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C.W.  
AWAY.

*Act repeated*  
 ① The Apprenticeship Act, 1922  
 (No. 26 of 1922)  
 ② Act No. 15 of 1924  
 ③ Act No. 22 of 1930.

EXTRAORDINARY



BUITENGEWONE

THE UNION OF SOUTH AFRICA

# Government Gazette

## Staatskoerant

VAN DIE UNIE VAN SUID-AFRIKA

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CAPE TOWN, 19TH MARCH, 1940.  
KAAPSTAD, 19 MAART 1940.

PRYS 6d. [No. 2743.

House of Assembly,  
15th March, 1940.

The following Bill, having been introduced into the House of Assembly, is published in accordance with Standing Order No. 160.

DANL. H. VISSER,  
Clerk of the House of Assembly.

Volksraad,  
15 Maart 1940.

Die volgende Wetsontwerp, ingedien in die Volksraad, word gepubliseer ingevolge Artikel 160 van die Reglement van Orde.

DANL. H. VISSER,  
Klerk van die Volksraad.

A.B. 30—'40. Apprenticeship Bill . . . . . ii

A.B. 30—'40. Vakleerlinge Wetsontwerp . . . . . iii

## BILL

**To regulate the training and employment of apprentices and minors in certain trades, and to provide for matters incidental thereto.**

(Introduced by the MINISTER OF LABOUR.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

### Definitions.

1. In this Act, unless inconsistent with the context—
  - “amount underpaid” means the difference between the amounts referred to in sub-section (1) of section *twenty-nine*, determined or estimated as provided in the said sub-section; 5
  - “apprentice” means any person employed under a contract of apprenticeship; 10
  - “area” includes any number of areas, whether or not contiguous; 15
  - “area of jurisdiction”, in relation to any committee, means the area for which that committee has been established; 15
  - “committee” means a committee established under section *five*; 15
  - “condition of apprenticeship” means any condition of apprenticeship prescribed under sub-section (2) of section *sixteen*; 20
  - “controller” means the controller of apprenticeship appointed under section *three*; 20
  - “designated institution” means any declared institution in terms of the Higher Education Act, 1923 (Act No. 30 of 1923), which has been designated by the Minister as an institution having an interest in the education or training of the minors or apprentices in any designated trade in an area for which a committee has been established; 25
  - “designated trade” means any trade designated under sub-section (1) of section *sixteen*, or if the Minister has defined any such trade under paragraph (b) of sub-section (1) of section *sixteen*, such trade as so defined; 30
  - “employer” means any person (including the State) who employs any apprentice, or who employs or provides work for any minor, in a designated trade; and “employ” and “employment” have corresponding meanings; 35
  - “employers’ organization” means an employers’ organization registered or deemed to have been registered under the Industrial Conciliation Act, 1937 (Act No. 36 of 1937); 40
  - “industry” includes any branch of an industry; 45
  - “inspector” means an inspector appointed or deemed to have been appointed under section *thirty-four*; 45
  - “Minister” means the Minister of Labour or any Minister of State to whom the Governor-General may from time to time assign the administration of this Act, or any other Minister of State acting in the stead of any such Minister; 50
  - “officer” means any member of the public service; 55
  - “overtime” means the time worked by an apprentice or minor on any day or during any week, in excess of the ordinary working hours which that apprentice or minor could—
    - (a) under any condition of apprenticeship; or
    - (b) under the provisions of the Factories Act, 1918 (Act No. 28 of 1918), or the Shops and Offices Act, 1939 (Act No. 41 of 1939), or of any notice under any of the said Acts; or 60
    - (c) under any agreement, notice or award published or made, or deemed to have been published or made under the Industrial Conciliation Act, 1937 (Act No. 36 of 1937), or any determination made 65

# WETSONTWERP

**Om die opleiding en diens van vakleerlinge en minderjariges in sekere bedrywe te reël, en om vir daarmee in verband staande aangeleenthede voorsiening te maak.**

(Ingedien deur die MINISTER VAN ARBEID.)

DIT WORD BEPAAL deur Sy Majesteit die Koning, die Senaat en die Volksraad van die Unie van Suid-Afrika, as volg:—

1. In hierdie Wet, tensy uit die samehang anders blyk, Wordbepaling.  
5 beteken—

- „onderbetaalde bedrag”, die verskil tussen die in sub-artikel (1) van artikel *negen-en-twintig* bedoelde bedrae, volgens voorskrif van daardie sub-artikel vasgestel of beraam;
- 10 „vakleerling” of „leerling”, enig iemand wat kragtens ’n leerlingskontrak in diens is;
- „gebied”, ook ’n aantal gebiede, hetsy al dan nie aangrensend;
- 15 „magsgebied”, met betrekking tot ’n komitee, die gebied waarvoor daardie komitee ingestel is;
- „komitee”, ’n komitee kragtens artikel *vyf* ingestel;
- „leervoorwaarde”, enige leervoorwaarde ingevolge sub-artikel (2) van artikel *sestien* voorgeskryf;
- 20 „kontroleur”, die kontroleur van vakleerlinge kragtens artikel *drie* aangestel;
- „aangewese inrigting”, enige verklaarde inrigting volgens die „Hoger Onderwijs Wet, 1923”, (Wet No. 30 van 1923) wat deur die Minister aangewys is as ’n inrigting wat belang het by die opvoeding of opleiding van die
- 25 minderjariges of vakleerlinge in ’n aangewese bedryf in ’n gebied waarvoor ’n komitee ingestel is;
- „aangewese bedryf”, ’n bedryf wat kragtens sub-artikel (1) van artikel *sestien* aangewys is, of indien die Minister enige sodanige bedryf ingevolge paragraaf (b) van sub-artikel (1) van artikel *sestien* omskryf het, daardie bedryf aldus omskrewe;
- 30 „werkgewer”, enige persoon (met inbegrip van die Staat) wat in ’n aangewese bedryf ’n vakleerling in diens het of ’n minderjarige in diens het of aan hom werk verskaf; en „in diens hê” en „diens” het ooreenkomstige betekenisse;
- 35 „werkgewersorganisasie” ’n werkgewersorganisasie wat ingevolge die Nywerheid-versoeningswet, 1937 (Wet No. 36 van 1937), geregistreer is of geag word geregistreer te gewees het;
- 40 „nywerheid”, ook enige vertakking van ’n nywerheid;
- „inspekteur”, ’n inspekteur wat kragtens artikel *vier-entertig* aangestel is of geag word aangestel te gewees het;
- 45 „Minister”, die Minister van Arbeid of enige ander Staatsminister aan wie die Goewerneur-generaal van tyd tot tyd die uitvoering van hierdie Wet opdra, of enige ander Staatsminister wat namens so ’n Minister optree;
- 50 „amptenaar”, enige lid van die staatsdiens;
- „oortyd”, die tyd deur ’n vakleerling of minderjarige op enige dag of gedurende enige week, gewerk, meer dan die gewone werkure wat daardie vakleerling of minderjarige ingevolge—
- 55 (a) een of ander leervoorwaarde; of
- (b) die bepalinge van die „Fabriekswet, 1918” (Wet No. 28 van 1918), of die Wet op Winkels en Kantore, 1939 (Wet No. 41 van 1939), of van ’n kennisgewing ingevolge een of ander van daardie Wette; of
- 60 (c) enige ooreenkoms, kennisgewing of uitspraak wat kragtens die Nywerheid-versoeningswet, 1937 (Wet No. 36 van 1937), bekendgemaak of gemaak is of geag word bekendgemaak of gemaak

calling upon all interested persons who have any objections to the publication of such a proclamation, to lodge them in writing with an officer at an address stated in the notice within thirty days of the date of publication thereof; and

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- (b) cause to be published in one or more newspapers, within seven days after the publication of the notice referred to in paragraph (a), a statement directing the attention of all interested persons to that notice.

Establishment of  
apprenticeship  
committees.

5. (1) The Minister may by notice in the *Gazette*—

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- (a) establish for any area an apprenticeship committee in respect of one or more scheduled industries; and  
(b) vary the area for which or the industry or industries in respect of which a committee has been established.

(2) The Minister may assign to any committee an officer to act as secretary of that committee.

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Constitution of  
apprenticeship  
committees.

6. (1) A committee shall consist of a number of members to be determined by the Minister, not being less than five, of whom—

- (a) one (who shall be chairman of the committee) shall be appointed by the Minister; and

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- (b) the other members shall be appointed in equal numbers by the employers' organization and the trade union, respectively, which is, in the opinion of the Minister, representative of employers or employees, as the case may be, in the industry or industries in respect of which and in the area for which the committee has been established: Provided that if there exists more than one such organization or union, the members to be appointed by such organizations or unions, as the case may be, shall be appointed in a manner and on a basis (including the appointment of some members by one or more groups of such organizations or unions and of other members by another such group or other such groups) to be determined by the Minister.

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(2) (a) Whenever any notice under sub-section (1) of section *seventeen* has been issued, withdrawn or amended, the Minister may increase or decrease, as the circumstances may in his opinion require, the number of the members of the committee concerned.

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- (b) Additional members to be appointed as a result of any such increase, shall be appointed in accordance with the provisions of paragraph (b) of sub-section (1), and shall hold office from the date of their appointment for the unexpired portion of the period for which the other members of such committee have been appointed.

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- (c) The members who are to vacate their offices as a result of any such decrease shall be designated *mutatis mutandis* in accordance with the said provisions, and shall vacate their offices upon the date upon which they are so designated.

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(3) (a) If the chairman is absent from any meeting, the members who are present may elect from amongst themselves a chairman to act at that meeting: Provided that if the chairman has for more than one month been unable to attend the meetings of the committee or if he has been granted leave of absence for more than one month the Minister may appoint a person to act in his stead during his absence.

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- (b) Any person acting as chairman shall, when so acting, have all the powers and discharge all the duties of the chairman.

(c) A number of alternates to members not exceeding the number of members appointed under paragraph (b) of sub-section (1), and paragraph (b) of sub-section (2), may be appointed in the same manner.

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(4) Any member or alternate to be appointed under paragraph (b) of sub-section (1) or paragraph (b) of sub-section (2) or paragraph (c) of sub-section (3), may—

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- (a) if there is no employers' organization or trade union, as the case may be, which, in the Minister's opinion, is representative of the employers or employees concerned; or

- weergee en wat alle belanghebbende persone wat enige besware teen die afkondiging van so 'n proklamasie het, aansê om die besware skriftelik in te dien by 'n amptenaar by 'n in die kennisgewing vermelde adres, binne dertig dae na die datum van die publikasie daarvan; en
- (b) binne sewe dae na die publikasie van die in paragraaf (a) bedoelde kennisgewing, in een of meer nuusblaaie 'n verklaring laat publiseer wat die aandag van alle belanghebbende persone op daardie kennisgewing vestig.
5. (1) Die Minister kan by kennisgewing in die *Staatskoerant*—
- (a) vir enige gebied 'n komitee vir vakleerlinge instel ten opsigte van een of meer in die Bylae opgenome nywerhede; en
- (b) die gebied waarvoor of die nywerheid of nywerhede ten opsigte waarvan 'n komitee ingestel is, verander.
- (2) Die Minister kan aan enige komitee 'n amptenaar toewys om as sekretaris van daardie komitee op te tree.
6. (1) 'n Komitee bestaan uit die getal lede wat die Minister vasstel, wat nie minder as vyf mag wees nie, van wie—
- (a) een (wat die voorsitter van die komitee is) deur die Minister benoem word; en
- (b) die ander lede in gelyke getalle benoem word deur die werkgewersorganisasie en die vakvereniging, onderskeidelik, wat na die mening van die Minister verteenwoordigend is van werkgewers en werknemers, na gelang van die geval, in die nywerheid of nywerhede ten opsigte waarvan en in die gebied waarvoor die komitee ingestel is: Met dien verstande dat indien daar meer as een sodanige organisasie of vereniging bestaan, die lede wat deur daardie organisasies of verenigings, na gelang van die geval, benoem moet word, benoem word op die wyse en grondslag (waarby inbegrepe is die benoeming van sommige lede deur een of meer groepe van sodanige organisasies of verenigings en van ander lede deur 'n ander sodanige groep of ander sodanige groepe) wat die Minister bepaal.
- (2) (a) Wanneer 'n kennisgewing ingevolge sub-artikel (1) van artikel *seventien* uitgereik, ingetrek of gewysig is, kan die Minister die ledetal van die betrokke komitee verminder of vermeerder, na die omstandighede volgens sy mening mag vereis.
- (b) Addisionele lede wat as gevolg van so 'n vermeerdering benoem moet word, word ooreenkomstig die bepalings van paragraaf (b) van sub-artikel (1) benoem, en bekleë hul amp vanaf die dag van hul benoeming vir die onverstreke gedeelte van die tydperk waarvoor die ander lede van daardie komitee benoem is.
- (c) Die lede wat as gevolg van enige sodanige vermindering hul amp moet ontruim, word *mutatis mutandis* ooreenkomstig genoemde bepalings aangewys, en ontruim hul amp op die dag waarop hulle aldus aangewys word.
- (3) (a) Indien die voorsitter van 'n vergadering afwesig is, kan die aanwesige lede een uit hul midde kies om by daardie vergadering as voorsitter op te tree: Met dien verstande dat indien die voorsitter vir meer dan 'n maand nie in staat was om die vergaderings van die komitee by te woon nie, of indien afwesighedsverlof vir meer dan 'n maand aan hom toegestaan is, die Minister iemand kan benoem om tydens sy afwesigheid in sy plek op te tree.
- (b) Iemand wat as voorsitter optree, het, terwyl hy aldus optree, al die bevoegdhede en vervul al die pligte van die voorsitter.
- (c) 'n Aantal plaasvervangers van lede, wat nie die aantal lede ingevolge paragraaf (b) van sub-artikel (1) en paragraaf (b) van sub-artikel (2) benoem, te bowe gaan nie, kan op dieselfde wyse benoem word.
- (4) 'n Lid of plaasvervanger wat ingevolge paragraaf (b) van sub-artikel (1) of paragraaf (b) van sub-artikel (2) of paragraaf (c) van sub-artikel (3) benoem moet word, kan—
- (a) indien daar geen werkgewersorganisasie of vakvereniging, na gelang van die geval, is nie, wat na die mening van die Minister, verteenwoordigend is van die betrokke werkgewers of werknemers; of

Instelling van komitees vir vakleerlinge.

