



Western Australia

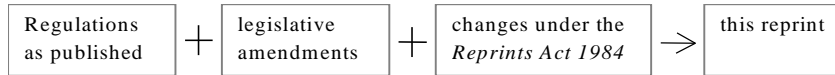
Industrial Training Act 1975

**Industrial Training  
(Apprenticeship Training)  
Regulations 1981**

**Reprint 3: The regulations as at 1 January 2009**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## **Industrial Training (Apprenticeship Training) Regulations 1981**

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Reprinted under the  
*Reprints Act 1984* as  
at 1 January 2009

Western Australia

Industrial Training Act 1975

## **Industrial Training (Apprenticeship Training) Regulations 1981**

### **1. Citation**

These regulations may be cited as the *Industrial Training (Apprenticeship Training) Regulations 1981*<sup>1</sup>.

### **2. Repeal and commencement**

The *Industrial Training (Apprenticeship Training) Regulations 1978* are repealed on, and these regulations take effect on and from, 20 July 1981.

### **3. Construction**

These regulations shall be construed in conjunction with the *Industrial Training (General Apprenticeship) Regulations 1981* as if these regulations were incorporated in and formed part of those regulations.

**4. Terms used**

In these regulations unless the contrary intention appears —

***approved*** means approved by the Council;

***Council*** means the Training Accreditation Council established by the *Vocational Education and Training Act 1996* section 25(1);

***directed*** means under a direction of the chief executive officer of a registered training provider;

***stage*** in relation to a course of training applicable to a trade means an approved stage of that course;

***trade*** means a trade that is an apprenticeship trade for the purposes of the Act, listed in Schedule 1.

*[Regulation 4 amended in Gazette 30 Dec 1983 p. 5028; 24 Dec 1987 p. 4548; 23 Jul 2008 p. 3388.]*

**5. Course of training**

- (1) The Council may by notice published in the *Western Australian Industrial Gazette* declare the course of training applicable in relation to any trade.
- (2) A notice referred to in subregulation (1) may by subsequent notice be varied or cancelled by the Council.

*[Regulation 5 amended in Gazette 23 Jul 2008 p. 3388.]*

**6. Term of apprenticeship**

- (1) The term of an apprenticeship in a trade listed in Schedule 1 is the term specified in that schedule opposite the trade unless it is provided otherwise under these regulations or the *Industrial Training (General Apprenticeship) Regulations 1981*.
- (2) Where an apprentice commences an apprenticeship for a trade during or after 1988 and the term of the apprenticeship is shown in Schedule 1 as 4 or 5 years, the term shall be only 3 years if

the apprentice has successfully completed an approved pre-apprenticeship course consisting of —

- (a) 2 or more stages of the course of training for the apprentice's trade; or
- (b) less than 2 stages of the course of training for the apprentice's trade and the apprentice and his or her employer and, if applicable, parent or guardian agree to a 3 year term.

*[Regulation 6 inserted in Gazette 24 Dec 1987 p. 4548; amended in Gazette 19 Sep 2006 p. 3709.]*

**7. Attendance at classes**

- (1) In this regulation unless the contrary intention appears **column** means a column of Schedule 2, Schedule 3 or Schedule 3A.
- (2) Subject to regulation 9, an apprentice in a trade specified in column 1 whose term of apprenticeship is for a term specified in column 2 of Schedule 1 shall attend classes conducted by a registered training provider as directed, at the centre applicable to his case during the first, second, third and, if applicable, fourth year of his apprenticeship for the periods respectively specified opposite and corresponding to his trade in columns 2, 3, 4 and, if applicable, 5.

*[Regulation 7 amended in Gazette 28 Sep 1993 p. 5322; 2 Nov 2001 p. 5794; 23 Jul 2008 p. 3388.]*

**8. Correspondence and training**

- (1) In this regulation unless the contrary intention appears **column** means a column of Schedule 4.
- (2) Subject to regulation 9, an apprentice in a trade specified in column 1 whose term of apprenticeship is for a term specified in column 2 of Schedule 1 and who is directed to undertake instruction by correspondence lessons and to attend classes of intensive training as applicable to his case, shall undertake such lessons and training during the first, second, third and fourth

year of his apprenticeship at the rate and for the periods respectively specified opposite and corresponding to his trade in columns 2, 3, 4 and 5 respectively.

**9. Alternative direction of Director**

Notwithstanding anything in regulations 7 and 8, the Director may direct an apprentice to attend classes and undertake correspondence lessons at such rate, times and for such periods specified in the direction in lieu of the rate, times and periods prescribed by regulations 7 and 8 and effect shall be given to such a direction.

**10. Savings and transitional provisions**

Schedule 5 sets out savings and transitional provisions relating to certain amendments to these regulations.

Note: For savings and transitional provisions relating to earlier amendments, see the relevant amendment regulations.

