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INDUSTRIAL TRAINING ACT 1975

**INDUSTRIAL TRAINING
(APPRENTICESHIP
TRAINING) AMENDMENT
REGULATIONS 2007**

Industrial Training Act 1975

**Industrial Training (Apprenticeship Training)
Amendment Regulations 2007**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Industrial Training (Apprenticeship Training) Amendment Regulations 2007*.

2. Commencement

These regulations come into operation on 1 February 2007.

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 27 December 2006 see Western Australian Legislation Information Tables for 2005, Table 4, and Gazette 4 April, 26 May, 19 and 29 September and 27 October 2006.]

4. Schedule 1 amended

Schedule 1 is amended as follows:

- (a) by deleting the following items —
 - (i) Horticulture (Gardening);
 - (ii) Horticulture (Landscape Gardening);
 - (iii) Horticulture (Nursery);
 - (iv) Horticulture (Turf Management);
 - (v) Saw Doctoring;
- (b) after the item for “Toolmaking and Jigmaking (Metal Furniture)” by inserting —

“ Turf Management ”;
- (c) in the list of trades listed as having 3 year terms by inserting the following items in the appropriate alphabetical order —

“

Gardener

Landscape Gardener

Nurseryperson
Sawdoctor

”

5. Schedule 2 amended

Schedule 2 is amended by deleting the items for Horticulture.

6. Schedule 3 amended

Schedule 3 is amended by deleting the item for Saw Doctoring.

7. Schedule 3A amended

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

“

Gardener	332 hours	332 hours	332 hours	
Landscape Gardener	342 hours	342 hours	340 hours	
Nurseryperson	318 hours	318 hours	318 hours	
Sawdoctor	225 hours	225 hours	220 hours	
Turf Management	316 hours	316 hours	316 hours	315 hours

”

8. Transitional

(1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 February 2007 continue to apply to and in relation to —

- (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 February 2007; or
- (b) a person who —
 - (i) commenced employment as a probationer in an old trade before 1 February 2007; and
 - (ii) completes that probationary employment after 1 February 2007; 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) if the probationer was employed in a trade that is also a new trade, that the apprentice is to be employed in the same trade but that the term of the apprenticeship is to be the new term for that trade; or

- (b) that —
- (i) the apprentice is to be employed in a new trade (instead of the old trade in which he or she was employed as a probationer); and
 - (ii) the term of the apprenticeship is to be the new term for that new trade.
- (3) If the parties to an apprenticeship agreement agree in the manner described in subregulation (2)(a) or (b), subregulation (1) ceases to apply to and in relation to the apprentice when he or she commences service under the apprenticeship agreement.
- (4) In this regulation —
- “new trade”** means —
- (a) Gardener;
 - (b) Landscape Gardener;
 - (c) Nurseryperson;
 - (d) Sawdoctor;
 - (e) Turf Management;
- “new term”**, in relation to a trade, means the term prescribed in relation to that trade in the *Industrial Training (Apprenticeship Training) Regulations 1981* Schedule 1, as amended by these regulations;
- “old trade”** means —
- (a) Horticulture (Gardening);
 - (b) Horticulture (Landscape Gardening);
 - (c) Horticulture (Nursery);
 - (d) Horticulture (Turf Management);
 - (e) Saw Doctoring.

By Command of the Governor,

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