Samestelling van komitees vir vakleerlinge.

- (b) if the employers' organization or trade union concerned fails to appoint such member or alternate within thirty days from the date on which it is requested by the Minister to do so,

be appointed by the Minister; and if the only employer 5 concerned is the State, all members or alternates to be appointed on the committee concerned shall be appointed by the Minister.

(5) The members of a committee and the alternates to such members shall be appointed for a period of three years, com- 10 mencing upon a date to be determined by the Minister.

Vacancies and  
cancellation of  
appointments.

7. (1) If a member of a committee or any alternate resigns or has been absent without the permission of the chairman from three consecutive meetings of the committee of which he has had notice, he shall vacate his office. 15

(2) The Minister and any employers' organization or trade union may at any time cancel any appointment of any member or alternate made by the Minister or such organization or union, as the case may be: Provided that in the case of an appointment made by more than one such organization or 20 union, the cancellation thereof shall be effected by such organizations or unions, as the case may be, in the manner in which and on the basis on which the appointment was made.

(3) If for any reason the office of any member of the committee or of any alternate becomes vacant, otherwise than as 25 a result of a decrease under paragraph (a) of sub-section (2) of section six in the number of the members of the committee, before the expiration of the period for which he was appointed, the vacancy shall be filled by the appointment, in the manner in which the member or alternate whose office has become 30 vacant, had been appointed, of another member or alternate, and such other member or alternate shall hold office from the date upon which he is so appointed, for the unexpired portion of the period for which the member or alternate whose office has become vacant, had been appointed. 35

Discharge of  
apprenticeship  
committees.

8. The Minister may by notice in the *Gazette*, if in his opinion it is expedient to do so—

- (a) discharge any committee and vest its powers, duties and functions, for a period to be specified in such notice, in an officer so specified; and 40  
(b) withdraw or amend any such notice.

Meetings of  
committees and  
voting thereat.

9. (1) The first meeting of a committee shall be held on a day and at a place to be appointed by the Minister.

(2) All subsequent meetings of a committee shall be held at such times and places as the committee may from time to 45 time determine: Provided that the chairman of a committee may at any time call a special meeting of the committee, to be held on a day and at a place to be appointed by him.

(3) The controller may attend any meeting of a committee and may nominate any officer to attend all or one or more 50 meetings of a committee in his stead.

(4) The controller and any officer so nominated may take part in the proceedings of any such meeting, but shall not be entitled to vote.

(5) One representative of a designated institution may attend 55 any meeting of a committee established for an area with reference to which such institution has been designated, at which any matter relating to educational or technical classes is to be discussed, and may take part in the proceedings in so far as they relate to such matter, but shall not be entitled to vote. 60

(6) The chairman or acting chairman shall not have a deliberative vote, but in the event of an equality of votes he shall have a casting vote.

Minutes of  
meetings.

10. (1) Minutes of all proceedings of every meeting of a committee shall be kept by the secretary. 65

(2) The minutes of a meeting shall be submitted to the next ensuing meeting and shall, if they are passed as correct, be signed by the chairman presiding at that meeting.

(3) The secretary of a committee shall, as soon as practicable after the minutes of any meeting have been passed as correct, 70 transmit to the controller a certified copy (or such number of such copies as may be prescribed) of the minutes so passed.

Sub-committees.

11. (1) A committee may at any time appoint from amongst its members and their alternates a sub-committee to in-

(b) indien die betrokke werkgewersorganisasie of vakvereniging versuim om bedoelde lid of plaasvervanger te benoem binne dertig dae na die datum waarop hy deur die Minister versoek is om dit te doen,  
5 deur die Minister benoem word; en indien die enigste betrokke werkgewer die Staat is, word alle lede of plaasvervangers wat tot die betrokke komitee benoem moet word, deur die Minister benoem.

(5) Die lede van 'n komitee en die plaasvervangers van daardie lede word vir 'n tydperk van drie jaar benoem, met ingang 10 vanaf 'n dag deur die Minister vasgestel te word.

7. (1) Indien 'n lid van 'n komitee of enige plaasvervanger bedank, of van drie agtereenvolgende vergaderings van die komitee waarvan hy kennis gekry het, sonder verlof van die 15 voorsitter afwesig was, ontruim hy sy amp.

(2) Die Minister en enige werkgewers-organisasie of vakvereniging kan te eniger tyd die benoeming van enige lid of plaasvervanger wat deur die Minister of deur sodanige organisasie of vereniging, na gelang van die geval, gemaak is, intrek: 20 Met dien verstande dat in die geval van 'n benoeming wat deur meer dan een sodanige organisasie of vereniging gemaak is, die intrekking daarvan deur daardie organisasies of verenigings, na gelang van die geval, teweeggebring word op die wyse en op die grondslag waarop die benoeming geskied het.

(3) Indien 'n lid van die komitee of enige plaasvervanger, om een of ander rede voor verstryking van die tydperk waarvoor hy aangestel is, sy amp ontruim, anders as ten gevolge van 'n vermindering van die ledetal van die komitee ingevolge paragraaf (a) van sub-artikel (2) van artikel ses, word die 30 vakature gevul deur die benoeming, op die wyse waarop die lid of plaasvervanger wie se amp ontruim is, benoem was, van 'n ander lid of plaasvervanger, en sodanige ander lid of plaasvervanger beklee sy amp vanaf die dag waarop hy aldus benoem is, vir die onverstreke gedeelte van die tydperk waarvoor die lid of plaasvervanger wat sy amp ontruim het, benoem was.

8. Indien dit na sy mening raadsaam is om dit te doen, kan die Minister, by kennisgewing in die *Staatkoerant*—

(a) 'n komitee ontslaan en sy bevoegdhede, pligte en werksaamhede vir 'n in die kennisgewing vermelde 40 tydperk aan 'n aldus vermelde amptenaar oordra; en

(b) enige sodanige kennisgewing intrek of wysig.

9. (1) Die eerste vergadering van 'n komitee word gehou op 45 'n dag en plek wat die Minister bepaal.

(2) Alle daaropvolgende vergaderings van 'n komitee word gehou op die tye en plekke wat die komitee van tyd tot tyd mag bepaal: Met dien verstande dat die voorsitter van 'n komitee te eniger tyd 'n buitengewone vergadering van die 50 komitee, wat gehou moet word op 'n dag en plek deur hom bepaal, kan byeenroep.

(3) Die kontroleur kan enige vergadering van 'n komitee bywoon en kan 'n amptenaar benoem om namens hom alle of een of meer vergaderings van 'n komitee by te woon.

(4) Die kontroleur en 'n aldus benoemde amptenaar kan aan die verrigtings van so 'n vergadering deelneem, maar is nie geregtig om 'n stem uit te bring nie.

(5) Een verteenwoordiger van 'n aangewese inrigting kan enige vergadering van 'n komitee wat ingestel is vir 'n gebied 60 met betrekking tot welke daardie inrigting aangewys is, waarop enige saak in verband met opvoedkundige of tegniese klasse bespreek gaan word, bywoon, en kan aan die verrigtings deelneem vir sover hul met daardie saak in verband staan, maar is nie geregtig om 'n stem uit te bring nie.

(6) Die voorsitter of waarnemende voorsitter het geen be- 65 raadslagende stem nie, maar ingeval van 'n staking van stemme het hy 'n beslissende stem.

10. (1) Notule van alle verrigtings van elke vergadering van 'n komitee word deur die sekretaris gehou. Notule van vergaderings.

(2) Die notule van 'n vergadering word aan die daaropvolgende vergadering voorgelê, en indien hulle aangeneem word, word hulle deur die voorsitter wat op daardie vergadering 70 presideer, onderteken.

(3) Die sekretaris van 'n komitee moet, so spoedig doenlik 75 na die notule van 'n vergadering aangeneem is, 'n gesertifiseerde afskrif (of so 'n aantal gesertifiseerde afskrifte as wat voorgeskryf word) van die aldus aangenome notule aan die kontroleur stuur.

11. (1) 'n Komitee kan te eniger tyd uit sy lede en hul 80 plaasvervangers 'n onder-komitee benoem om ondersoek in

Vakatures en intrekking van benoemings.

Ontslag van komitees vir vakleerlinge.

Vergaderings van komitees en die uitbring van stemme daarop.

Notule van vergaderings.

Onder-komitees.

investigate and report to the committee upon any matter referred to it by the committee.

(2) The committee may designate one of the members of such sub-committee (who shall be a member of the committee) to act as chairman of such sub-committee, and another to act 5 whenever such chairman is unable to act.

(3) The member so designated to act shall, when so acting, have all the powers and discharge all the duties of such chairman.

Rules of  
committees and  
sub-committees.

12. A committee may, subject to the approval of the Minister, make rules as to— 10

- (a) the admittance to meetings of such committee or of any sub-committee thereof, of persons not entitled under this Act to be present thereat;
- (b) the quorum at any such meeting, the procedure to be followed in the absence of a quorum, and the majority 15 of votes by which a decision of the committee or a sub-committee thereof shall be taken;
- (c) the circumstances under which an alternate may sit as a member of the committee;
- (d) the withdrawal from any meeting of the committee 20 or a sub-committee thereof of any member or alternate, during the discussion of any matter relating to an apprentice or minor employed by him or whom he proposes to employ;
- (e) the procedure at meetings of the committee or a sub- 25 committee thereof;
- (f) such other matters as may be necessary or expedient for the proper functioning of a committee or a sub-committee thereof.

Enquiries by  
committees,  
sub-committees  
and designated  
officers.

13. (1) A committee, and any member of a committee 30 authorized thereto by the committee, may, in connection with the performance of the duties of such committee or the exercise of its functions, at any time enter upon any premises where an apprentice or minor is employed, and make such inspections and enquiries on such premises as the committee or such 35 member, as the case may be, may deem necessary.

(2) A committee may summon or direct to be summoned, any person (other than an officer) who in its opinion may be able to give material information concerning the subject of any investigation which is being carried out by it, or who it suspects 40 or believes has in his possession or custody or under his control any book, document or thing which has any bearing upon the subject of the investigation, to appear before it at a time and place specified in the summons, to be interrogated or to produce that book, document or thing. The committee may 45 retain for examination any book, document or thing so produced.

(3) A summons issued in the exercise of the powers conferred by sub-section (2) shall be signed by the chairman of the committee or by an officer directed by the committee to do so. 50

(4) The chairman of the committee may call and administer an oath to any person present at any meeting of the committee who was or might have been summoned in terms of sub-section (2); and the chairman and any other member of the committee may interrogate him and require him to 55 produce any book, document or thing in his possession or custody or under his control: Provided that the chairman may in his discretion disallow any question which in his opinion is not relevant to the investigation which is being carried out by the committee. 60

(5) No person shall, if he is duly summoned under sub-section (2), fail, without sufficient cause, to attend at the time and place specified in the summons, or to remain in attendance until excused by the committee from further attendance, or if he is called in terms of sub-section (4), refuse to be sworn 65 as a witness, or fail without sufficient cause to answer fully and satisfactorily to the best of his knowledge and belief all questions lawfully put to him, or to produce any book, document or thing in his possession or custody or under his control: Provided that in connection with the interrogation of any such person 70 by, or the production of any such book, document or thing before, the committee, the law relating to privilege, as applicable to a witness summoned to give evidence or produce any book, document or thing before a court of law, shall apply.

(6) Any witness who, after having been sworn, gives a false 75 answer to any question put to him by the chairman or any

te stel na en aan die komitee verslag te doen oor enige aangeleentheid wat deur die komitee na hom verwys word.

(2) Die komitee kan een van die lede van so 'n onder-komitee (wat 'n lid van die komitee moet wees) aanwys om as voorsitter van daardie onder-komitee op te tree, en 'n ander om op te tree wanneer bedoelde voorsitter nie daartoe in staat is nie.

(3) Die lid wat aldus aangewys is om op te tree, het, wanneer hy aldus optree, al die bevoegdhede en vervul al die pligte van bedoelde voorsitter.

10 12. 'n Komitee kan, met die goedkeuring van die Minister, reëls neerlê aangaande— Reëls van komitees en onder-komitees.

(a) die verleen van toegang tot vergaderings van daardie komitee of enige onder-komitee daarvan, aan persone wat nie ingevolge hierdie Wet geregtig is om daarop

15 aanwesig te wees nie ;

(b) die kworum by so 'n vergadering, die prosedure wat by gebrek aan 'n kworum gevolg moet word, en die meerderheid van stemme waarmee 'n besluit van die komitee of 'n onder-komitee daarvan geneem moet word ;

20 (c) die omstandighede waarin 'n plaasvervanger as lid van 'n komitee kan sitting neem ;

(d) die onttrekking van 'n lid of plaasvervanger aan 'n vergadering van die komitee of 'n onder-komitee daarvan, tydens die bespreking van enige aangeleentheid met betrekking tot 'n vakleerling of minderjarige wat hy in sy diens het of wil neem ;

(e) die prosedure by vergaderings van die komitee of 'n onder-komitee daarvan ;

30 (f) sodanige ander aangeleenthede as wat nodig of raadzaam mag wees vir die behoorlike werkverrigting van 'n komitee of 'n onder-komitee daarvan.

13. (1) 'n Komitee en enige lid van 'n komitee wat deur die komitee daartoe gemagtig is, kan, in verband met die verrigting van sy werksaamhede, te eniger tyd enige perseel waar 'n vakleerling of minderjarige in diens is, betree, en kan op daardie perseel sodanige ondersoeke en navrae doen as wat die komitee of daardie lid, na gelang van die geval, nodig ag. Ondersoeke deur komitees, onder-komitees en aangewese amptenare.