*[Regulation 10 inserted in Gazette 21 Dec 2007 p. 6320.]*



## Schedule 1

[Reg. 6]

### Prescribed apprenticeship trades and terms of indenture

| TRADE                                      | TERM      |
|--|-----------|
| Aircraft Maintenance Engineer — Avionics   | 4 years   |
| Aircraft Maintenance Engineer — Mechanical |           |
| Aircraft Maintenance Engineer — Structures |           |
| Boatbuilding                               |           |
| Dental Technician                          |           |
| Electrical Mechanics                       |           |
| Electronic Servicing                       |           |
| Engineering Tradesperson (Electrical)      |           |
| Jeweller                                   |           |
| Locksmithing                               |           |
| Modelling (Fibrous Plaster)                |           |
| Optical Mechanics                          |           |
| Plumbing and Gasfitting                    |           |
| Radio and TV Servicing                     |           |
| Roof Plumbing                              |           |
| Sprinkler Fitting                          |           |
| Toolmaking and Jigmaking (Metal Furniture) |           |
| Turf Management                            |           |
| Watch and Clock Making                     |           |
| Watch and Clock Repairing                  |           |
| Automotive Electrician                     | 3.5 years |
| Automotive Technician                      |           |
| Cabinet Maker                              |           |
| Engineering Tradesperson (Fabrication)     |           |
| Engineering Tradesperson (Mechanical)      |           |
| Furniture Maker                            |           |

**Industrial Training (Apprenticeship Training) Regulations 1981**

**Schedule 1** Prescribed apprenticeship trades and terms of indenture

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| <b>TRADE</b>                                    | <b>TERM</b> |
|---|-------------|
| Graphic Pre-Press                               |             |
| Panel Beater                                    |             |
| Print Machinist                                 |             |
| Shipwright and Boatbuilder                      |             |
| Stonemason                                      |             |
| Vehicle Body Builder                            |             |
| Vehicle Painter                                 |             |
| Wood Machinist                                  |             |
| Baking (Combined Breadmaking and Pastrycooking) | 3 years     |
| Binding and Finishing                           |             |
| Breadmaking                                     |             |
| Bricklaying                                     |             |
| Carpentry and Joinery                           |             |
| Chef  |             |
| Composites Laminating                           |             |
| Farrier   |             |
| Floorcoverer                                    |             |
| Gardener  |             |
| General Butcher                                 |             |
| Glazier and Glass Processor                     |             |
| Hairdresser                                     |             |
| Landscape Gardener                              |             |
| Nurseryperson                                   |             |
| Painter and Decorator                           |             |
| Pastrycooking                                   |             |
| Plastering                                      |             |
| Roof Tiling                                     |             |
| Sawdoctor                                       |             |
| Screen Printing Stencil Preparation             |             |
| Signwriter                                      |             |

**Industrial Training (Apprenticeship Training) Regulations 1981**  
Prescribed apprenticeship trades and terms of indenture      **Schedule 1**

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| <b>TRADE</b>                      | <b>TERM</b> |
|-----------------------------------|-------------|
| Tilelaying                        |             |
| Timber Furniture Finisher         |             |
| Upholsterer                       |             |
| Vehicle Trimmer                   |             |
| Wall and Ceiling Fixing           |             |
| Bricklaying (Housing)             | 2 years     |
| Carpentry (Housing)               |             |
| Carpentry Fixing (Housing)        |             |
| Carpentry Formwork (Housing)      |             |
| Carpentry Framing (Housing)       |             |
| Joinery (Housing)                 |             |
| Painting (Housing)                |             |
| Plastering (Housing)              |             |
| Steel Framing (Housing)           |             |
| Wall and Ceiling Fixing (Housing) |             |
| Wall and Floor Tiling (Housing)   |             |

*[Schedule 1 inserted in Gazette 24 Dec 1987 p. 4548-9; amended in Gazette 25 Nov 1988 p. 4760-1; 2 Mar 1990 p. 1289; 14 Jan 1992 p. 127-8 and 130; 16 Oct 1992 p. 5199; 28 Sep 1993 p. 5322; 2 Dec 1994 p. 6385; 10 Oct 1995 p. 4773 and 4774; 28 Nov 1995 p. 5493 and 5494; 17 May 1996 p. 2049; 4 Oct 1996 p. 5231; 12 Oct 2001 p. 5564; 2 Nov 2001 p. 5794; 12 Aug 2005 p. 3652; 18 Nov 2005 p. 5657-8; 4 Apr 2006 p. 1402; 26 May 2006 p. 1873-4; 29 Sep 2006 p. 4254, 4256-7 and 4259; 27 Oct 2006 p. 4565-6; 31 Jan 2007 p. 237-8; 30 Mar 2007 p. 1453-4; 1 May 2007 p. 1894; 21 Dec 2007 p. 6321.]*

**Schedule 2**

**Attendance at technical training classes on day release**

| Column 1  | Column 2<br>Technical<br>Year 1<br>Days | Column 3<br>Technical<br>Year 2<br>Days | Column 4<br>Technical<br>Year 3<br>Days | Column 5<br>Technical<br>Year 4<br>Days |
|---|---|---|---|---|
| Dental Technician .....                             | 36                                      | 36                                      | 36                                      |   |
| Engineering Tradesperson (Electrical)               | 36                                      | 36                                      | 36                                      |   |
| Locksmithing .....                                  | 36                                      | 36                                      | 18                                      |   |
| Modelling (Fibrous Plastering) .....                | 36                                      | 18                                      | 18                                      |   |
| Optical Mechanics .....                             | 18                                      | 18                                      | 18                                      |   |
| Radio and Television Servicing .....                | 36                                      | 36                                      | 18                                      |   |
| Toolmaking and Jigmaking (Metal<br>Furniture) ..... | 36                                      | 36                                      | 18                                      |   |

For the purpose of this Schedule each day of attendance shall comprise 8 hours.

