

Serial Number 1941/90.



THE SUSPENSION OF APPRENTICESHIP EMERGENCY REGULATIONS 1939, AMENDMENT NO. 2.

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 18th day of June, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Emergency Regulations Act, 1939, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS.

1. These regulations may be cited as the Suspension of Apprenticeship Emergency Regulations 1939, Amendment No. 2.

2. These regulations shall be read together with and deemed part of the Suspension of Apprenticeship Emergency Regulations 1939* (hereinafter referred to as the principal regulations).

3. The principal regulations are amended by inserting after Regulation I thereof the following regulation :—

“ 1A. In these regulations, unless inconsistent with the context,—

“ ‘ His Majesty’s Forces ’ means any of His Majesty’s Naval, Military, or Air Forces, whether such Forces be raised in New Zealand or by the Government of any territory forming part of His Majesty’s dominions :

“ ‘ Military service ’ means—

“ (a) Continuous whole-time service as a member of His Majesty’s Forces whether in New Zealand or elsewhere ;
or

“ (b) Continuous whole-time service as a radio operator in a ship to which the Shipping and Seamen Act Wireless Regulations 1925 apply (including any period of training for service as such an operator) where the service as operator or trainee commenced after the 19th day of February, 1941, or hereafter commences, and terminates not later than the end of the duration of the war in which His Majesty is now engaged or as soon thereafter as the contract of service may lawfully be determined.”

* Statutory Regulations 1939, Serial number 1939/154, page 693.

Amendment No. 1 : Statutory Regulations 1940, Serial number 1940/208, page 698.

4. Regulation 2 of the principal regulations is revoked, and the following regulation substituted therefor :—

“ 2. Subject to the provisions of Regulation 12 hereof, if any apprentice during the currency of the term of his apprenticeship has commenced or hereafter commences any period of military service, his contract of apprenticeship shall be deemed to be suspended during the period of such service and for six months thereafter, and shall thereupon lapse and be determined unless previously revived in accordance with Regulation 3 hereof or by mutual arrangement made between the employer and the apprentice.”

5. Regulation 5 of the principal regulations is revoked.

6. Regulation 7 of the principal regulations is amended by omitting the words “ armed Forces ”, and substituting therefor the words “ His Majesty’s Forces ”.

7. Regulation 12 of the principal regulations, as inserted by the Suspension of Apprenticeship Emergency Regulations 1939, Amendment No. 1,* is revoked, and the following regulation substituted therefor :—

“ 12. Notwithstanding anything contained in any Act or regulations thereunder or in any apprenticeship order in force under the Apprentices Act, 1923, or in any of these regulations, where an apprentice is embodied in a part of the Defence Forces called out for military training for purposes of defence in New Zealand, every period of such training actually undergone by the apprentice and involving absence from his regular employment shall, up to a maximum of six months in any year of his apprenticeship, be regarded as time served under his contract of apprenticeship for the purpose of calculating the wages payable to him under the contract, but any or every period of absence from his regular employment involved in such training shall, subject to Regulation 9 hereof, be made up at the end of the period of apprenticeship prescribed by the contract, subject, however, to such terms and conditions relating to wages or otherwise as may be laid down in modification of the contract by an Apprenticeship Committee :

“ Provided that in respect of any period of absence from employment during such training the parties to the contract shall be relieved of all their obligations under the contract which relate to the following matters—that is to say, the payment of remuneration, the performance of work, or the provision of work or instruction.”

8. The principal regulations are amended by adding thereto the following additional regulation :—

“ 13. Where by these regulations powers are conferred on an Apprenticeship Committee and there is no Apprenticeship Committee in or in connection with or in respect of the industry and locality concerned, then such powers may be exercised by the District Registrar of Apprentices.”

T. R. AICKIN,
Acting Clerk of the Executive Council.

* Statutory Regulations 1940, Serial number 1940/208, page 698.