40 (2) 'n Komitee kan enigeen (behalwe 'n amptenaar) wat volgens sy oordeel in staat mag wees om inligting van belang te verstrek omtrent die saak wat deur die komitee ondersoek word, of wat, na sy vermoede of geloof in besit is van enige boek, geskrif of ding wat in verband staan met die saak wat

45 ondersoek word, of wat dit in sy bewaring het of seggenskap daaroor het, dagvaar of op sy bevel laat dagvaar om op 'n in die dagvaarding vermelde tyd en plek voor hom te verskyn om ondervra te word en om daardie boek, geskrif of ding oor te lê. Die komitee kan enige boek, geskrif of ding wat aldus

50 oorgelê is, vir besigtiging in sy besit hou.

(3) 'n Dagvaarding wat ingevolge die by sub-artikel (2) verleende bevoegdhede uitgereik word, word deur die voorsitter van die komitee of deur 'n amptenaar wat deur die komitee daartoe gelas is, onderteken.

55 (4) Die voorsitter van die komitee kan enige persoon wat by enige vergadering van die komitee aanwesig is, en wat ingevolge sub-artikel (2) gedagvaar is of kon geword het, oproep en aan hom 'n eed oplê ; en die voorsitter en enige ander lid van die komitee kan hom ondervra en van hom verlang dat hy enige boek, geskrif of ding wat in sy besit of in sy bewaring is, of waaroor hy seggenskap het, oorlê : Met dien verstande dat die voorsitter na eie goeëdunke enige vraag kan afwys wat na sy mening nie relevant is by die ondersoek wat deur die komitee uitgevoer word nie.

65 (5) Niemand mag, indien hy behoorlik ingevolge sub-artikel (2) gedagvaar is, sonder voldoende rede versuim om op die in die dagvaarding vermelde tyd en plek te verskyn, of om aanwesig te bly totdat die komitee hom van verdere bywoning vrystel, of, indien hy kragtens sub-artikel (4) opgeroep is, weier om as 'n getuie ingesweer te word, of sonder voldoende rede versuim om op alle aan hom wettiglik gestelde vrae ten volle en op 'n bevredigende wyse na sy beste wete te antwoord, of om enige boek, geskrif of ding wat in sy besit of bewaring is of waaroor hy seggenskap het, oor te lê : Met dien verstande

75 dat die regsreëls betreffende privilegie, soos toepaslik op 'n getuie wat gedagvaar is om getuie af te lê of om 'n boek, geskrif of ding oor te lê aan 'n geregshof, van toepassing is in verband met die ondervraging van so 'n persoon deur, of die oorlegging van so 'n boek, geskrif of ding aan, die komitee.

80 (6) Enige getuie wat na beëdiging 'n valse antwoord gee op 'n vraag aan hom gestel deur die voorsitter of enige lid

member of the committee, or makes a false statement on any matter, knowing that answer or statement to be false, shall be deemed to be guilty of perjury.

(7) The interrogation of any witness by the committee shall be conducted in private unless the committee, with the consent of the witness, otherwise directs: Provided that the committee may with the consent of any witness, authorize the presence of any specified person at the interrogation of that witness.

(8) Any person summoned to appear before a committee may if the chairman of the committee is satisfied that he has by reason of his appearance in obedience to the summons suffered any pecuniary loss or been put to any expense, be paid out of public moneys such allowances as may be prescribed, or the amount of such loss and such expense, whichever is the less.

(9) No person shall wilfully hinder or insult the chairman, or any member of the committee in the exercise of any of the powers conferred upon him by this section.

(10) If any witness contravenes the provisions of sub-section (9), the chairman may order that no payment or only a reduced payment be made to him under sub-section (8).

(11) A summons for the attendance before a committee of any person or for the production to it of any book, document or thing, shall be as nearly as practicable in the prescribed form, and shall be served in the same manner as it would be served, if it were a subpoena issued by the magistrate's court of the district in which the committee is sitting.

(12) (a) A committee may, for any reason which it may deem sufficient, order that any interrogation be made by, or that any book, document or thing be produced before, an officer designated for the purpose by the committee.

(b) Any such officer may administer an oath to any witness appearing before him, and the provisions of this section shall *mutatis mutandis* apply in respect of such interrogation or the production or retention of any such book, document or thing, or the payment of any allowance or other moneys to such witness, and such officer shall for the purposes of the application of this sub-section be deemed to be the chairman of the committee.

(13) In this section "committee" includes any sub-committee thereof appointed under section eleven: Provided that for the purposes of this sub-section, any reference in this section to the chairman of a committee shall be deemed to be a reference to the chairman of a sub-committee designated under sub-section (2) of section eleven.

Secrecy to be observed.

14. No member of a committee, and no alternate or officer, shall disclose to any person, except to the Minister or an officer, or in giving evidence before a court of law, or for the purposes of the performance of his duties or the exercise of his functions under this Act, any information in relation to the financial affairs or plant or equipment of any person, acquired in the performance of his duties or the exercise of his powers under this Act.

Duties and functions of committees.

15. A committee shall, in its area of jurisdiction and in connection with the scheduled industry or industries in respect of which it has been established, perform the following duties and functions:

(a) It shall, in accordance with this Act, investigate and make recommendations to the Minister or the controller, as the case may be, upon any matter falling within the powers or duties of the Minister or controller under this Act: Provided that any such recommendation to the Minister as to any matter referred to in paragraph (d) or (e) of sub-section (2) of section sixteen, shall be made after consultation with the designated institution concerned: Provided further that no committee established in respect of any industry referred to in Item 27, 28 or 29 of the Schedule to this Act shall be competent to make any such investigation or recommendation upon any matter referred to in paragraph (c), (f), (g), (h), (i), (j), (k) or (l) of sub-section (2) of section sixteen.

(b) It shall investigate any dispute arising out of a contract of apprenticeship referred to it by one of the

van die komitee, of 'n valse verklaring aflê aangaande enige aangeleentheid, wetende dat daardie antwoord of verklaring vals is, word geag skuldig te wees aan meened.

(7) Die ondervraging van 'n getuie deur die komitee vind 5 privaat plaas tensy die komitee, met toestemming van die getuie, anders gelas: Met dien verstande dat die komitee, met toestemming van 'n getuie, die teenwoordigheid van 'n aangegewe persoon by die ondervraging van daardie getuie, kan magtig.

10 (8) Aan iemand wat gedagvaar is om voor 'n komitee te verskyn, kan, as die voorsitter van die komitee oortuig is dat hy as gevolg van sy verskyning ter voldoening aan die dagvaarding geldelike verlies gely het of onkoste moes aangaan, uit staatsgelde die toelaes betaal word wat voorgeskryf mag 15 word, of die bedrag van bedoelde verlies en bedoelde onkoste, na gelang die een of die ander die minste is.

(9) Niemand mag die voorsitter of 'n lid van die komitee by die uitoefening van enige bevoegdheid aan hom deur hierdie artikel verleen, opsetlik hinder of beledig nie.

20 (10) Indien 'n getuie die bepaling van sub-artikel (9) oortree, kan die voorsitter gelas dat geen betaling of slegs 'n verminderde betaling aan hom ingevolge sub-artikel (8) gedoen word.

(11) 'n Dagvaarding waarby iemand opgeroep word om voor 25 'n komitee te verskyn of om 'n boek, geskrif of ding aan die komitee oor te lê, moet so naby doenlik in die voorgeskrewe vorm wees, en word gedien op dieselfde wyse waarop dit gedien sou word indien dit 'n dagvaarding was wat deur die magistraatshof van die distrik waarin die komitee sy sitting hou, 30 uitgereik is.

(12) (a) 'n Komitee kan, om enige rede wat hy voldoende ag, gelas dat 'n ondervraging uitgevoer word deur, of dat 'n boek, geskrif of ding oorgelê word aan, 'n amptenaar wat vir daardie doel deur die komitee 35 aangewys is.

(b) So 'n amptenaar kan aan 'n getuie wat voor hom verskyn 'n eed oplê, en die bepaling van hierdie artikel is *mutatis mutandis* van toepassing ten opsigte 40 van sodanige ondervraging of die oorlegging of inbesithouding van so 'n boek, geskrif of ding, of die betaling van 'n toelae of ander gelde aan die getuie, en bedoelde amptenaar word, by die toepassing van hierdie sub-artikel, geag die voorsitter van die komitee te wees.

45 (13) In hierdie artikel beteken „komitee” ook enige onderkomitee daarvan ingevolge artikel *elf* benoem: Met dien verstande dat by die toepassing van hierdie sub-artikel enige verwysing in hierdie artikel na die voorsitter van 'n komitee geag word 'n verwysing te wees na die voorsitter van 'n onder- 50 komitee ingevolge sub-artikel (2) van artikel *elf* aangewys.

14. Geen lid van 'n komitee en geen plaasvervanger of amptenaar mag aan enige persoon behalwe aan die Minister of 'n amptenaar, of by die aflê van getuienis voor 'n geregshof, of vir die doeleindes van die vervulling van sy pligte of die 55 uitoefening van sy bevoegdhede ingevolge hierdie Wet, enige inligting onthul wat hy by die vervulling van sy pligte of die uitoefening van sy bevoegdhede ingevolge hierdie Wet ingewin het in verband met die geldelike sake, masjinerie of uitrusting van enige persoon.

60 15. 'n Komitee moet, binne sy magsgebied en in verband met die in die Bylae opgenome nywerheid of nywerhede ten opsigte waarvan hy ingestel is, die volgende pligte en werksaamhede verrig: Pligte en werksaamhede van komitees.

(a) Hy moet, ooreenkomstig hierdie Wet, ondersoek 65 instel na en aan die Minister of aan die kontroleur, na gelang van die geval, aanbevelings doen oor enige aangeleentheid wat binne die bestek val van die bevoegdhede of pligte van die Minister of kontroleur ingevolge hierdie Wet: Met dien verstande dat 70 so 'n aanbeveling aan die Minister betreffende enige in paragraaf (d) of (e) van sub-artikel (2) van artikel *sestien* bedoelde aangeleentheid, na raadpleging met die betrokke aangewese inrigting gedoen word: Met dien verstande voorts dat 'n komitee wat ingestel is ten opsigte van 'n in Item 27, 28 of 29 van die Bylae van hierdie Wet bedoelde nywerheid, nie bevoeg is nie om so 'n ondersoek in te stel na of so 'n 75 aanbeveling te doen oor enige in paragraaf (c), (f), (g), (h), (i), (j), (k) of (l) van sub-artikel (2) van artikel *sestien* bedoelde aangeleentheid.

80 (b) Hy moet ondersoek instel na enige geskil wat uit 'n leerlingskontrak voortspruit wat na hom verwys is

parties to such contract or by the controller or an inspector, and shall endeavour to settle such dispute amicably.

(c) It shall furnish the controller with such statistics, returns or other information in its possession as the controller may require. 5

(d) It shall perform such duties and functions in regard to any other matter concerning apprenticeship as may be prescribed.

Powers of  
Minister.

16. (1) The Minister may, subject to the provisions of sub-section (4), after consideration of any recommendation submitted to him by the committee concerned, by notice in the *Gazette*—

(a) designate any trade comprised in a scheduled industry as a trade in respect of which the provisions of this Act shall apply in the area or one or more specified areas or any specified portion of any area for which that committee has been established; 15

(b) define such trade by reference to the work performed therein, the operations of which it is composed or the type or class of premises upon which such work or operations are performed. 20

(2) The Minister may, in the same manner, prescribe—

(a) the qualifications, including age and educational standard, required for apprenticeship in any designated trade: Provided that no qualification as to age, which is lower than that referred to in paragraph (c) of sub-section (1) of section *twenty-two*, shall be prescribed; 25

(b) the period of apprenticeship in any such trade, the reductions in such period which may be allowed, and the circumstances under which such reductions may be allowed; 30

(c) the rates according to which wages shall be payable to apprentices in any such trade: Provided that no rate based upon the quantity of work done shall be prescribed; 35

(d) the classes which such apprentices shall attend and the number of hours per week, whether within or outside their ordinary working hours, during which they shall attend such classes: Provided that not less than four and not more than eight such hours per week (half of which shall fall within ordinary working hours) during not less than the first two years subsequent to the date upon which the contract of apprenticeship came into operation, shall be prescribed; 40

(e) the nature and number of the correspondence courses to be followed by such apprentices in lieu of or in addition to any classes prescribed under paragraph (d), and the conditions subject to which such courses may be followed in lieu of such classes; 50

(f) the practical training which employers shall provide for such apprentices in their employ; 55

(g) the proficiency tests or examinations which such apprentices shall undergo from time to time; 60

(h) the maximum number of ordinary working hours which such apprentices may be required to work during any week or on any day, and the hours on any day before or after which and the intervals during which no such apprentice may be required to work; 65

(i) the maximum period of overtime which such apprentices may be required to work during any specified period, and the rates according to which they shall be remunerated in respect of overtime; 70

(j) the number of paid holidays to be allowed to such apprentices during any year of apprenticeship; 75

(k) the conditions (including the payment of extra remuneration) subject to which an employer may require any such apprentice employed by him within the area of jurisdiction of the committee concerned, to perform any work outside that area; 80

(l) the amount which shall be paid by an employer to any such apprentice in his employ or the rate according to which the wages of any such apprentice shall be increased, if he produces to the employer— 85

(i) a certificate by the principal of the institution

deur een van die partye by daardie kontrak of deur die kontroleur of 'n inspekteur, en moet trag om so 'n geskil op vriendskaplike wyse te besleg.

(c) Hy moet die kontroleur voorsien van sodanige gegewens, opgawes of ander inligting waaroor hy beskik as wat die kontroleur mag verlang.