*[Schedule 2 amended in Gazette 1 Nov 1985 p. 4229; 20 Dec 1985 p. 4882; 14 Jan 1992 p. 128 and 130; 28 Sep 1993 p. 5322; 10 Oct 1995 p. 4775; 4 Oct 1996 p. 5231; 18 Nov 2005 p. 5658; 4 Apr 2006 p. 1402; 26 May 2006 p. 1874; 29 Sep 2006 p. 4254, 4257 and 4259; 27 Oct 2006 p. 4566; 31 Jan 2007 p. 238; 21 Dec 2007 p. 6322.]*

### Schedule 3

#### Attendance at technical training classes on block release

| Column 1<br>Trade                          | Column 2<br>Technical<br>Year 1                                     | Column 3<br>Technical<br>Year 2                                     | Column 4<br>Technical<br>Year 3                                     | Column 5<br>Technical<br>Year 4   |
|--|---|---|---|---|
| Aircraft Maintenance Engineer — Avionics   | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 2 blocks of 2 weeks for 40 hours per week   |
| Aircraft Maintenance Engineer — Mechanical | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week   |
| Aircraft Maintenance Engineer — Structures | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 4 blocks of 2 weeks for 40 hours per week                           | 2 blocks of 2 weeks for 40 hours per week<br><br>1 block of 2 weeks for 30 hours per week |
| Engineering Tradesperson (Electrical)      | 7 weeks and 1 day for 40 hours per week during the periods directed | 7 weeks and 1 day for 40 hours per week during the periods directed | 7 weeks and 1 day for 40 hours per week during the periods directed |   |
| Plumbing and Gasfitting                    | 8 weeks for 40 hours per week during the periods directed           | 6 weeks for 40 hours per week during the periods directed           | 6 weeks for 40 hours per week during the periods directed           |   |

**Industrial Training (Apprenticeship Training) Regulations 1981**

**Schedule 3** Attendance at technical training classes on block release

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| <b>Column 1<br/>Trade</b> | <b>Column 2<br/>Technical<br/>Year 1</b>                               | <b>Column 3<br/>Technical<br/>Year 2</b>                              | <b>Column 4<br/>Technical<br/>Year 3</b>                              | <b>Column 5<br/>Technical<br/>Year 4</b>                              |
|---------------------------|--|---|---|---|
| Sprinkler<br>Fitting      | 10 weeks for<br>40 hours per<br>week during<br>the periods<br>directed | 8 weeks for<br>40 hours per<br>week during<br>the periods<br>directed | 8 weeks for<br>40 hours per<br>week during<br>the periods<br>directed | 8 weeks for<br>40 hours per<br>week during<br>the periods<br>directed |

*[Schedule 3 amended in Gazette 30 Dec 1983 p. 5028; 1 Nov 1985 p. 4229; 14 Jan 1992 p. 128-9 and 130-1; 16 Oct 1992 p. 5199; 28 Sep 1993 p. 5322; 2 Dec 1994 p. 6385; 10 Oct 1995 p. 4775; 4 Oct 1996 p. 5232; 4 Apr 2006 p. 1403; 26 May 2006 p. 1874; 31 Jan 2007 p. 2383; 30 Mar 2007 p. 1454; 21 Dec 2007 p. 6322.]*

**Schedule 3A — Attendance at technical training classes  
(irrespective of release type)**

[r. 7(1)]

| <b>Column 1</b>                                 | <b>Column 2</b>         | <b>Column 3</b>         | <b>Column 4</b>         | <b>Column 5</b>         |
|---|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>Trade</b>                                    | <b>Technical Year 1</b> | <b>Technical Year 2</b> | <b>Technical Year 3</b> | <b>Technical Year 4</b> |
| Automotive Electrician                          | 352 hours               | 352 hours               | 160 hours               |                         |
| Automotive Technician                           | 352 hours               | 352 hours               | 160 hours               |                         |
| Baking (Combined Breadmaking and Pastrycooking) | 310 hours               | 310 hours               | 170 hours               |                         |
| Binding and Finishing                           | 460 hours               | 460 hours               |                         |                         |
| Breadmaking                                     | 295 hours               | 295 hours               |                         |                         |
| Bricklaying                                     | 320 hours               | 320 hours               | 120 hours               |                         |
| Bricklaying (Housing)                           | 320 hours               | 270 hours               |                         |                         |
| Cabinet Maker                                   | 320 hours               | 320 hours               | 160 hours               |                         |
| Carpentry (Housing)                             | 320 hours               | 256 hours               |                         |                         |
| Carpentry and Joinery                           | 320 hours               | 320 hours               | 120 hours               |                         |
| Carpentry Fixing (Housing)                      | 238 hours               | 238 hours               |                         |                         |
| Carpentry Formwork (Housing)                    | 222 hours               | 222 hours               |                         |                         |
| Carpentry Framing (Housing)                     | 278 hours               | 278 hours               |                         |                         |
| Chef  | 425 hours               | 425 hours               |                         |                         |
| Composites Laminating                           | 267 hours               | 218 hours               | 234 hours               |                         |

