Fixing” (as inserted by paragraph (b)) by inserting the following items —

“

Bricklaying (Housing)	2 Years
Carpentry (Housing)	
Joinery (Housing)	
Plastering (Housing)	
Wall and Ceiling Fixing (Housing)	
Wall and Floor Tiling (Housing)	

 ”.

5. Schedule 2 amended

Schedule 2 is amended by deleting the items for —

- (a) Carpentry and Joinery;
- (b) Plastering.

6. Schedule 3 amended

Schedule 3 is amended in Column 1 by deleting “Bricklaying” and “Carpentry and Joinery”.

7. Schedule 3A amended

Schedule 3A is amended by inserting the following items in the appropriate alphabetical positions —

“

Bricklaying	320 hours	320 hours	120 hours	
Carpentry and Joinery	320 hours	320 hours	120 hours	
Plastering	320 hours	320 hours	120 hours	
Bricklaying (Housing)	320 hours	270 hours		
Carpentry (Housing)	320 hours	256 hours		
Joinery (Housing)	320 hours	236 hours		
Plastering (Housing)	320 hours	272 hours		
Wall and Ceiling Fixing (Housing)	320 hours	240 hours		
Wall and Floor Tiling (Housing)	320 hours	322 hours		
Tilelaying	320 hours	320 hours	120 hours	
Wall and Ceiling Fixing	320 hours	320 hours	120 hours	

”

8. Schedule 4 amended

Schedule 4 is amended by deleting the items for —

- (a) Bricklaying;
- (b) Carpentry and Joinery;
- (c) Plastering; and
- (d) Wall and Ceiling Fixing.

9. Transitional

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 May 2006 continue to apply to and in relation to —

- (a) an apprentice who commenced service in a building trade under an apprenticeship agreement before 1 May 2006 (an “**existing apprentice**”); or
- (b) a person who —
 - (i) commenced employment as a probationer in a building trade before 1 May 2006;

- (ii) completes that probationary employment after 1 May 2006; and
 - (iii) on completing that probationary employment commences service under an apprenticeship agreement,
(an “**existing probationer**”).
- (2) The parties to the apprenticeship agreement of an existing probationer may, with the approval of the Director, agree in the apprenticeship agreement —
 - (a) that the term of the apprenticeship is to be 3 years; or
 - (b) that —
 - (i) the apprentice is to be employed in a housing building trade (instead of the building trade in which he or she was employed as a probationer); and
 - (ii) the term of the apprenticeship is to be 2 years.
- (3) If the parties to an apprenticeship agreement agree in the manner described in subregulation (2)(a) or (b), subsection (1) ceases to apply to and in relation to the apprentice when he or she commences service under the apprenticeship agreement.
- (4) The parties to the apprenticeship agreement of an existing apprentice may, with the approval of the Director, vary the apprenticeship agreement to —
 - (a) change the term of the apprenticeship to 3 years (plus any extension made by the Director under subregulation (6)); or
 - (b) change —
 - (i) the trade in which the apprentice is employed to a housing building trade; and
 - (ii) the term of the apprenticeship to 2 years (plus any extension made by the Director under subregulation (6)).
- (5) An application for approval under subregulation (4) must be made —
 - (a) in a form and manner approved by the Director; and
 - (b) within 3 months of the date on which these regulations come into operation.
- (6) If, when an application is made for approval under subregulation (4) —
 - (a) the apprentice has not —
 - (i) attended all the classes;
 - (ii) obtained all the instruction; and

- (iii) undertaken all the courses and skills training programmes;

that the apprentice is required by section 33(1) of the Act to attend, obtain or undertake in relation to the trade in which he or she is to be employed under the varied agreement; and

- (b) the Director is satisfied that the apprentice will not reasonably be able to complete those requirements during the term of the apprenticeship (as varied),

the Director may, before approving the variation, extend the term of the apprenticeship (as specified in the variation) by such period as the Director considers is reasonably necessary for the apprentice to complete those requirements.

- (7) A variation of an apprenticeship agreement under subregulation (4) takes effect on the date on which it is approved by the Director.
- (8) If an apprenticeship agreement is varied under subregulation (4), subsection (1) ceases to apply to and in relation to the apprentice on the date the variation takes effect.
- (9) In this regulation —
 - “**building trade**” means —
 - (a) bricklaying;
 - (b) carpentry and joinery;
 - (c) plastering;
 - (d) tilelaying; or
 - (e) wall and ceiling fixing;
 - “**housing building trade**” means —
 - (a) bricklaying (housing);
 - (b) carpentry (housing);
 - (c) joinery (housing);
 - (d) plastering (housing);
 - (e) wall and ceiling fixing (housing); or
 - (f) wall and floor tiling (housing).

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