(d) Hy moet die pligte en werksaamhede ten opsigte van enige ander aangeleentheid in verband met vakleerlinge, wat voorgeskryf mag word, verrig.

10 16. (1) Die Minister kan, met inagneming van die bepalings van sub-artikel (4), na oorweging van 'n aanbeveling deur die betrokke komitee aan hom voorgelê, by kennisgewing in die *Staatskoerant*—

Bevoegdhede van Minister.

(a) enige bedryf wat deur 'n in die Bylae opgenome nywerheid omvat word, aanwys as 'n bedryf ten opsigte waarvan die bepalings van hierdie Wet van toepassing is in die gebied of in een of meer aangegewe gebiede of in 'n aangegewe gedeelte van 'n gebied waarvoor daardie komitee ingestel is;

(b) bedoelde bedryf omskryf met verwysing na die werk wat daarin verrig word, die werksaamhede waaruit dit saamgestel is of die soort of kategorie van perseel waarop daardie werk of werksaamhede verrig word.

(2) Die Minister kan op dieselfde wyse voorskryf—

(a) die kwalifikasies, met inbegrip van leeftyd en opvoedkundige standaard, wat van vakleerlinge in enige aangewese bedryf vereis word: Met dien verstande dat geen kwalifikasie ten opsigte van leeftyd, wat laer is as dié in paragraaf (c) van sub-artikel (1) van artikel twee-en-twintig vermeld, voorgeskryf word nie;

(b) die duur van die leertyd in so 'n bedryf, die verkortings van bedoelde leertyd wat toegestaan kan word, en die omstandighede waarin sodanige verkortings toegestaan kan word;

(c) die skale waarteen aan vakleerlinge in so 'n bedryf lone betaal moet word: Met dien verstande dat geen skaal wat op die hoeveelheid verrigte werk gegrond is, voorgeskryf word nie;

(d) die klasse wat sulke vakleerlinge moet bywoon en die aantal ure per week, hetsy binne of buite hul gewone werkure, gedurende welke hulle daardie klasse moet bywoon: Met dien verstande dat minstens vier en hoogstens agt sulke ure per week (die helfte waarvan binne gewone werkure moet val) gedurende ten minste die eersvolgende twee jaar na die datum waarop die leerlingskontrak in werking getree het, voorgeskryf word;

(e) die aard en aantal van die korrespondensie-kursusse wat deur sulke vakleerlinge gevolg moet word in plaas van of benewens enige ingevolge paragraaf (d) voorgeskrewe klasse, en die voorwaardes waarop sulke kursusse in plaas van daardie klasse gevolg mag word;

(f) die praktiese opleiding wat werkgewers aan sulke vakleerlinge in hul diens moet verskaf;

(g) die toetse of eksamens in bedrewenheid wat sulke vakleerlinge van tyd tot tyd moet deurmaak of aflê;

(h) die maksimum-aantal gewone werkure wat sulke vakleerlinge verplig kan word om gedurende 'n bepaalde week of op 'n bepaalde dag te werk, en die ure van enige dag vóór of ná welke, en die tussenpose gedurende welke, geen sodanige vakleerling verplig kan word om te werk nie;

(i) die maksimum-tydperk oortyd wat sulke vakleerlinge verplig kan word om gedurende enige bepaalde tydperk te werk, en die skale waarvolgens hul ten opsigte van oortyd vergoed moet word;

(j) die aantal vakansiedae met besoldiging wat aan sulke vakleerlinge in enige jaar van hul leertyd toegestaan moet word;

(k) die voorwaardes (met inbegrip van die betaling van addisionele vergoeding) waarop 'n werkgewer van so 'n vakleerling wat by hom in diens is binne die magsgebied van die betrokke komitee, kan vereis dat hy enige werk buite daardie gebied moet verrig;

(l) die bedrag wat deur 'n werkgewer aan so 'n vakleerling in sy diens betaal moet word, of die skaal waarvolgens die loon van so 'n vakleerling verhoog moet word, indien hy aan sy werkgewer—

(i) 'n sertifikaat voorlê deur die hoof van die betrokke

concerned that during the relevant period specified in such notice his conduct and progress in the classes referred to in paragraph (d) have been satisfactory, or that he has during such period attended not less than the percentage of such classes, or completed in a satisfactory manner not less than the percentage of the test papers of the courses referred to in paragraph (e), which may be so specified; or

(ii) a certificate by the secretary of the committee that he has during the relevant period specified in such notice passed the tests or examinations referred to in paragraph (g); and

(m) any other condition of apprenticeship of whatsoever nature, which he may deem expedient to prescribe.

(3) The Minister may, in the same manner, withdraw or amend any notice published under sub-section (1) or (2).

(4) Before the publication of a notice under sub-section (1), (2) or (3), the Minister shall—

(a) cause to be published in the *Gazette* a preliminary notice setting forth the purport of such first mentioned notice and calling upon all interested persons who have any objections against the proposed provisions thereof, to lodge them in writing with the committee concerned at an address stated in such preliminary notice within thirty days of the date of publication thereof; and

(b) cause to be published in one or more newspapers, within seven days after the publication of such preliminary notice, a statement directing the attention of all interested persons to that notice.

(5) The Minister may, in any notice published under sub-section (2) or (3), provide that the conditions of apprenticeship therein prescribed or such of the said conditions as may be specified therein, shall, as from a date so specified, apply in respect of apprentices who have entered into contracts of apprenticeship before the date upon which the said conditions will or have come into operation.

(6) Different conditions of apprenticeship may be prescribed under sub-section (2) or (3) in respect of different classes of apprentices and of different areas within the area of jurisdiction of the committee concerned, and in prescribing such different conditions the Minister may apply such method of discrimination or differentiation as he may deem advisable.

(7) No contract of apprenticeship shall cease to be binding upon the parties thereto by reason of the fact that as a result of a notice published under sub-section (1), (2) or (3), the provisions of this Act no longer apply in respect of such contract or the conditions of apprenticeship governing such contract have changed.

Extension of application of Act and conditions of apprenticeship.

17. (1) The Minister may, after consideration of any recommendation submitted to him by the committee established in respect of the industry hereinafter first referred to and subject to the provisions of sub-section (3), by notice in the *Gazette*, declare that the provisions of this Act and the conditions of apprenticeship prescribed in any area for a designated trade in any industry, or such of the said provisions as may be specified in the notice, shall, as from a date so specified, apply in that area in respect of apprentices or minors employed in the same trade in an industry in respect of which a committee has not been established for that area, as if they were employed in such first mentioned industry.

(2) The Minister may, in the same manner, withdraw or amend any notice published under sub-section (1).

(3) The provisions of sub-section (4) of section sixteen shall *mutatis mutandis* apply in respect of the publication of a notice under sub-section (1) or (2).

Demarcation of trades.

18. (1) Whenever in any area for which two or more committees have been established in respect of different industries, there is in the opinion of the controller a doubt as to whether any operation falls within a designated trade in an industry in respect of which one of such committees has been established, or within a designated trade in an industry in respect of which any other of such committees has been established, the controller shall, after consultation with the committees concerned, determine the matter.

- inrigting dat sy gedrag en vordering in die in paragraaf (d) bedoelde klasse gedurende die betrokke tydperk in die kennisgewing aangegee, bevredigend was, of dat hy gedurende bedoelde tydperk nie minder as die persentasie van daardie klasse bygewoon het, of nie minder as die persentasie toetsvraestelle van die in paragraaf (e) bedoelde kursusse op bevredigende wyse deur-gewerk het, wat aldus aangegee is nie; of
- 10 (ii) 'n sertifikaat voorlê deur die sekretaris van die komitee dat hy gedurende die betrokke tydperk in die kennisgewing aangegee, die in paragraaf (g) bedoelde toetse of eksamens met goeie gevolg afgelê het; en
- 15 (m) enige ander leervooraarde hoegenaamd wat hy raadsaam ag om voor te skryf.
- (3) Die Minister kan op dieselfde wyse 'n kennisgewing ingevolge sub-artikel (1) of (2) gepubliseer, intrek of wysig.
- (4) Die Minister moet, voor die publikasie van 'n kennis-  
20 gewing ingevolge sub-artikel (1), (2) of (3)—
- (a) 'n voorlopige kennisgewing in die *Staatskoerant* laat publiseer wat die strekking van eersgenoemde kennis-gewing weergee en wat alle belanghebbende persone wat enige besware teen die voorgenome bepalings daarvan het, aansê om die besware skriftelik in te dien by die betrokke komitee by 'n in die voorlopige kennisgewing vermelde adres, binne dertig dae na die datum van die publikasie daarvan; en
- 25 (b) binne sewe dae na die publikasie van bedoelde voorlopige kennisgewing, in een of meer nuusblaai 'n verklaring laat publiseer wat die aandag van alle belanghebbende persone op daardie kennisgewing vestig.
- (5) Die Minister kan, in 'n kennisgewing ingevolge sub-  
35 artikel (2) of (3) gepubliseer, bepaal dat die daarin voorgeskrewe leervooraardes of sodanige van daardie voorwaardes as wat daarin vermeld word, vanaf 'n aldus vermelde datum, van toepassing is ten opsigte van vakleerlinge wat leerlingskontrakte aangegaan het vóór die datum waarop genoemde  
40 voorwaardes in werking tree of getree het.
- (6) Verskillende leervooraardes kan ingevolge sub-artikel (2) of (3) voorgeskryf word ten opsigte van verskillende kategorieë van vakleerlinge en van verskillende gebiede binne die magsgebied van die betrokke komitee, en die Minister kan,  
45 by die voorskrywing van sulke verskillende voorwaardes, sodanige metode van diskriminering of onderskeiding aanwend as wat hy wenslik ag.
- (7) 'n Leerlingskontrak hou nie op om op die partye daarby bindend te wees nie vanweë die feit dat, as gevolg van 'n kennis-  
50 gewing kragtens sub-artikel (1), (2) of (3) gepubliseer, die bepalings van hierdie Wet nie meer ten opsigte van daardie kontrak van toepassing is nie, of die leervooraardes wat daardie kontrak reël, verander het.
17. (1) Na oorweging van enige aanbeveling wat deur die  
55 komitee wat ingestel is ten opsigte van die eerste hieronder bedoelde nywerheid, aan hom voorgelê is, en met inagneming van die bepalings van sub-artikel (3), kan die Minister, by kennisgewing in die *Staatskoerant*, verklaar dat die bepalings van hierdie Wet en die leervooraardes wat in enige gebied  
60 vir 'n aangewese bedryf in enige nywerheid voorgeskryf is, of sodanige van genoemde bepalings as wat in die kennisgewing vermeld word, vanaf 'n aldus vermelde datum van toepassing is in daardie gebied ten opsigte van vakleerlinge of minder-jariges wat in diens is in dieselfde bedryf in 'n nywerheid ten  
65 opsigte waarvan 'n komitee nie vir daardie gebied ingestel is nie, asof hulle in daardie eersgenoemde nywerheid in diens was.
- (2) Die Minister kan op dieselfde wyse enige kennisgewing ingevolge sub-artikel (1) gepubliseer, intrek of wysig.
- 70 (3) Die bepalings van sub-artikel (4) van artikel *sestien* is *mutatis mutandis* van toepassing ten opsigte van die publikasie van 'n kennisgewing ingevolge sub-artikel (1) of (2).
18. (1) Wanneer daar in 'n gebied waarvoor twee of meer  
komitees ten opsigte van verskillende nywerhede ingestel bedrywe.  
Afbakening van  
75 is, na die mening van die kontroleur twyfel bestaan of een of ander werksaamheid binne die bestek val van 'n aangewese bedryf in 'n nywerheid ten opsigte waarvan een van daardie komitees ingestel is, of binne die bestek van 'n aangewese bedryf in 'n nywerheid ten opsigte waarvan 'n ander een van  
80 daardie komitees ingestel is, moet die kontroleur, na raadpleging met die betrokke komitees, die saak beslis.

(2) Any committee, employer or apprentice who feels aggrieved by a decision of the controller under sub-section (1), may at any time within thirty days after the date of such decision, appeal to the Minister, who may confirm the controller's decision or give such other decision as in his opinion the controller ought to have given. 5

(3) The Minister's decision upon such appeal shall be final.

Employment of  
minors.

19. (1) The Minister may—

- (a) after consultation with the committee concerned, by notice in the *Gazette*, apply the provisions either of sub-section (3) or of sub-section (4) in respect of any designated trade in any area within the area of jurisdiction of such committee; and
- (b) in the same manner, withdraw or amend any such notice. 15

(2) A notice under paragraph (a) of sub-section (1) shall specify the authority referred to in sub-section (3), or the information to be furnished for the purposes of paragraphs (a) and (b) of sub-section (4), as the case may be.

(3) (a) As from the date of publication of the relevant notice under sub-section (1), no person shall employ any minor in the trade and area to which the notice relates, without the written consent of the authority specified in such notice. 20

(b) the said authority may grant its consent subject to such conditions relating to the employment of such minor as it may deem fit. 25

(c) A prospective employer or a minor, who feels aggrieved by any decision of the said authority under paragraph (a) or (b), may at any time within thirty days after the date of such decision, appeal to the controller, who may confirm the decision of the said authority or give such other decision as in his opinion it ought to have given.

(d) If the employment of any such minor is terminated for any reason, the employer shall notify the said authority in the prescribed form and within seven days thereafter, of such termination. 35

(4) After the publication of the relevant notice under sub-section (1)— 40

(a) any person who has any minor in his employ in the trade and area to which the notice relates shall, in writing and within fourteen days of the publication of such notice, notify the secretary of the committee concerned of such employment, and furnish to the said secretary, in connection with such minor, the information specified in such notice; 45

(b) any person who employs any minor in such trade and area shall, in writing and within seven days of such employment, notify the secretary of the committee concerned thereof, and furnish to the said secretary, in connection with such minor, the information so specified; and

(c) any person who has any minor in his employ in such trade and area shall, if such employment is terminated for any reason, notify the secretary of the committee concerned in the prescribed form and within seven days thereafter, of such termination. 55

Acceptance of  
premiums and  
bonuses.