**Industrial Training (Apprenticeship Training) Regulations 1981****Schedule 3A** Attendance at technical training classes (irrespective of release type)

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| <b>Column 1</b>                        | <b>Column 2</b>         | <b>Column 3</b>         | <b>Column 4</b>         | <b>Column 5</b>         |
|--|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>Trade</b>                           | <b>Technical Year 1</b> | <b>Technical Year 2</b> | <b>Technical Year 3</b> | <b>Technical Year 4</b> |
| Engineering Tradesperson (Fabrication) | 352 hours               | 352 hours               | 160 hours               |                         |
| Engineering Tradesperson (Mechanical)  | 352 hours               | 352 hours               | 160 hours               |                         |
| Farrier                                | 350 hours               | 326 hours               | 280 hours               |                         |
| Floorcoverer                           | 400 hours               | 400 hours               |                         |                         |
| Furniture Maker                        | 320 hours               | 320 hours               | 160 hours               |                         |
| Gardener                               | 332 hours               | 332 hours               | 332 hours               |                         |
| General Butcher                        | 360 hours               | 360 hours               |                         |                         |
| Glazier and Glass Processor            | 400 hours               | 400 hours               |                         |                         |
| Graphic Pre-Press                      | 445 hours               | 445 hours               |                         |                         |
| Hairdresser                            | 325 hours               | 325 hours               |                         |                         |
| Jeweller                               | 352 hours               | 352 hours               | 160 hours               |                         |
| Joinery (Housing)                      | 320 hours               | 236 hours               |                         |                         |
| Landscape Gardener                     | 342 hours               | 342 hours               | 340 hours               |                         |
| Nurseryperson                          | 318 hours               | 318 hours               | 318 hours               |                         |
| Painter and Decorator                  | 320 hours               | 280 hours               | 160 hours               |                         |
| Painting (Housing)                     | 293 hours               | 293 hours               |                         |                         |
| Panel Beater                           | 352 hours               | 352 hours               | 160 hours               |                         |
| Pastrycooking                          | 310 hours               | 310 hours               |                         |                         |
| Plastering                             | 320 hours               | 320 hours               | 120 hours               |                         |
| Plastering (Housing)                   | 320 hours               | 272 hours               |                         |                         |



**Industrial Training (Apprenticeship Training) Regulations 1981**  
Attendance at technical training classes (irrespective of release type) **Schedule 3A**

| <b>Column 1</b>                        | <b>Column 2</b>         | <b>Column 3</b>         | <b>Column 4</b>         | <b>Column 5</b>         |
|--|-------------------------|-------------------------|-------------------------|-------------------------|
| <b>Trade</b>                           | <b>Technical Year 1</b> | <b>Technical Year 2</b> | <b>Technical Year 3</b> | <b>Technical Year 4</b> |
| Print Machinist                        | 425 hours               | 425 hours               |                         |                         |
| Sawdoctor                              | 225 hours               | 225 hours               | 220 hours               |                         |
| Screen Printing<br>Stencil Preparation | 425 hours               | 425 hours               |                         |                         |
| Shipwright and<br>Boatbuilder          | 352 hours               | 352 hours               | 160 hours               |                         |
| Signwriter                             | 320 hours               | 280 hours               | 160 hours               |                         |
| Steel Framing<br>(Housing)             | 248 hours               | 248 hours               |                         |                         |
| Stonemason                             | 280 hours               | 280 hours               | 160 hours               |                         |
| Tilelaying                             | 320 hours               | 320 hours               | 120 hours               |                         |
| Timber Furniture<br>Finisher           | 400 hours               | 400 hours               |                         |                         |
| Turf Management                        | 316 hours               | 316 hours               | 316 hours               | 315 hours               |
| Upholsterer                            | 400 hours               | 400 hours               |                         |                         |
| Vehicle Body<br>Builder                | 352 hours               | 352 hours               | 160 hours               |                         |
| Vehicle Painter                        | 352 hours               | 352 hours               | 160 hours               |                         |
| Vehicle Trimmer                        | 352 hours               | 352 hours               | 160 hours               |                         |
| Wall and Ceiling<br>Fixing             | 320 hours               | 320 hours               | 120 hours               |                         |
| Wall and Ceiling<br>Fixing (Housing)   | 320 hours               | 240 hours               |                         |                         |
| Wall and Floor<br>Tiling (Housing)     | 320 hours               | 322 hours               |                         |                         |
| Watch and Clock<br>Making              | 300 hours               | 300 hours               | 120 hours               |                         |
| Watch and Clock<br>Repairing           | 300 hours               | 300 hours               | 120 hours               |                         |
| Wood Machinist                         | 320 hours               | 320 hours               | 160 hours               |                         |

**Industrial Training (Apprenticeship Training) Regulations 1981**

**Schedule 3A** Attendance at technical training classes (irrespective of release type)

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For the purpose of this Schedule attendance for one day shall be taken to constitute attendance for 8 hours.

