

Western Australia

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

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Western Australia

Industrial Training (Apprenticeship Training) Regulations 1981

CONTENTS

1.	Citation	1
2.	Repeal and commencement	1
3.	Construction	1
4.	Terms used in these regulations	1
5.	Course of training	2
6.	Term of apprenticeship	2
7.	Attendance at classes	3
8.	Correspondence and training	3
9.	Alternative direction of Director	4
10.	Savings and transitional provisions	4

Schedule 1

Schedule 2

Schedule 3

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

Schedule 4

**Schedule 5 — Savings and
transitional provisions**

- | | | |
|----|---|----|
| 1. | Provisions relating to the Industrial Training
(Apprenticeship Training) Amendment
Regulations (No. 5) 2007 | 16 |
|----|---|----|

Notes

- | | | |
|--|-------------------|----|
| | Compilation table | 19 |
|--|-------------------|----|

Industrial Training (Apprenticeship Training) Regulations 1981

1. Citation

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

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The *Industrial Training (Apprenticeship Training) Regulations 1978* are repealed on, and these regulations take effect on and from, 20 July 1981.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

In these regulations unless the contrary intention appears —

“**approved**” means approved by the Council²;

“**directed**” means under a direction of the Director of Technical Education³ or the chief executive officer of an approved college⁴;

“**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.]

5. Course of training

- (1) The Council² 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 Council².
- (3) Until the Council² pursuant to subregulation (1) declares the course of training applicable in relation to a trade the course of training approved by the Director in relation to that trade under the provisions of the *Industrial Arbitration Act 1912*⁵ and in force immediately before the coming into operation of the *Industrial Training Act 1975* is the prescribed course of training in relation to that trade.

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 the Technical Education Division of the Education Department⁶ or an approved college⁴ 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.]

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	
Graphic Pre-Press	
Panel Beater	
Print Machinist	
Shipwright and Boatbuilder	
Stonemason	
Vehicle Body Builder	
Vehicle Painter	

Industrial Training (Apprenticeship Training) Regulations 1981

Schedule 1 Prescribed apprenticeship trades and terms of indenture

TRADE	TERM
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	
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 Technical Year 1 Days	Column 3 Technical Year 2 Days	Column 4 Technical Year 3 Days	Column 5 Technical Year 4 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 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 Trade	Column 2 Technical Year 1	Column 3 Technical Year 2	Column 4 Technical Year 3	Column 5 Technical 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 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	
Sprinkler Fitting	10 weeks for 40 hours per week during the periods directed	8 weeks for 40 hours per week during the periods directed	8 weeks for 40 hours per week during the periods directed	8 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

[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)]

Column 1	Column 2	Column 3	Column 4	Column 5
Trade	Technical Year 1	Technical Year 2	Technical Year 3	Technical Year 4
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)

Column 1	Column 2	Column 3	Column 4	Column 5
Trade	Technical Year 1	Technical Year 2	Technical Year 3	Technical Year 4
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		
Print Machinist	425 hours	425 hours		
Sawdoctor	225 hours	225 hours	220 hours	

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

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

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

Industrial Training (Apprenticeship Training) Regulations 1981

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

[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	
Trade	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.
- (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

cl. 1

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.]

Notes

¹ This is a compilation 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

Citation	Gazettal	Commencement
<i>Industrial Training (Apprenticeship Training) Regulations 1981</i>	17 Jul 1981 p. 2935-40	20 Jul 1981 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 1983</i>	30 Dec 1983 p. 5027-8	1 Jan 1984 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1984</i> ⁷	25 Jan 1985 p. 350	25 Jan 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1984</i> ^{7,8}	1 Feb 1985 p. 450 (publication of 18 Jan 1985 p. 264 cancelled 25 Jan 1985 p. 350)	1 Feb 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 1985</i>	8 Feb 1985 p. 542	8 Feb 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 1985</i>	1 Nov 1985 p. 4229	1 Nov 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 1985</i>	8 Nov 1985 p. 4296	8 Nov 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 1985</i>	20 Dec 1985 p. 4882	20 Dec 1985
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 1987</i>	24 Dec 1987 p. 4548-9	1 Jan 1988 (see r. 2)