20. (1) No person shall, without the written consent of the controller, directly or indirectly require or permit any person to pay or give any consideration in respect of the employment of a minor or apprentice in a designated trade, within the area of jurisdiction of the committee concerned, or in respect of the training of a minor in any such trade, or receive any such consideration from any person: Provided that notwithstanding the provisions of this sub-section, it shall be lawful for any person who has been exempted under sub-section (1) of section forty, to require or permit any person to pay or give any consideration in respect of the training of a minor in any designated trade by the person so exempted, and to receive such last-mentioned consideration. 60 65 70

(2) Any person who has in contravention of the provisions of sub-section (1), paid or given any such consideration, may recover the same in a magistrate's court, and the said court, if it has convicted any person of a contravention of the said sub-section, may summarily and without pleadings but in the presence of such person and on proof of the amount, give judgment 75

(2) 'n Komitee, werkgewer of vakleerling wat deur 'n beslissing van die kontroleur ingevolge sub-artikel (1) veronreg voel, kan te eniger tyd binne dertig dae na die datum van daardie beslissing, by die Minister in hoër beroep gaan, en die Minister kan die beslissing van die kontroleur bekragtig of sodanige ander beslissing gee as wat die kontroleur, na sy mening, behoort te gegee het.

(3) Die beslissing van die Minister by so 'n beroep is afdoende.

19. (1) Die Minister kan—

Indiensneming van minderjariges.

10 (a) na raadpleging met die betrokke komitee, by kennisgewing in die *Staatskoerant*, die bepalings van of sub-artikel (3) of sub-artikel (4) toepas ten opsigte van 'n aangewese bedryf in enige gebied binne die magsgebied van daardie komitee; en

15 (b) op dieselfde wyse, so 'n kennisgewing intrek of wysig.

(2) 'n Kennisgewing ingevolge paragraaf (a) van sub-artikel (1) moet, na gelang van die geval, die in sub-artikel (3) bedoelde outoriteit of die inligting wat vir die doeleindes van paragraaf (a) en (b) van sub-artikel (4) verstrekk moet word, vermeld.

20 (3) (a) Vanaf die datum van publikasie van die toepaslike kennisgewing ingevolge sub-artikel (1), mag niemand enige minderjarige in die bedryf en gebied waarop die kennisgewing betrekking het, sonder die skriftelike toestemming van die in die kennisgewing vermelde outoriteit in diens neem nie.

25 (b) Bedoelde outoriteit kan sy toestemming verleen onderworpe aan die voorwaardes betreffende die diens van die minderjarige wat hy goeiddunk.

30 (c) 'n Aanstaaende werkgewer of 'n minderjarige wat hom veronreg voel deur 'n beslissing van bedoelde outoriteit ingevolge paragraaf (a) of (b), kan hom te eniger tyd binne dertig dae na die datum van daardie beslissing op die kontroleur beroep, wat die beslissing van bedoelde outoriteit kan bekragtig of sodanige ander beslissing kan gee as wat, na sy mening, daardie outoriteit behoort te gegee het.

35 (d) Indien die diens van so 'n minderjarige om enige rede beëindig word, moet die werkgewer bedoelde outoriteit binne sewe dae daarna, in die voorgeskrewe vorm, van die beëindiging in kennis stel.

40 (4) Na die publikasie van die toepaslike kennisgewing ingevolge sub-artikel (1)—

45 (a) moet iemand wat 'n minderjarige in sy diens het in die bedryf en gebied waarop die kennisgewing betrekking het, binne veertien dae na die publikasie van daardie kennisgewing, die sekretaris van die betrokke komitee skriftelik van bedoelde diens in kennis stel en, aan genoemde sekretaris, in verband met daardie minderjarige, die in die kennisgewing vermelde inligting verstrekk;

50 (b) moet iemand wat 'n minderjarige in bedoelde bedryf en gebied in diens neem, die sekretaris van die betrokke komitee binne sewe dae na die indiensneming skriftelik daarvan in kennis stel, en aan genoemde sekretaris, in verband met daardie minderjarige, die aldus vermelde inligting verstrekk; en

55 (c) moet iemand wat 'n minderjarige in bedoelde bedryf en gebied in sy diens het, indien daardie diens om enige rede beëindig word, die sekretaris van die betrokke komitee binne sewe dae daarna in die voorgeskrewe vorm van die beëindiging in kennis stel.

60 20. (1) Niemand mag, sonder die skriftelike toestemming van die kontroleur, regstreeks of onregstreeks eis of toelaat dat enigiemand enige vergoeding betaal of gee ten opsigte van die indiensneming van 'n minderjarige of vakleerling in 'n aangewese bedryf binne die magsgebied van die betrokke komitee, of ten opsigte van die opleiding van 'n minderjarige in so 'n bedryf, of enige sodanige vergoeding van enigiemand ontvang nie: Met dien verstande dat dit ondanks die bepalings van hierdie sub-artikel wettig is vir iemand wat ingevolge sub-artikel (1) van artikel veertig vrygestel is, om te eis of toe te laat dat iemand vergoeding betaal of gee ten opsigte van die opleiding deur die aldus vrygestelde persoon, van 'n minderjarige in 'n aangewese bedryf, en om laasbedoelde vergoeding te ontvang.

Aanneming van premies en bonusse.

75 (2) Iemand wat in stryd met die bepalings van sub-artikel (1) enige sodanige vergoeding betaal of gegee het, kan daardie vergoeding in 'n magistratuurshof verhaal, en bedoelde hof kan, indien hy enige persoon aan 'n oortreding van genoemde sub-artikel skuldig bevind het, summier en sonder pleitstukke, 80 maar in teenwoordigheid van daardie persoon en na gelewerde

therefor against the person so convicted, and such judgment shall be of the same force and effect and be executable in the same manner as if it had been given in a civil action duly instituted in that court.

Employment and apprenticeship of minors to be in accordance with this Act.

21. (1) No person shall, save as provided in sub-section 5  
(2) employ a minor in any designated trade, within the area of jurisdiction of the committee concerned, for a longer period than four months, or for a period which, when added to any period or periods during which such minor has been employed in such trade and within the same area of jurisdiction, by 10  
any other employer, exceeds six months, unless a contract of apprenticeship has been entered into in accordance with this Act and with the conditions of apprenticeship applicable to such trade, and as nearly as may be in the prescribed form.

(2) Whenever a trade has been designated by the Minister 15  
the following provisions shall apply in respect of any minor employed in such trade within the area of jurisdiction of the committee concerned :

(a) If at the time of such designation the minor is employed under a written contract of apprenticeship, the em- 20  
ployer shall lodge the contract in the prescribed manner and within three months after such designation with the controller for registration.

(b) The controller shall register any contract lodged with him under paragraph (a), but the provisions of this 25  
Act, other than the provisions of paragraph (a), shall not apply in respect of such contract.

(c) If the minor has been employed in such trade continuously during a period of not less than twelve months immediately preceding the designation without a 30  
written contract of apprenticeship, and enters, within two months after the date of the designation, into such a contract with his employer in accordance with the provisions of this Act and the conditions of apprenticeship applicable to such trade and as nearly 35  
as may be in the prescribed form, the employer shall lodge such contract, within one month after the date upon which it was entered into, with the controller for registration.

(d) The controller shall register any contract lodged with 40  
him under paragraph (c).

(e) Upon the registration of any contract under paragraph (d) the period during which the minor was employed without a written contract of employment, or any part thereof, may, with the approval of the con- 45  
troller, be reckoned as part of the period of apprenticeship prescribed under section *sixteen* in respect of such trade.

(3) The provisions of sub-sections (1) and (2) shall not apply in respect of: 50

(a) the commercial distributive industry or the hotel industry; or

(b) any minor who has completed the period of apprenticeship prescribed under section *sixteen* in respect of the trade concerned. 55

Who may bind himself as an apprentice.

22. (1) Subject to the provisions of the Factories Act, 1918 (Act No. 28 of 1918), any minor who—

(a) has the qualifications prescribed under section *sixteen* ;

(b) has obtained a certificate of physical fitness in the prescribed form ; 60

(c) has attained the age of fifteen ; and

(d) is not required by law to attend any school,

may, with the assistance of his guardian, bind himself, in accordance with the provisions of this Act, as an apprentice in any designated trade. 65

(2) Any such minor who has no guardian capable of assisting him, may be assisted in the execution of the contract or of any transfer thereof, by the magistrate of the district in which the contract is to be entered into or the transfer is to take place, as the case may be, and in any such case the magistrate of such 70  
district shall in all matters connected with or arising out of such contract, and until the expiry thereof, or until such minor attains the age of twenty-one years (whichever happens at an earlier date), be deemed to be the guardian of such minor.

Registration of contracts of apprenticeship.

23. (1) No contract of apprenticeship in a designated trade 75  
made after the commencement of this Act shall be valid unless—

(a) at the time it was entered into, it was reduced to writing ; and

bewys van die bedrag, uitspraak daarvoor gee teen die aldus skuldigbevonde persoon, en daardie uitspraak het dieselfde krag en uitwerking, en kan op dieselfde wyse ten uitvoer gelê word asof dit gegee was in 'n behoorlik in daardie hof

5 ingestelde siviele geding.

21. (1) Niemand mag, behoudens die bepalings van sub-Indiensneming en artikel (2), 'n minderjarige in enige aangewese bedryf, binne die leerlingenskap van regsgebied van die betrokke komitee, in diens neem vir 'n minderjariges moet langer tydperk as vier maande nie, of vir 'n tydperk wat voldoen aan hierdie Wet.

10 saam met enige tydperk of tydperke gedurende welke daardie minderjarige in daardie bedryf en binne dieselfde magsgebied by enige ander werkgever in diens was, ses maande te bowe gaan nie, tensy 'n leerlingskontrak aangegaan is ooreenkomstig hierdie Wet en die leervoorwaardes wat op daardie bedryf

15 van toepassing is, en so na doenlik in die voorgeskrewe vorm.

(2) Wanneer 'n bedryf deur die Minister aangewys is, is die volgende bepalings van toepassing ten opsigte van enige minderjarige wat in daardie bedryf binne die magsgebied van die betrokke komitee in diens is :

20 (a) Indien die minderjarige ten tyde van bedoelde aanwysing ingevolge 'n skriftelike leerlingskontrak in diens is, moet die werkgever die kontrak op die voorgeskrewe wyse en binne drie maande na die aanwysing, by die kontroleur vir registrasie inlewer.

25 (b) Die kontroleur moet enige kontrak wat ooreenkomstig paragraaf (a) by hom ingelewer is, registreer, maar die bepalings van hierdie Wet, met uitsondering van die bepalings van paragraaf (a), is nie ten opsigte van so 'n kontrak van toepassing nie.

30 (c) Indien die minderjarige vir 'n onafgebroke tydperk van minstens twaalf maande onmiddellik voor die aanwysing, sonder 'n skriftelike leerlingskontrak in daardie bedryf in diens was, en binne twee maande na die datum van die aanwysing so 'n kontrak met

35 sy werkgever aangaan ooreenkomstig die bepalings van hierdie Wet en die leervoorwaardes wat op daardie bedryf van toepassing is en so na doenlik in die voorgeskrewe vorm, moet die werkgever daardie kontrak binne een maand na die datum waarop dit aangegaan is, by die kontroleur vir registrasie inlewer.

40 (d) Die kontroleur moet enige kontrak wat ooreenkomstig paragraaf (c) by hom ingelewer is, registreer.

(e) Na registrasie van 'n kontrak ingevolge paragraaf (d), kan die tydperk, of enige gedeelte daarvan, gedurende welke die minderjarige sonder 'n skriftelike dienskontrak in diens was, met die goedkeuring van die kontroleur bygetel word as deel van die leertyd wat kragtens artikel *sestien* ten opsigte van daardie bedryf voorgeskryf is.

50 (3) Die bepalings van sub-artikels (1) en (2) is nie van toepassing nie op—

(a) die kommersiële distribusienywerheid of die hotelnywerheid ; of

55 (b) enige minderjarige wat die ingevolge artikel *sestien* voorgeskrewe leertyd ten opsigte van die betrokke bedryf voltooi het.

22. (1) Behoudens die bepalings van die „Fabrieks Wet, 1918” (Wet No. 28 van 1918), kan enige minderjarige wat—

Wie hom as vakleerling kan verbind.

60 (a) die ingevolge artikel *sestien* voorgeskrewe kwalifikasies besit ;

(b) 'n sertifikaat van liggaamlike geskiktheid in die voorgeskrewe vorm verkry het ;

(c) die leeftyd van vyftien jaar bereik het ; en

65 (d) nie volgens wet verplig is om 'n skool by te woon nie, met bystand van sy voog, hom ooreenkomstig die bepalings van hierdie Wet as vakleerling in enige aangewese bedryf verbind.

(2) So 'n minderjarige wat geen voog het wat in staat is om hom by te staan nie, kan by die aangaan van die kontrak of by enige oordrag daarvan, bygestaan word deur die magistraat van die distrik waarin die kontrak aangegaan gaan word of die oordrag gaan plaasvind, na gelang van die geval, en in so 'n geval word die magistraat van daardie distrik tot die verstryking van daardie kontrak of totdat die minderjarige die leeftyd van een-en-twintig jaar bereik (na gelang die een of die ander die vroegste geskied) geag die voog te wees van die minderjarige, wat betref alle sake wat met daardie kontrak in verband staan of daaruit voortspruit.

23. (1) Geen leerlingskontrak in 'n aangewese bedryf wat na die inwerkingtreding van hierdie Wet aangegaan word, is geldig nie tensy—

Registrasie van leerlingskontrakte.

(a) dit by die aangaan daarvan op skrif gestel is ; en

- (b) it has been signed by or on behalf of the employer, and by the apprentice and his guardian; and
- (c) it has been registered by the controller.