*[Schedule 3A inserted in Gazette 2 Nov 2001 p. 5795; amended in Gazette 12 Aug 2005 p. 3652; 18 Nov 2005 p. 5658; 4 Apr 2006 p. 1403; 26 May 2006 p. 1874-5; 29 Sep 2006 p. 4254, 4257 and 4259; 27 Oct 2006 p. 4567; 31 Jan 2007 p. 238; 30 Mar 2007 p. 1455; 1 May 2007 p. 1894; 21 Dec 2007 p. 6323.]*

### Schedule 4

#### Technical training comprising correspondence lessons and/or courses of intensive training

| Column 1                             | Column 2          |                             | Column 3          |                            | Column 4          |                            | Column 5          |                            |
|--------------------------------------|-------------------|-----------------------------|-------------------|----------------------------|-------------------|----------------------------|-------------------|----------------------------|
|                                      | Technical Year 1  |                             | Technical Year 2  |                            | Technical Year 3  |                            | Technical Year 4  |                            |
| Trade                                | Number of Lessons | Days of Intensive Training* | Number of Lessons | Days of Intensive Training | Number of Lessons | Days of Intensive Training | Number of Lessons | Days of Intensive Training |
| Plumbing and Gasfitting .....        | 31                | 10                          | 13                | 10                         | 13                | 10                         | 12                | 10                         |
| Radio and Television Servicing ..... | 25                | 10                          | 20                | 10                         | ...               | 10                         | ...               | 10                         |

\*For the purpose of this Schedule in each year the attendance of 10 days shall comprise a period of continuous release and each day of attendance shall comprise 8 hours.

*[Schedule 4 amended in Gazette 30 Dec 1983 p. 5028; 1 Nov 1985 p. 4229; 14 Jan 1992 p. 129; 28 Sep 1993 p. 5322; 10 Oct 1995 p. 4775; 4 Oct 1996 p. 5232; 18 Nov 2005 p. 5658; 4 Apr 2006 p. 1403; 26 May 2006 p. 1875; 29 Sep 2006 p. 4254, 4257 and 4259; 27 Oct 2006 p. 4567; 30 Mar 2007 p. 1455; 21 Dec 2007 p. 6323.]*

## Schedule 5 — Savings and transitional provisions

[r. 10]

[Heading inserted in Gazette 21 Dec 2007 p. 6323.]

### 1. Provisions relating to the *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2007*

(1) In this clause —

**amendment regulations** means the *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2007*;

**new term**, in relation to a trade, means the term prescribed in relation to that trade in Schedule 1 to these regulations, as amended by the amendment regulations;

**new trade** means —

- (a) Binding and Finishing; or
- (b) Graphic Pre-Press; or
- (c) Jeweller; or
- (d) Print Machinist; or
- (e) Screen Printing Stencil Preparation; or
- (f) Watch and Clock Making; or
- (g) Watch and Clock Repairing;

**old trade** means —

- (a) Bespoke and Surgical Bootmaking; or
- (b) Binding and Finishing; or
- (c) Electrical Installing; or
- (d) Engine Reconditioning; or
- (e) Footwear Manufacturing; or
- (f) Footwear Repairing; or
- (g) Graphic Pre-Press; or
- (h) Instrument Fitting; or
- (i) Jewellery; or
- (j) Printing Machining; or
- (k) Screen Printing Stencil Preparation; or

- (l) Ship Carpentry and Joinery; or
  - (m) Tailoring; or
  - (n) Watch and Clock Making; or
  - (o) Watch and Clock Repairing; or
  - (p) Weighing Instrument Mechanics.
- (2) Subject to this clause these regulations as in force immediately before 1 January 2008 continue to apply to and in relation to —
- (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 January 2008; or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 1 January 2008; and
    - (ii) completes that probationary employment after 1 January 2008; and
    - (iii) on completing that probationary employment commences service under an apprenticeship agreement,  
(an *existing probationer*).
- (3) 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.

**cl. 1**

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- (4) If the parties to an apprenticeship agreement agree in the manner described in subclause (3)(a) or (b), subclause (2) ceases to apply to and in relation to the apprentice when he or she commences service under the apprenticeship agreement.