Industrial Training (Apprenticeship Training) Regulations 1981

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

Industrial Training (Apprenticeship Training) Regulations 1981

Citation	Gazettal	Commencement
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 2001</i> ⁹	12 Oct 2001 p. 5564-5	12 Oct 2001
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2001</i>	2 Nov 2001 p. 5794-5	2 Nov 2001
Reprint of the Industrial Training (Apprenticeship Training) Regulations 1981 as at 2 Aug 2002 (includes amendments listed above)		
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 2005</i>	12 Aug 2005 p. 3651-2	12 Aug 2005
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2005</i> ¹⁰	18 Nov 2005 p. 5657-9	1 Jan 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 2006</i> ¹¹	4 Apr 2006 p. 1401-5	1 May 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2006</i> ¹²	26 May 2006 p. 1873-6	1 Jun 2006 (see r. 2)
<i>Industrial Training Amendment Regulations 2006 r. 3</i>	19 Sep 2006 p. 3708-9	19 Sep 2006
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2006</i> ¹³	29 Sep 2006 p. 4253-6	1 Oct 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2006</i> ¹⁴	29 Sep 2006 p. 4256-8	1 Oct 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 5) 2006</i> ¹⁵	29 Sep 2006 p. 4258-60	1 Oct 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 6) 2006</i> ¹⁶	27 Oct 2006 p. 4565-9	1 Nov 2006 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations 2007</i> ¹⁷	31 Jan 2007 p. 235-9	1 Feb 2007 (see r. 2)
<i>Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2007</i> ¹⁸	30 Mar 2007 p. 1453-7	31 Mar 2007 (see r. 2)

Industrial Training (Apprenticeship Training) Regulations 1981

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

- ² The definition of “Council” was deleted from s. 4 of the Act by the *State Employment and Skills Development Authority Act 1990* s. 45(a)(ii). The definition of “Authority” inserted by s. 45(a)(i) of that Act was deleted by the *Vocational Education and Training Act 1996* Sch. 3 cl. 12.
- ³ The *Education Regulations 1960* r. 4 referred to the Director of technical education. Those regulations were repealed by the *School Education Act 1999* s. 246(2).
- ⁴ “Approved College” is defined in r. 4 of the *Industrial Training (General Apprenticeship) Regulations 1981*; see r. 3 of these regulations. The *Colleges Act 1978* was repealed by the *Vocational Education and Training Act 1996* s. 70(1).
- ⁵ Repealed by the *Industrial Arbitration Act 1979* s. 4, the short title of which was changed to the *Industrial Relations Act 1979* by the *Acts Amendment and Repeal (Industrial Relations) Act (No. 2) 1984*.
- ⁶ Under the *Alteration of Statutory Designations Order 2001*, a reference to the Education Department is, unless the contrary is intended, to be read and construed as a reference to the Department of Education and Training.
- ⁷ 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.
- ⁸ 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.
- ⁹ 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) Regulations 2001 r. 3.

¹⁰ The *Industrial Training (Apprenticeship Training) Amendment Regulations (No. 2) 2005 r. 8* reads as follows:

“

8. Transitional

The *Industrial Training (Apprenticeship Training) Regulations 1981* as in force immediately before 1 January 2006 continue to apply to and in relation to an apprentice who commenced service under an apprenticeship agreement (but not including any period of employment as a probationer) before 1 January 2006 in one of the following trades —

- (a) Baking (Combined Breadmaking and Pastrycooking);
- (b) Breadmaking; or
- (c) Pastrycooking.

”.

¹¹ 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).

”.

¹² 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.

”.

¹³ 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.

”.

¹⁴ 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.

”.

¹⁵ 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.

”.

¹⁶ 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.

”.

¹⁷ 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.

”.

¹⁸ 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.

”.