(2) The controller may refuse to register any contract of apprenticeship if in his opinion it is not in the interests of the minor to enter into such a contract, and he may, in coming to a decision under this sub-section, have regard, in addition to any other circumstance, to the minor's prospects of obtaining employment in the industry concerned at the expiry of the contract.

(3) The employer shall lodge such contract in the prescribed manner and within one month after the date on which it was entered into, with the controller for registration.

Inability of employer to provide necessary work or training.

24. (1) If, in the opinion of the controller, the employer of an apprentice is, for any reason beyond the control of such employer, unable to provide such apprentice with work or training during the full period of his ordinary working hours, he may, after consultation with the committee concerned, authorize in writing, for such period and subject to such conditions as he may determine, the employment of the apprentice on short-time, or the loan of the services of the apprentice to another employer.

(2) No loan of the services of an apprentice to another employer, authorized under sub-section (1), shall release the person who is the employer in terms of the contract of apprenticeship, from any obligation under such contract.

(3) No person shall employ an apprentice on short time or lend or borrow the services of an apprentice, otherwise than in accordance with the provisions of sub-section (1).

Transfer of contract of apprenticeship.

25. (1) The rights and obligations of any employer under any contract of apprenticeship may, with the consent of the controller given after consultation with the committee concerned, be transferred to another employer.

(2) Subject to the provisions of sub-section (5), no such transfer shall be complete until the agreement of transfer—

- (a) has been reduced to writing, and has been signed by or on behalf of the transferor and transferee, and by the apprentice and, if he is still a minor, also by his guardian; and
- (b) has been registered by the controller.

(3) The controller may refuse to register any such agreement if the transfer is, in his opinion, not in the interests of the apprentice.

(4) The transferee shall lodge such agreement, in the prescribed manner and within one month after it has been entered into, with the controller for registration.

(5) (a) If any person is apprenticed to a partnership, his contract of apprenticeship shall not be terminated by reason of the death or retirement of any partner, if the business of the partnership is continued by another person or partnership; and the rights and obligations of the employer under such contract shall be deemed to be transferred to the person or partnership continuing the business.

(b) Such person or partnership shall lodge the contract in the prescribed manner and within one month of the date of such death or retirement with the controller for registration of the transfer.

Suspension of apprentices.

26. (1) If an employer is satisfied that an apprentice bound to him by contract under this Act, has committed a serious breach of the terms of such contract or of any condition of apprenticeship applicable to such apprentice, he may forthwith suspend the apprentice.

(2) Any employer who has so suspended an apprentice shall report the matter in writing to the committee concerned within three days of the suspension.

(3) The committee shall, as soon as may be, enquire into the matter or cause the matter to be enquired into, and submit its report and recommendation thereon to the controller.

(4) After consideration of such report and recommendation the controller may confirm, vary or set aside the suspension of the apprentice.

(5) If the controller varies or sets aside the suspension of an apprentice under sub-section (4), he may order that any or all of the wages which may have been withheld from the apprentice during the period of suspension, be refunded to such apprentice within such period as the controller may direct.

(6) An order made under sub-section (5) shall have all the effects of, and may be executed as if it were, a civil judgment in favour of such apprentice.

(b) dit deur of namens die werkgewer, en deur die vakleerling en sy voog onderteken is; en

(c) dit deur die kontroleur geregistreer is.

(2) Die kontroleur kan weier om 'n leerlingskontrak te registreer indien dit na sy mening nie in belang van die minderjarige is om daardie kontrak aan te gaan nie, en hy kan, wanneer hy ingevolge hierdie sub-artikel tot 'n beslissing geraak, benewens enige ander omstandigheid, die vooruitsigte van die minderjarige om by verstryking van die kontrak in die betrokke nywerheid werk te kry, in ag neem.

(3) Die werkgewer moet sodanige kontrak binne een maand na die datum waarop dit aangegaan is, op die voorgeskrewe wyse by die kontroleur vir registrasie inlewer.

24. (1) Indien die werkgewer van 'n vakleerling na die mening van die kontroleur om enige rede buite die beheer van daardie werkgewer, nie in staat is om daardie vakleerling gedurende die volle tydperk van sy gewone werkure van werk of opleiding te voorsien nie, kan hy, na raadpleging met die betrokke komitee, skriftelik magtig dat, vir die tydperk en onderworpe aan die voorwaardes wat hy mag bepaal, die vakleerling teen kort tyd diens doen, of die dienste van die vakleerling aan 'n ander werkgewer geleen word.

Onvermoë van werkgewer om nodige werk of opleiding te verskaf.

(2) Die leen van die dienste van 'n vakleerling aan 'n ander werkgewer, ingevolge sub-artikel (1) gemagtig, onthef nie die persoon wat ooreenkomstig die leerlingskontrak die werkgewer is, van enige verpligting ingevolge daardie kontrak nie.

(3) Niemand mag, behalwe ooreenkomstig die bepalings van sub-artikel (1), 'n vakleerling teen kort tyd laat diens doen, of die dienste van 'n vakleerling uitleen of leen nie.

25. (1) Die regte en verpligtinge van 'n werkgewer ingevolge 'n leerlingskontrak, kan, met toestemming van die kontroleur, na raadpleging met die betrokke komitee verleen, aan 'n ander werkgewer oorgedra word.

Oordrag van leerlingskontrak.

(2) Behoudens die bepalings van sub-artikel (5), is so 'n oordrag nie voltooi nie alvorens die ooreenkoms tot oordrag—

(a) op skrif gestel is en deur of namens die oordraer en die persoon aan wie oorgedra word, en deur die vakleerling, en, indien hy nog 'n minderjarige is, ook deur sy voog, onderteken is; en

(b) deur die kontroleur geregistreer is.

(3) Die kontroleur kan weier om so 'n ooreenkoms te registreer indien die oordrag, na sy mening, nie die belange van die vakleerling dien nie.

(4) Die persoon aan wie oorgedra word moet die ooreenkoms binne een maand na dit aangegaan is, op die voorgeskrewe wyse by die kontroleur vir registrasie inlewer.

(5) (a) Indien iemand by 'n vennootskap in die leer is, word sy leerlingskontrak nie uit hoofde van die oorlye of uittrede van 'n vennoot beëindig nie, indien die besigheid van die vennootskap deur 'n ander persoon of vennootskap voortgesit word; en die regte en verpligtinge van die werkgewer ingevolge daardie kontrak word geag oorgedra te wees op die persoon of vennootskap wat die besigheid voortsit.

(b) Bedoelde persoon of vennootskap moet die kontrak binne een maand na die datum van sodanige oorlye of uittrede, op die voorgeskrewe wyse by die kontroleur vir registrasie van die oordrag inlewer.

26. (1) Indien 'n werkgewer oortuig is dat 'n vakleerling wat deur 'n kontrak ingevolge hierdie Wet teenoor hom gebonde is, 'n ernstige oortreding van die bepalings van daardie kontrak of van 'n leervoorwaarde wat op daardie vakleerling van toepassing is, begaan het, kan hy daardie vakleerling onmiddellik in sy diens skors.

Skorsing van vakleerlinge.

(2) 'n Werkgewer wat 'n vakleerling aldus geskors het, moet die saak binne drie dae na die skorsing skriftelik by die betrokke komitee aanmeld.

(3) Die komitee moet die saak so spoedig doenlik ondersoek of laat ondersoek en sy verslag en aanbeveling in verband daarmee aan die kontroleur voorlê.

(4) Die kontroleur kan, na oorweging van die verslag en aanbeveling, die skorsing van die vakleerling bekragtig, wysig of vernietig.

(5) Indien die kontroleur die skorsing van die vakleerling ingevolge sub-artikel (4) wysig of vernietig, kan hy beveel dat 'n gedeelte of die hele bedrag van die loon wat aan die vakleerling tydens die duur van die skorsing weerhou mag gewees het, aan daardie vakleerling terugbetaal word binne die tydperk wat die kontroleur mag bepaal.

(6) 'n Bevel ingevolge sub-artikel (5) gegee het die uitwerking van 'n siviele vonnis ten gunste van daardie vakleerling, en kan ten uitvoer gelê word asof dit so 'n vonnis was.

Termination of  
contracts of  
apprenticeship.

27. Any contract of apprenticeship may be cancelled—

- (a) with the consent of the controller, by agreement of the parties thereto;
- (b) by the controller, after consultation with the committee concerned, at the instance of any party thereto, if he is satisfied that it is expedient to do so: Provided that in any action for damages against the party at whose instance the contract is so cancelled by the other party to the contract, such firstmentioned party shall be deemed to have failed to carry out the contract: Provided further that any action for such damages against such firstmentioned party shall be instituted by such other party within a period of six months after the date upon which the contract was cancelled; or
- (c) by the controller, at the instance of the committee concerned, if he is satisfied that it is expedient to do so.

Lost time.

28. (1) The controller may, if he deems it expedient and after consultation with the committee concerned, order that any year of apprenticeship of any apprentice be extended by not more than one day in respect of every ordinary working day upon which such apprentice was absent from work during that year of apprenticeship; and that year of apprenticeship shall thereupon be deemed to be extended accordingly.

(2) The provisions of sub-section (1) shall not apply in respect of—

- (a) any absence on leave to which the apprentice is entitled in terms of his contract or under any law;
- (b) any absence from work which is due to attendance of classes in accordance with any condition of apprenticeship applicable to the apprentice; or
- (c) any absence from work for a total period not exceeding sixty days in any year of apprenticeship, which is due to compulsory training under the South Africa Defence Act, 1912 (Act No. 13 of 1912), or any amendment thereof.

Failure by  
employer to pay  
apprentice.

29. (1) If an employer is convicted under paragraph (a) of sub-section (1) of section *thirty-six* of the failure to make any payment to any apprentice employed by him which he was required to make to that apprentice under the provisions of any contract of apprenticeship or in terms of any condition of apprenticeship, the court convicting him shall enquire into and determine the difference between the amount which he paid and the amount which he would have paid if the failure of which he was convicted had not occurred: Provided that if the court is unable on all the evidence, whether given before or after conviction, to determine that difference exactly, it shall, to the best of its ability, estimate that difference. If no amount has been paid the amount which would have been paid if the failure had not occurred, shall, for the purposes of this sub-section, be deemed to be the difference.

(2) The court shall, when acting under sub-section (1), give to the employer an opportunity of submitting evidence regarding the matters in issue.

(3) The proceedings of the court under the provisions of sub-sections (1) and (2) shall be taken before sentence is passed, and shall be deemed to form part of the trial.

(4) It shall not be a defence to any charge of a failure such as is referred to in sub-section (1) to prove that the act or omission with which the accused is charged was due to lack of means.

(5) No employer shall—

- (a) require or permit any apprentice to pay or repay to him any amount payable or paid to that apprentice under the contract of apprenticeship or in terms of any condition of apprenticeship, or do any act or permit any act to be done as a direct or indirect result of which that apprentice is deprived of the benefit of any amount so payable or paid, or any portion thereof; or
- (b) require or permit any apprentice to give a receipt for, or otherwise to represent that he has received, more than he has actually been paid by such employer.

27. 'n Leerlingskontrak kan ontbind word—

Beëindiging van leerlingskontrakte.

- (a) met toestemming van die kontroleur, deur ooreenkoms van die betrokke partye ;
- 5      (b) deur die kontroleur, na raadpleging met die betrokke komitee, op versoek van enige party daarby, indien hy oortuig is dat dit raadsaam is om sulks te doen : Met dien verstande dat in 'n aksie vir skadevergoeding teen die party op wie se versoek die kontrak aldus ontbind word deur die ander party by die
- 10      kontrak, dit geag word dat eersgenoemde party versuim het om die kontrak uit te voer : Met dien verstande voorts dat 'n aksie vir sodanige skadevergoeding teen eersgenoemde party deur die ander party ingestel moet word binne 'n tydperk van ses
- 15      maande na die datum waarop die kontrak ontbind is ; of
- (c) deur die kontroleur, op versoek van die betrokke komitee, indien hy oortuig is dat dit raadsaam is om sulks te doen.

20      28. (1) Die kontroleur kan, indien hy dit raadsaam ag en na raadpleging met die betrokke komitee, gelas dat enige jaar van die leertyd van 'n vakleerling verleng word met hoogstens een dag ten opsigte van elke gewone werksdag waarop daardie vakleerling van sy werk afwesig was gedurende daardie jaar van sy leertyd ; en daarna word daardie jaar van sy leertyd geag dienooreenkomstig verleng te wees.

Ongebruikte werksdae.

(2) Die bepalinge van sub-artikel (1) is nie van toepassing nie ten opsigte van—

- 30      (a) enige afwesigheid met verlof waarop die vakleerling volgens sy kontrak of ingevolge enige wet geregtig is ;
- (b) enige afwesigheid uit werk wat veroorsaak is deur die bywoning van klasse ooreenkomstig 'n leervoorwaarde wat op die vakleerling van toepassing is ; of
- 35      (c) enige afwesigheid uit werk vir 'n totale tydperk van hoogstens sestig dae in enige jaar van leertyd wat veroorsaak is deur verpligte opleiding ingevolge die „Zuid Afrika Verdedigings Wet, 1912” (Wet No. 13 van 1912), of enige wysiging daarvan.

40      29. (1) Indien 'n werkgewer ingevolge paragraaf (a) van sub-artikel (1) van artikel *ses-en-dertig* skuldig bevind word van versuim om aan 'n vakleerling in sy diens enige betaling te doen wat hy ingevolge die bepalinge van 'n leerlingskontrak of ooreenkomstig enige leervoorwaarde verplig was om te doen, dan moet die hof wat hom skuldig vind die verskil ondersoek en vasstel tussen die bedrag wat hy betaal het en die bedrag wat hy sou betaal het indien die versuim waarvan hy skuldig bevind is, nie plaasgevind het nie : Met dien verstande dat indien die hof op al die getuienis, onverskillig of dit vóór skuldigbevinding afgelê is of daarna, nie in staat is om daardie verskil presies vas te stel nie, hy dan die verskil tot die beste van sy vermoë moet beraam. As geen bedrag betaal is nie word die bedrag wat betaal sou gewees het indien die versuim nie plaasgevind het nie vir die doel van hierdie sub-artikel geag

45      die verskil te wees.