*[Schedule 5 inserted in Gazette 21 Dec 2007 p. 6323-5.]*

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**Notes**

<sup>1</sup> This reprint is a compilation as at 1 January 2009 of the *Industrial Training (Apprenticeship Training) Regulations 1981* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

| <b>Citation</b>  | <b>Gazettal</b>   | <b>Commencement</b>    |
|--|---|------------------------|
| <i>Industrial Training (Apprenticeship Training) Regulations 1981</i>                                  | 17 Jul 1981<br>p. 2935-40   | 20 Jul 1981 (see r. 2) |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1983</i>                        | 30 Dec 1983<br>p. 5027-8  | 1 Jan 1984 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1984</i> <sup>2</sup>   | 25 Jan 1985<br>p. 350   | 25 Jan 1985            |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984</i> <sup>2,3</sup> | 1 Feb 1985<br>p. 450<br>(publication of<br>18 Jan 1985<br>p. 264<br>cancelled<br>25 Jan 1985<br>p. 350) | 1 Feb 1985             |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1985</i>                        | 8 Feb 1985<br>p. 542  | 8 Feb 1985             |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1985</i>                | 1 Nov 1985<br>p. 4229   | 1 Nov 1985             |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1985</i>                | 8 Nov 1985<br>p. 4296   | 8 Nov 1985             |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 1985</i>                | 20 Dec 1985<br>p. 4882  | 20 Dec 1985            |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1987</i>                        | 24 Dec 1987<br>p. 4548-9  | 1 Jan 1988 (see r. 2)  |

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| <b>Citation</b>  | <b>Gazettal</b>           | <b>Commencement</b> |
|--|---------------------------|---------------------|
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1988</i>                      | 25 Nov 1988<br>p. 4760-1  | 25 Nov 1988         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1989</i>                      | 2 Mar 1990<br>p. 1289     | 2 Mar 1990          |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1991</i> <sup>4</sup>         | 14 Jan 1992<br>p. 127-9   | 14 Jan 1992         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1991</i> <sup>4</sup> | 14 Jan 1992<br>p. 130-1   | 14 Jan 1992         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1992</i>                      | 16 Oct 1992<br>p. 5199    | 16 Oct 1992         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1993</i>                      | 28 Sep 1993<br>p. 5321-2  | 28 Sep 1993         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1994</i>                      | 2 Dec 1994<br>p. 6384-5   | 2 Dec 1994          |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 1995</i> <sup>4</sup>         | 10 Oct 1995<br>p. 4773-4  | 10 Oct 1995         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1995</i> <sup>4</sup> | 10 Oct 1995<br>p. 4774-5  | 10 Oct 1995         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1995</i>              | 28 Nov 1995<br>p. 5493    | 28 Nov 1995         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 1995</i>              | 28 Nov 1995<br>p. 5494    | 28 Nov 1995         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 1) 1996</i> <sup>4</sup> | 17 May 1996<br>p. 2049-50 | 17 May 1996         |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1996</i> <sup>4</sup> | 4 Oct 1996<br>p. 5231-2   | 4 Oct 1996          |



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| <b>Citation</b>  | <b>Gazettal</b>           | <b>Commencement</b>    |
|--|---------------------------|------------------------|
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 2001</i> <sup>4</sup>   | 12 Oct 2001<br>p. 5564-5  | 12 Oct 2001            |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2001</i>  | 2 Nov 2001<br>p. 5794-5   | 2 Nov 2001             |
| <b>Reprint of the Industrial Training (Apprenticeship Training) Regulations 1981 as at 2 Aug 2002</b> (includes amendments listed above) |                           |                        |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 2005</i>  | 12 Aug 2005<br>p. 3651-2  | 12 Aug 2005            |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2005</i> <sup>4</sup>                                     | 18 Nov 2005<br>p. 5657-9  | 1 Jan 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 2006</i> <sup>5</sup>   | 4 Apr 2006<br>p. 1401-5   | 1 May 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2006</i> <sup>6</sup>                                     | 26 May 2006<br>p. 1873-6  | 1 Jun 2006 (see r. 2)  |
| <i>Industrial Training Amendment Regulations 2006</i> r. 3   | 19 Sep 2006<br>p. 3708-9  | 19 Sep 2006            |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2006</i> <sup>7</sup>                                     | 29 Sep 2006<br>p. 4253-6  | 1 Oct 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2006</i> <sup>8</sup>                                     | 29 Sep 2006<br>p. 4256-8  | 1 Oct 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2006</i> <sup>9</sup>                                     | 29 Sep 2006<br>p. 4258-60 | 1 Oct 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 6) 2006</i> <sup>10</sup>                                    | 27 Oct 2006<br>p. 4565-9  | 1 Nov 2006 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations 2007</i> <sup>11</sup>  | 31 Jan 2007<br>p. 235-9   | 1 Feb 2007 (see r. 2)  |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2007</i> <sup>12</sup>                                    | 30 Mar 2007<br>p. 1453-7  | 31 Mar 2007 (see r. 2) |

