

Hon. Mr. McCombs

TRADES CERTIFICATION

ANALYSIS

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A BILL INTITULED

AN ACT to establish the New Zealand Trades Certification Board, and to define its Functions and Powers. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Trades Certification Act, 1948. Short Title.

2. In this Act, unless the context otherwise requires,— Interpretation.

“Board” means the New Zealand Trades Certification Board established under this Act:

“Minister” means the Minister of Education:

“Trade” means any trade in connection with which the Board considers it desirable to conduct examinations or issue certificates.

3. (1) There is hereby established for the purposes of this Act a Board, to be called the New Zealand Trades Certification Board. New Zealand Trades Certification Board established.

- (2) The Board shall consist of—
- (a) One person to be appointed as Chairman of the Board on the recommendation of the Director of Education:
 - (b) Two other persons to be appointed on the recommendation of the Director of Education: 5
 - (c) Two persons to be nominated by the New Zealand Employers' Federation:
 - (d) Two persons to be nominated by the New Zealand Federation of Labour: 10
 - (e) Two persons to be nominated by the New Zealand Technical School Teachers' Association;

New

- one of whom shall be the Principal of a technical college: 15
- (f) The person for the time being holding the office of Commissioner of Apprenticeship:
- (g) One person to be nominated by the New Zealand Electrical Wiremen's Registration Board: 20
- (h) One person to be nominated by the New Zealand Motor Trade Certification Board:

New

- (hh) One person to be nominated by the Plumbers' Board of New Zealand: 25
- (i) Additional members to be appointed under this paragraph, of whom one shall be nominated by each other authority which conducts examinations and issues certificates for the whole of New Zealand in connection with a particular trade or trades, and which the Board recommends should be represented on the Board for the time being. 30

(3) The members of the Board, other than the Commissioner of Apprenticeship, shall be appointed by the Minister for a term of three years. Any appointed member may from time to time be reappointed, or may at any time be removed from office by the Minister for disability, insolvency, neglect of duty, or misconduct, or may at any time resign his office by writing addressed to the Minister. 40

(4) If any appointed member of the Board dies, or is removed from office, or resigns, the vacancy so created shall be filled in the manner in which the appointment to the vacant office was originally made. Every person so appointed shall be appointed for the residue of the term for which his predecessor was appointed. 45

(5) Unless he sooner vacates his office as provided in the *last preceding* subsection, every member of the Board shall continue in office until his successor comes into office, notwithstanding that the term for which he
5 was appointed may have expired.

(6) The powers of the Board shall not be affected by any vacancy in the membership thereof.

4. (1) Meetings of the Board shall be held at such
10 times and places as the Board or the Chairman thereof
from time to time determines.

Meetings of
the Board.

(2) A quorum shall consist of ~~six half the total number of the~~ members of the Board (~~irrespective of any vacancies caused by death, removal from office, or resignation) when that number is even, and a majority~~
15 ~~of those members when that number is odd.~~

(3) Every question before the Board shall be determined by a majority of the votes of the members present at a meeting of the Board.

(4) As often as the office is vacant the Board shall
20 appoint a Deputy Chairman who shall hold office, while he continues to be a member of the Board, for a term of three years, and who may be reappointed.

(5) The Chairman of the Board shall preside at all
25 meetings thereof at which he is present. In the absence of the Chairman of the Board from any meeting thereof the Deputy Chairman shall preside. In the absence of both the Chairman and Deputy Chairman of the Board from any meeting thereof, the members present shall appoint one of their number to preside
30 at that meeting.

(6) The person so presiding at any meeting of the Board shall have a deliberative vote and, in the case of an equality of votes, shall also have a casting vote.

(7) Except as expressly provided in this Act or
35 in regulations under this Act, the Board may regulate its procedure in such manner as it thinks fit.

5. (1) The functions of the Board shall be—

Functions and
powers of
Board.

(a) To make provision for the examination of
40 persons practising or intending to practise any trade who desire from time to time to present themselves for examination:

(b) To grant or issue, either independently or in conjunction with any other examining body, diplomas or certificates to any such person in recognition of his proficiency in any trade, or in any art, science, or matter relating to any trade. 5

(2) The Board may expend any moneys and generally take any action for any purpose that in its opinion is ancillary to its functions as defined in the *last preceding* subsection. Without limiting the general power hereinbefore conferred, it is hereby declared that the Board may— 10

(a) Co-opt, if necessary, any person or persons to advise the Board in connection with any trade: 15

(b) Make representations to the appropriate New Zealand Apprenticeship Committee in regard to the prerequisite education for apprentices wishing to enter any industry, or in regard to other educational matters affecting apprentices: 20

(c) From time to time, with the approval of the Minister, appoint such Advisory or Technical Committees as it thinks fit to advise the Board on such matters within the scope of its functions and powers as are referred to them by the Board, and appoint any person to be a member of any such Committee, notwithstanding that he is not a member of the Board: 25 30

(d) Charge fees for entry for any examination.

(3) The Board shall work in the closest co-operation with any examining body which conducts examinations for the whole of New Zealand in connection with any trade, and may delegate to any such body the power of conducting any examination in connection with that trade for the purpose of the grant or issue of any diploma or certificate by the Board. 35

Regulations.

6. The Governor-General may from time to time, by Order in Council, make all such regulations as may in his opinion be necessary or expedient for giving full effect to the provisions of this Act and for the due administration thereof. 40

7. (1) The members of the Board, and of any committee appointed by the Board, and any persons co-opted to advise the Board, shall be paid such travelling-expenses, and such remuneration by way of fees or allowances as may from time to time be prescribed by regulations made under this Act:

Expenses of Board.

Provided that any remuneration received under this subsection by an officer of the Public Service to whom the Public Service Act, 1912, applies shall be subject to the provisions of that Act.

See Reprint of Statutes, Vol. VII, p. 522

(2) All payments under the foregoing provisions of this section, and all other payments incurred in the administration of this Act, shall be made out of moneys which the Board receives in the exercise of its functions from fees and otherwise, and to the extent that those moneys are insufficient, shall be made out of moneys from time to time appropriated by Parliament for the purposes of the Education Department.