Versuim van werkgewer om vakleerling te betaal.

50      (2) Die hof moet, wanneer dit kragtens sub-artikel (1) optree, aan die werkgewer geleentheid gee om getuienis voor te lê aangaande die geskilpunte.

        (3) Die verrigtings van die hof kragtens sub-artikels (1) en (2) vind plaas voordat die straf opgelê word en word geag deel van die verhoor uit te maak.

        (4) Dit is geen verweer op 'n aanklag van 'n in sub-artikel (1) bedoelde versuim nie om te bewys dat die doen of late waarvan die aangeklaagde beskuldig word, aan 'n gebrek aan

55      middele toe te skryf is.

        (5) Geen werkgewer mag—

- 70      (a) vereis of toelaat dat 'n vakleerling enige bedrag wat aan daardie vakleerling betaalbaar of betaal is ingevolge die leerlingskontrak of ooreenkomstig 'n leervoorwaarde, aan hom betaal of terugbetaal, of enige handeling verrig of toelaat dat enige handeling verrig word waarvan die regstreekse of onregstreekse gevolg is dat aan daardie vakleerling die voordeel van 'n aldus betaalbare of betaalde bedrag, of 'n gedeelte daarvan, ontnem word ; of
- 75      (b) vereis of toelaat dat 'n vakleerling 'n kwitansie uitreik vir meer dan wat die werkgewer hom werklik betaal het, of op ander wyse voorgee dat hy meer as dit ontvang het.

Order upon  
employer to pay  
amount underpaid.

30. (1) Whenever any person has been convicted under paragraph (a) of sub-section (1) of section *thirty-six* of a failure referred to in sub-section (1) of section *twenty-nine*, the court convicting him shall, after it has, in terms of the last mentioned section, determined or estimated the amount underpaid, order him to pay an amount equal to the amount underpaid to an officer specified by the court (hereinafter referred to as the specified officer) within a period fixed by the court, in instalments or otherwise, as fixed by the court. 5

(2) Such officer shall pay any amount received by him in pursuance of any such order to the apprentice in respect of whom the contravention or failure occurred, or to the parent or guardian of such apprentice.

(3) The court may at any time, upon the application of the person convicted, for good cause shown, extend the period within which any such amount must be paid to the specified officer or vary the amounts of the instalments. 15

(4) An order made under this section shall have all the effects of, and may be executed as if it were, a civil judgment in favour of the Government of the Union. 20

Civil rights of  
apprentice and  
employer.

31. (1) Nothing contained in section *thirty* shall affect—

(a) any right which an apprentice may have—

(i) to institute civil proceedings against his employer in respect of any contravention of or failure to comply with any provision of a contract of apprenticeship or any condition of apprenticeship, other than a failure referred to in sub-section (1) of section *twenty-nine*; or 25

(ii) to recover by civil proceedings from his employer, where the employer has been convicted of an offence consisting of a failure referred to in the said sub-section which occurred in respect of himself, any amount owing to him, under any agreement with his employer, in excess of the amount underpaid; or 35

(iii) subject to the provisions of sub-section (2), to recover by civil proceedings from his employer, where the employer has not been so convicted, any amount which the employer is bound to pay to him under the provisions of the contract of apprenticeship or any condition of apprenticeship; or 40

(b) any right which an employer may have to institute civil proceedings against an apprentice in respect of any contravention of or failure to comply with the provisions of the contract of apprenticeship or any condition of apprenticeship. 45

(2) An apprentice to whom his employer has failed to make any payment which he ought to have made in terms of the contract of apprenticeship or any condition of apprenticeship, shall not be entitled to recover from his employer by civil proceedings the amount underpaid or any portion of that amount unless— 50

(a) he produces to the court a certificate signed by the Attorney-General of the province in which is situate the area of jurisdiction of the court, or where that area of jurisdiction is situate within the area of jurisdiction of the Eastern Districts Local Division of the Supreme Court of South Africa, by the Solicitor-General, stating that he declines to prosecute in respect of the failure upon which the apprentice proposes to base the cause of action; 60

(b) the employer has been acquitted on a charge of that failure.

Private training  
schools.

32. (1) No person shall conduct, without the written permission of the Minister, any school in which minors are trained in any designated trade or in work or operations similar to those falling within any such trade. 65

(2) The Minister may grant any such permission subject to such conditions as he may specify therein. 70

Records to be kept  
by employers.

33. (1) Every employer, other than the State, upon whom a contract of apprenticeship is binding, and every employer who employs in a designated trade a minor, other than an apprentice, shall at all times keep in respect of every apprentice and every such minor, records of the remuneration paid, of the time worked, and of such other particulars as may be prescribed. 75

30. (1) Wanneer iemand skuldig bevind is ingevolge para- Bevel op werk-  
graaf (a) van sub-artikel (1) van artikel *ses-en-dertig* van 'n in gewer om onder-  
sub-artikel (1) van artikel *negen-en-twintig* bedoelde versuim, betaalde bedrag te  
moet die hof wat hom skuldig bevind het, nadat hy ooreen- betaal.  
5 komstig laasgenoemde artikel die onderbetaalde bedrag vas-  
gestel of beraam het, hom beveel om binne 'n deur die hof  
bepaalde tydperk 'n bedrag gelykstaande met die onderbe-  
taalde bedrag aan 'n deur die hof aangewese amptenaar (hierna  
die aangewese amptenaar genoem), te betaal, by wyse van  
10 paaieimente of andersins, soos deur die hof bepaal.
- (2) Bedoelde amptenaar moet enige bedrag wat ten gevolge  
van so 'n bevel deur hom ontvang is, aan die vakleerling ten  
opsigte van wie die oortreding of versuim plaasgevind het, of  
aan die ouer of voog van daardie vakleerling, oorbetaal.
- 15 (3) Die hof kan te eniger tyd op aansoek van die skuldig-  
bevonde persoon, as voldoende gronde aangevoer word, die  
tydperk waarin so 'n bedrag aan die aangewese amptenaar  
betaal moet word, verleng of die bedrae van die paaieimente  
verander.
- 20 (4) 'n Bevel ingevolge hierdie artikel gegee, het in alle opsigte  
die uitwerking van 'n siviele vonnis ten gunste van die Unie-  
regering, en kan ten uitvoer gelê word asof dit so 'n vonnis  
was.
- 25 31. (1) Die bepalinge van artikel *dertig* maak geen inbreuk  
nie op— Siviele regte van  
vakleerling en  
werkgewer.
- (a) enige reg wat 'n vakleerling mag hê—
- (i) om 'n siviele geding teen sy werkgewer in te  
stel ten opsigte van 'n oortreding van of versuim  
om te voldoen aan enige bepaling van 'n leerlings-  
30 kontrak of enige leervooraarde, behalwe 'n in  
sub-artikel (1) van artikel *negen-en-twintig* be-  
doelde versuim; of
- (ii) om, waar die werkgewer skuldig bevind is aan 'n  
35 misdryf bestaande uit 'n versuim in genoemde  
sub-artikel bedoel, wat ten opsigte van homself  
plaasgevind het, enige bedrag aan hom verskul-  
dig ingevolge 'n ooreenkoms met sy werkgewer,  
wat die onderbetaalde bedrag te bowe gaan,  
40 deur 'n siviele geding op sy werkgewer te ver-  
haal; of
- (iii) om, waar die werkgewer nie aldus skuldig bevind  
is nie, met inagneming van die bepalinge van  
sub-artikel (2), enige bedrag wat die werkgewer  
45 ingevolge die bepalinge van die leerlingskontrak  
of enige leervooraarde verplig is om aan hom  
te betaal, deur 'n siviele geding op sy werk-  
gewer te verhaal; of
- (b) enige reg wat 'n werkgewer mag hê om 'n siviele geding  
50 teen 'n vakleerling in te stel ten opsigte van enige  
oortreding van of versuim om te voldoen aan die  
bepalinge van die leerlingskontrak of enige leer-  
vooraarde.
- (2) 'n Vakleerling wie se werkgewer versuim het om aan hom  
enige betaling te doen wat hy ooreenkomstig die leerlings-  
55 kontrak of enige leervooraarde behoort te gedoen het, is  
nie geregtig om deur 'n siviele geding die onderbetaalde bedrag  
of enige gedeelte daarvan op sy werkgewer te verhaal nie  
tensy—
- (a) hy aan die hof 'n sertifikaat oorlê onderteken deur die  
60 Prokureur-generaal van die provinsie waarin die regs-  
gebied van die hof geleë is, of ingeval bedoelde regs-  
gebied geleë is binne die regsgebied van die Oostelike  
Distrikte Plaaslike Afdeling van die Hooggeregshof  
van Suid-Afrika, deur die Solisiteur-Generaal, waarin  
65 hy verklaar dat hy weier om te vervolg ten opsigte  
van die versuim waarop die vakleerling voornemens is  
om die skuldorsaak te baseer; of
- (b) die werkgewer op 'n aanklag weens daardie versuim  
vrygespreek is.
- 70 32. (1) Niemand mag, sonder skriftelike toestemming van Private  
die Minister, enige skool bestuur nie waarin minderjariges in 'n opleidingskole.  
aangewese bedryf of in werk of werksaamhede gelyksoortig  
aan dié wat binne so 'n bedryf val, opgelei word.
- (2) Die Minister kan bedoelde toestemming verleen op die  
75 voorwaardes wat hy daarin mag vermeld.
33. (1) Elke werkgewer, behalwe die Staat, wat deur 'n Aantekeninge deur  
leerlingskontrak gebonde is, en elke werkgewer wat 'n minder- werkgewers gehou  
80 jarige, behalwe 'n vakleerling, in 'n aangewese bedryf in diens te word.  
het, moet te alle tye ten opsigte van elke vakleerling en elke  
sodanige minderjarige, aantekeninge hou van die vergoeding  
wat betaal is, van die tyd wat gewerk is en van die ander be-  
sonderhede wat voorgeskryf mag word.

(2) Such records shall be kept in the prescribed form: Provided that an inspector may in writing signed by him authorize the keeping of such records in some other form, if the records so kept will in his opinion enable him to ascertain therefrom the required particulars. 5

(3) Every person who is or has been an employer referred to in sub-section (1) shall retain the record which in terms of that sub-section he has made of any event for a period of three years subsequent to the occurrence of that event, and shall on demand by an inspector made at any time during the said period of three years produce the said record for inspection. 10

Appointment of inspectors.

34. (1) The Minister may, subject to the laws governing the public service, appoint any person as an inspector under this Act.

(2) Every inspector shall be furnished with a certificate signed by an officer designated thereto by the Minister and stating that he has been appointed as an inspector under this Act.

(3) Every person designated as an officer under section *fourteen* of the Apprenticeship (Amendment) Act, 1930 (Act No. 22 of 1930), who holds office as such at the commencement of this Act, shall be deemed to have been appointed as an inspector under this section. 20

Powers and duties of inspectors.

35. (1) Any inspector may—

- (a) at any time enter any premises whatsoever, and take with him into or on to the premises any interpreter or other assistant or any policeman; 25
- (b) while he is upon or in the premises, or at any other time, question any person who is or has been upon the premises, in the presence of or apart from others; 30
- (c) require from any such person the production then and there, or at a time and place fixed by the inspector, of all books and documents which are or have been upon or in the premises or in the possession or custody or under the control of any employer or of any person conducting a school referred to in sub-section (1) of section *thirty-two*, by whom the premises are occupied or used, or of any apprentice or minor employed or being trained by that employer or person; 35
- (d) at any time and at any place require from any person who has the possession or custody or control of any book or document relating to the business of any person who is or was an employer or a person conducting such a school, the production then and there, or at a time and place fixed by the inspector, of that book or document; 40
- (e) examine and make extracts from and copies of all such books and documents, require an explanation of any entries in any such books or documents, and seize any such books or documents as in his opinion may afford evidence of any offence under this Act; 50
- (f) require any apprentice to produce to him any container in which any money paid or to be paid to him by way of remuneration was or is contained, and any statement furnished or to be furnished to him by his employer concerning the payment, examine the contents of the container and retain the container and the statement; 55
- (g) require any apprentice or minor to appear before him at any time and place fixed by the inspector and then and there question that apprentice or minor; and 60
- (h) require any employer to make all payments due to any of his apprentices in the presence of the inspector. 65

(2) Any inspector exercising any power or performing any duty conferred or imposed upon him by this Act, shall, on demand, produce the certificate furnished to him in terms of sub-section (2) of section *thirty-four*.

Penalties.

36. (1) Any person who—

- (a) contravenes or fails to comply with any provision of any contract of apprenticeship or any condition of apprenticeship which is binding upon him; or 70
- (b) contravenes or fails to comply with the provisions of paragraph (d) of sub-section (3) or sub-section (4) of section *nineteen*, paragraph (a) or (c) of sub-section (2) of section *twenty-one*, sub-section (3) of section 75

(2) Bedoelde aantekeninge moet in die voorgeskrewe vorm gehou word: Met dien verstande dat 'n inspekteur skriftelik onder sy handtekening verlof kan verleen tot die hou van daardie aantekeninge in 'n ander vorm, mits die aantekeninge wat aldus gehou word, na sy mening hom in staat sal stel om daaruit die vereiste besonderhede te wete te kom.

(3) Elke persoon wat 'n in sub-artikel (1) bedoelde werk-gewer is of was, moet die aantekening wat hy ingevolge daardie sub-artikel van 'n gebeurtenis gemaak het, behou vir 'n tydperk van drie jaar na daardie gebeurtenis plaasgevind het, en moet op versoek van 'n inspekteur gedoen te eniger tyd binne genoemde tydperk van drie jaar bedoelde aantekening vir besigtiging toon.