## Industrial Training (Apprenticeship Training) Regulations 1981

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| Citation   | Gazettal                  | Commencement  |
|--|---------------------------|---|
| <b>Reprint 2: The Industrial Training (Apprenticeship Training) Regulations 1981 as at 6 Apr 2007</b> (includes amendments listed above) |                           |   |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2007</i>  | 1 May 2007<br>p. 1893-4   | 1 May 2007 (see r. 2)   |
| <i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2007</i>  | 21 Dec 2007<br>p. 6320-5  | r. 1 and 2: 21 Dec 2007<br>(see r. 2(a));<br>Regulations other than r. 1 and 2:<br>1 Jan 2008 (see r. 2(b)) |
| <i>Industrial Training Legislation Amendment Regulations 2008 Pt. 3</i>  | 23 Jul 2008<br>p. 3371-88 | 1 Aug 2008 (see r. 2(b))  |
| <b>Reprint 3: The Industrial Training (Apprenticeship Training) Regulations 1981 as at 2 Jan 2009</b> (includes amendments listed above) |                           |   |

<sup>2</sup> The *Miscellaneous Regulations (Validation) Act 1985* applied to these regulations. It deems the regulations not to have ceased to have effect as a result of the failure to comply with section 42(1) of the *Interpretation Act 1984*, subject to their being laid before the Legislative Assembly. The *Interpretation Act 1984* s. 42(2) then applied as if the words “or if any regulations are not laid before both Houses of Parliament in accordance with subsection (1)” had been omitted.

<sup>3</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984* were published in *Gazette* 18 Jan 1985 p. 264. A corrigendum was published in *Gazette* 25 Jan 1985 p. 350 stating that the notice publishing those regulations was cancelled. The regulations were then published in *Gazette* 1 Feb 1985 p. 450.

<sup>4</sup> The following regulations each contain savings or transition provisions relating to apprentices in trades deleted from Sch. 1 by those regulations:

*Industrial Training (Apprenticeship Training) Amendment Regulations 1991* r. 7

*Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1991* r. 7

*Industrial Training (Apprenticeship Training) Amendment Regulations 1995* r. 4

*Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1995* r. 7

*Industrial Training (Apprenticeship Training) Amendment Regulations (No. 1) 1996* r. 4

*Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1996* r. 7

*Industrial Training (Apprenticeship Training) Amendment Regulations 2001* r. 3

*Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2005* r. 8.

<sup>5</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations 2006* r. 9 reads as follows:

“

**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).

<sup>6</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2006* r. 9 reads as follows:

“

**9. Transitional**

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 June 2006 continue to apply to and in relation to —
- (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 June 2006; or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 1 June 2006; and
    - (ii) completes that probationary employment after 1 June 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) 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 —

**old trade** means —

- (a) Autobody Refinisher; or
- (b) Autobody Repairer; or
- (c) Automotive Electrical Fitting; or
- (d) Engineering Tradesperson (Automotive); or
- (e) Engineering Tradesperson (Fabrication); or
- (f) Engineering Tradesperson (Mechanical); or
- (g) Fuel Injection Fitting; or
- (h) Shipwrighting; or
- (i) Shipwrighting and Boatbuilding; or
- (j) Trimming;

**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;

**new trade** means —

- (a) Automotive Electrician; or
- (b) Automotive Technician; or
- (c) Engineering Tradesperson (Fabrication); or
- (d) Engineering Tradesperson (Mechanical); or
- (e) Panel Beater; or
- (f) Shipwright and Boatbuilder; or
- (g) Vehicle Body Builder; or
- (h) Vehicle Painter; or
- (i) Vehicle Trimmer.

”.

<sup>7</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2006* r. 8 reads as follows:

“

**8. Transitional**

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 October 2006 continue to apply to and in relation to —
  - (a) an apprentice who commenced service as a cook under an apprenticeship agreement before 1 October 2006 (an *existing apprentice*); or
  - (b) a person who —
    - (i) commenced employment as a probationer cook before 1 October 2006; and
    - (ii) completes that probationary employment after 1 October 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 that the apprentice is to be employed as a chef and that the term of the apprenticeship is to be 3 years.
- (3) If the parties to an apprenticeship agreement agree in the manner described in subregulation (2), subregulation (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 change —
  - (a) the trade in which the apprentice is employed to that of chef; and
  - (b) the term of the apprenticeship to 3 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; and
    - (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), subregulation (1) ceases to apply to and in relation to the apprentice on the date the variation takes effect.

<sup>8</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2006* r. 8 reads as follows:

“

**8. Transitional**

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 October 2006 continue to apply to and in relation to —
- (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 October 2006; or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 1 October 2006; and
    - (ii) completes that probationary employment after 1 October 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 that —
  - (a) the apprentice is to be employed as a general butcher (instead of in the old trade in which he or she was employed as a probationer); and
  - (b) the term of the apprenticeship is to be 3 years.
- (3) If the parties to an apprenticeship agreement agree in the manner described in subregulation (2), 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 —  
*old trade* means —
  - (a) General Butchering; or
  - (b) Slaughtering; or
  - (c) Small Goods Making.

”.

<sup>9</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2006* r. 8 reads as follows:

“

**8. Transitional**

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 October 2006 continue to apply to and in relation to —
  - (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 October 2006; or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 1 October 2006; and
    - (ii) completes that probationary employment after 1 October 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 that —
  - (a) the apprentice is to be employed as a hairdresser (instead of in the old trade in which he or she was employed as a probationer); and
  - (b) the term of the apprenticeship is to be 3 years.
- (3) If the parties to an apprenticeship agreement agree in the manner described in subregulation (2), 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 —  
*old trade* means —
  - (a) Combined Hairdressing; or
  - (b) Hairdressing; or
  - (c) Ladies Hairdressing; or
  - (d) Male Hairdressing.

<sup>10</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 6) 2006* r. 8 reads as follows:

“

**8. Transitional**

- (1) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 November 2006 continue to apply to and in relation to —
  - (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 1 November 2006; or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 1 November 2006; and
    - (ii) completes that probationary employment after 1 November 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) 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 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) Cabinet Maker;
- (b) Furniture Maker;
- (c) Glazier and Glass Processor;
- (d) Timber Furniture Finisher;
- (e) Upholsterer;
- (f) Wood Machinist;
- 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) Art Glass;
- (b) Cabinetmaking;
- (c) Chairmaking;
- (d) French Polishing (Including All Wood Finishing);
- (e) Furniture Making;
- (f) Glass Bevelling;

- (g) Glass Designing and Sandblasting;
- (h) Glazing — Bevelling;
- (i) Glazing;
- (j) Machine Woodworking;
- (k) Metal Furniture Making;
- (l) Soft Furnishing Making;
- (m) Timber Machining;
- (n) Upholstering;
- (o) Wickerworking;
- (p) Wood Machining;
- (q) Wood Turning.

”

<sup>11</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations 2007* r. 8 reads as follows:

“

**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.

”

<sup>12</sup> The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2007* r. 8 reads as follows:

“

**8. Transitional**

- (1) In this regulation —
- 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;
- new trade** means —
- (a) Carpentry Fixing (Housing);

- (b) Carpentry Formwork (Housing);
- (c) Carpentry Framing (Housing);
- (d) Painter and Decorator;
- (e) Painting (Housing);
- (f) Signwriter;
- (g) Stonemason;

**old trade** means —

- (a) Carpentry and Joinery;
- (b) Carpentry (Housing);
- (c) Joinery (Housing);
- (d) Painting and Decorating;
- (e) Signwriting;
- (f) Stonemasonry.

- (2) Subject to this regulation the *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 31 March 2007 continue to apply to and in relation to —
  - (a) an apprentice who commenced service in an old trade under an apprenticeship agreement before 31 March 2007 (an **existing apprentice**); or
  - (b) a person who —
    - (i) commenced employment as a probationer in an old trade before 31 March 2007; and
    - (ii) completes that probationary employment after 31 March 2007; and
    - (iii) on completing that probationary employment commences service under an apprenticeship agreement,  
(an **existing probationer**).
- (3) The parties to the apprenticeship agreement of an existing probationer may, with the approval of the Director, agree in the apprenticeship agreement that —
  - (a) 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
  - (b) the term of the apprenticeship is to be the new term for that new trade.
- (4) If the parties to an apprenticeship agreement agree in the manner described in subregulation (3), subregulation (2) ceases to apply to and in relation to the apprentice when he or she commences service under the apprenticeship agreement.

- (5) 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 trade in which the apprentice is employed to a new trade; and
  - (b) if the new term for that new trade is different to the term of the apprenticeship, change the term of the apprenticeship to the new term (plus any extension made by the Director under subregulation (7)).
- (6) An application for approval under subregulation (5) must be made —
- (a) before 1 July 2007; and
  - (b) in a form and manner approved by the Director.
- (7) If, when an application is made for approval under subregulation (5) —
- (a) the apprentice has not —
    - (i) attended all the classes; or
    - (ii) obtained all the instruction; or
    - (iii) undertaken all the courses and skills training programmes,that the apprentice is required under 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 under the varied agreement,
- the Director may, before approving the variation, extend the term of the apprenticeship under the varied agreement by such period as the Director considers reasonably necessary for the apprentice to complete those requirements.
- (8) A variation of an apprenticeship agreement under subregulation (5) takes effect on the date on which it is approved by the Director.
- (9) If an apprenticeship agreement is varied under subregulation (5), subregulation (2) ceases to apply to and in relation to the apprentice on the date the variation takes effect.

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**Defined Terms**

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**Defined Terms**

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

| <b>Defined Term</b>         | <b>Provision(s)</b> |
|-----------------------------|---------------------|
| amendment regulations ..... | Sch. 5 cl. 1(1)     |
| approved.....               | 4                   |
| column .....                | 7(1), 8(1)          |
| Council.....                | 4                   |
| directed.....               | 4                   |
| existing probationer .....  | Sch. 5 cl. 1(2)     |
| new term .....              | Sch. 5 cl. 1(1)     |
| new trade.....              | Sch. 5 cl. 1(1)     |
| old trade .....             | Sch. 5 cl. 1(1)     |
| stage .....                 | 4                   |
| trade .....                 | 4                   |