34. (1) Die Minister kan, met inagneming van die wette wat die staatsdiens reël, enige persoon as 'n inspekteur ingevolge hierdie Wet aanstel. Aanstelling van inspekteurs.

(2) Elke inspekteur word voorsien van 'n sertifikaat, wat onderteken is deur 'n amptenaar deur die Minister daartoe aangewys, en wat meld dat hy as inspekteur ingevolge hierdie Wet aangestel is.

(3) Iedereen wat kragtens artikel veertien van die Vakleerlinge Wysigingswet, 1930 (Wet No. 22 van 1930), as 'n amptenaar aangewys is en wat by die inwerkingtreding van hierdie Wet sy amp in daardie hoedanigheid bekleed, word geag as inspekteur kragtens hierdie artikel aangestel te gewees het.

35. (1) 'n Inspekteur kan—

- (a) te eniger tyd enige perseel hoegenaamd betree en 'n tolk of ander assistent of 'n polisiebeampte saam met hom op die perseel neem;
- (b) terwyl hy op of in die perseel is of te eniger ander tyd, enige persoon wat op die perseel is of was, in die teenwoordigheid of afgesonderd van andere ondervra;
- (c) eis dat so 'n persoon daar en dan, of op 'n tyd en plek deur die inspekteur bepaal, alle boeke en geskifte oorlê wat op of in die perseel is of was of in besit of bewaring of onder beheer is of was van enige werk-gewer of van enige persoon wat 'n in sub-artikel (1) van artikel twee-en-dertig bedoelde skool bestuur, deur wie die perseel geokkupeer of gebruik word, of van enige vakleerling of minderjarige wat by daardie werk-gewer of persoon in diens is of deur hom opgelei word;
- (d) te eniger tyd en op enige plek van iemand wat 'n boek of geskrif betreffende die besigheid van iemand wat 'n werk-gewer of 'n persoon wat so 'n skool bestuur, is of was, in sy besit of bewaring of onder sy beheer het, die oorlegging daar en dan, of op 'n tyd en plek deur die inspekteur bepaal, van daardie boek of geskrif eis;
- (e) al daardie boeke en geskifte ondersoek en uittreksels daaruit en afskrifte daarvan maak, 'n uitleg vorder van aantekeninge in sulke boeke of geskifte, en enige sodanige boeke of geskifte wat na sy oordeel bewys mag oplewer van 'n misdryf ingevolge hierdie Wet, in beslag neem;
- (f) eis dat 'n vakleerling enige houer waarin geld wat by wyse van vergoeding aan hom betaal is of moet word, gehou is of word, en enige staat wat aan hom in verband met die betaling deur sy werk-gewer verstrekkend is of verstrekkend moet word, aan die inspekteur oorlê, die inhoud van die houer ondersoek en die houer en staat in sy besit hou;
- (g) eis dat 'n vakleerling of minderjarige op 'n deur die inspekteur bepaalde tyd en plek voor hom verskyn, en daardie vakleerling of minderjarige daar en dan ondervra; en
- (h) eis dat 'n werk-gewer alle betalings wat aan enigeen van sy vakleerlinge verskuldig is, in die teenwoordigheid van die inspekteur doen.

(2) 'n Inspekteur wat 'n bevoegdheid uitoefen of 'n plig verrig wat deur hierdie Wet aan hom verleen of opgedra word, moet, op versoek, die sertifikaat toon waarvan hy ingevolge sub-artikel (2) van artikel vier-en-dertig voorsien is.

36. (1) Iemand wat—

- (a) 'n bepaling van 'n leerlingskontrak of 'n leervoor-waarde wat hom bind, oortree of versuim om daaraan te voldoen; of
- (b) die bepalinge van paragraaf (d) van sub-artikel (3) of sub-artikel (4) van artikel negentien, paragraaf (a) of (c) van sub-artikel (2) van artikel een-en-twintig, sub-artikel (3) van artikel drie-en-twintig, sub-artikel

Strafbepalings.

- twenty-three*, sub-section (4) or paragraph (b) of sub-section (5) of section *twenty-five*, sub-section (2) of section *twenty-six* or section *thirty-three*; or
- (c) contravenes or fails to comply with the provisions of sub-section (5) or (9) of section *thirteen*, section *fourteen*, paragraph (a) of sub-section (3) of section *nineteen*, sub-section (1) of section *twenty*, sub-section (1) of section *twenty-one*, sub-section (3) of section *twenty-four*, sub-section (5) of section *twenty-nine* or sub-section (1) of section *thirty-two*; or 5
- (d) fails to comply with any condition imposed under paragraph (b) of sub-section (3) of section *nineteen* or under sub-section (2) of section *thirty-two*, or with any order given under sub-section (5) of section *twenty-six*; or 10
- (e) makes any false entry in any record kept under section *thirty-three*, knowing the same to be false; or
- (f) falsely holds himself out to be an inspector; or
- (g) refuses or fails to answer to the best of his power any question which an inspector has put to him in the exercise of his functions under section *thirty-five*; or 20
- (h) refuses or fails to comply to the best of his power with any requirement made by an inspector under the lastmentioned section; or
- (i) hinders an inspector in the exercise of his functions under the lastmentioned section, 25

shall be guilty of an offence, and liable, in the case of an offence referred to in paragraph (a) or (b) to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months, or to both such fine and imprisonment, and in the case of an offence referred to in paragraph (c), (d), (e), (f), (g), (h) or (i) to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year, or to both such fine and imprisonment. 30

(2) The provisions of section *three hundred and fifty-eight* of the Criminal Procedure and Evidence Act, 1917, as amended, shall not apply in respect of any offence which consists of a failure referred to in sub-section (1) of section *twenty-nine*. 35

#### Evidence and presumptions.

37. (1) Proof of publication in the *Gazette* of a notice under section *sixteen*, *seventeen* or *nineteen*, shall be conclusive proof that all the provisions of this Act, in respect of matters precedent and incidental to the publication of such notice have been complied with. 40

(2) In the absence of satisfactory proof of age, the age of any person shall, in any proceedings under this Act, be presumed to be that stated by an inspector to be in his opinion the probable age of that person; but any interested person who is dissatisfied with that statement of opinion may, at his own expense, require that the person whose age is in question appear before and be examined by a district surgeon, and a statement contained in a certificate by the district surgeon who examined that person as to what in his opinion is the probable age of that person, shall, but only for the purpose of the said proceedings, be conclusive proof as to the age of that person. 45

(3) Whenever in any proceedings under this Act it is proved that any minor was at any time present in any premises in which any designated trade was being carried on, that minor shall, unless the contrary is proved, be presumed at that time to have been employed in such trade by the person there carrying on such trade. 50

(4) A minor or apprentice shall be deemed to be working in the employment of an employer, in addition to any period during which he is actually so working— 60

- (a) during any period during which he is present upon or in any premises in which the designated trade in which he is employed is being carried on; and 65
- (b) during any period during which he is in charge of any vehicle used in the designated trade in which he is employed, whether or not it is being driven: 70

Provided that if it is proved that any minor or apprentice was not working for his employer during any portion of any period

- (4) of paragraaf (b) van sub-artikel (5) van artikel *vyf-en-twintig*, sub-artikel (2) van artikel *ses-en-twintig* of artikel *drie-en-dertig* oortree of versuim om daaraan te voldoen; of
- 5 (c) die bepalings van sub-artikel (5) of (9) van artikel *dertien*, artikel *veertien*, paragraaf (a) van sub-artikel (3) van artikel *negentien*, sub-artikel (1) van artikel *twintig*, sub-artikel (1) van artikel *een-en-twintig*, sub-artikel (3) van artikel *vier-en-twintig*, sub-artikel
- 10 (5) van artikel *negen-en-twintig* of sub-artikel (1) van artikel *twee-en-dertig* oortree of versuim om daaraan te voldoen; of
- (d) versuim om te voldoen aan enige voorwaarde ingevolge paragraaf (b) van sub-artikel (3) van artikel *negen-*
- 15 *tien* of ingevolge sub-artikel (2) van artikel *twee-en-dertig* opgelê, of aan enige bevel kragtens sub-artikel (5) van artikel *ses-en-twintig* gegee; of
- (e) 'n valse inskrywing doen in 'n aantekening kragtens artikel *drie-en-dertig* gehou, wetende dat dit vals is; of
- 20 (f) hom valslik as 'n inspekteur voordoen; of
- (g) weier of versuim om na sy beste vermoë te antwoord op 'n vraag wat deur 'n inspekteur by die uitoefening van sy bevoegdhede ingevolge artikel *vyf-en-dertig*
- 25 aan hom gestel is; of
- (h) weier of versuim om na sy beste vermoë te voldoen aan enige eis of versoek van 'n inspekteur ingevolge laasgenoemde artikel; of
- (i) 'n inspekteur by die uitoefening van sy werksaam-
- 30 hede ingevolge laasgenoemde artikel hinder, is aan 'n misdryf skuldig en strafbaar, in die geval van 'n in paragraaf (a) of (b) bedoelde misdryf, met 'n boete van hoogstens vyftig pond of met gevangenisstraf van hoogstens ses maande of met beide sodanige boete en gevangenisstraf, en
- 35 in die geval van 'n in paragraaf (c), (d), (e), (f), (g), (h) of (i) bedoelde misdryf, met 'n boete van hoogstens honderd pond of met gevangenisstraf van hoogstens een jaar, of met beide sodanige boete en gevangenisstraf.
- (2) Die bepalings van artikel *driehonderd agt-en-vyftig* van
- 40 die „Wet op de Kriminele Procedure en Bewijslevering, 1917” soos gewysig, is nie van toepassing nie ten opsigte van 'n misdryf wat bestaan uit 'n in sub-artikel (2) van artikel *negen-en-twintig* bedoelde versuim.
37. (1) Bewys van die publikasie in die *Staatskoerant* van 'n Bewyslewing en
- 45 kennisgewing kragtens artikel *sestien*, *sewentien* of *negentien*, vermoedens. is afdoende bewys dat aan alle bepalings van hierdie Wet met betrekking tot sake wat die bekendmaking van sodanige kennisgewing voorafgaan of daarmee in verband staan, voldoen is.
- 50 (2) Wanneer by 'n proses ingevolge hierdie Wet onvoldoende bewys voorhande is aangaande die ouderdom van 'n persoon, word vermoed dat die ouderdom van daardie persoon dié is wat 'n inspekteur volgens sy verklaring as die waarskynlike ouderdom van daardie persoon beskou; maar enige belang-
- 55 hebbende persoon wat ontevrede is met daardie verklaring kan, op eie koste, eis dat die persoon wie se ouderdom in geskil is, voor 'n distriksgeneesheer verskyn en deur hom ondersoek word, en 'n verklaring vervat in 'n sertifikaat deur die distriksgeneesheer wat daardie persoon ondersoek het, omtrent sy
- 60 mening oor die waarskynlike ouderdom van daardie persoon is, dog alleen sover dit bedoelde proses aangaan, afdoende bewys betreffende die ouderdom van daardie persoon.
- (3) Wanneer daar by 'n proses ingevolge hierdie Wet bewys word dat 'n minderjarige te eniger tyd teenwoordig was op 'n
- 65 perseel waar 'n aangewese bedryf beoefen was, word daardie minderjarige, tensy die teendeel bewys word, vermoed op daardie tyd in daardie bedryf in diens te gewees het, by die persoon wat daardie bedryf daar beoefen.
- (4) 'n Minderjarige of vakleerling word vermoed, benewens
- 70 enige tydperk wanneer hy werklik aldus werksaam is, in die diens van 'n werkgever werksaam te wees—
- (a) gedurende enige tydperk gedurende welke hy aanwesig is op of in 'n perseel waarin die aangewese bedryf waarin hy in diens is, beoefen word; en
- 75 (b) gedurende enige tydperk gedurende welke hy toesig hou oor 'n voertuig wat gebruik word in die aangewese bedryf waarin hy in diens is, onverskillig of die voertuig bestuur word al dan nie:
- Met dien verstande dat as daar bewys word dat 'n minderjarige
- 80 of vakleerling nie vir sy werkgever gewerk het nie gedurende enige gedeelte van die in paragraaf (a) of (b) bedoelde tydperk,

referred to in paragraph (a) or (b), the presumption provided for in this sub-section shall not apply in respect of such minor or apprentice with reference to that portion of such period.

(5) In any proceedings under this Act, any statement or entry contained in any book or document kept by any employer, or by his manager, agent or employee or found upon or in any premises occupied by, or upon any vehicle used in the business of that employer shall be admissible in evidence against him as an admission of the facts set forth in that statement or entry, unless it is proved that that statement or entry was not made by that employer or by any manager, agent or employee of that employer in the course of his work as manager or in the course of his agency or employment.

(6) Whenever in any proceedings under this Act it is proved that any false entry is contained in any record kept by any person under section *thirty-three*, he shall be presumed, until the contrary is proved, to have made that entry knowing it to be false.

(7) Any record purporting to be the minutes of a meeting of a committee and to have been signed by a person describing himself as the chairman or acting chairman, shall upon its production by any person be received as *prima facie* evidence of the proceedings recorded therein.

(8) In any proceedings in respect of a contravention of sub-section (1) of section *twenty*, it shall be presumed, until the contrary is proved, that the controller has not given the consent referred to in that sub-section.

(9) If an employer has, in respect of any period, failed to keep the records which in terms of section *thirty-three* he is required to keep or to retain such records for the period specified in sub-section (3) of that section, or has falsified such records, then in any proceedings under this Act, an apprentice employed by him during the period in respect of which the failure or the falsification has occurred shall be presumed to have worked in his employment each week, throughout the period of his employment falling within the period in respect of which the failure or the falsification occurred, not less than the number of hours customary in the industry or the number of hours provided for in the contract of apprenticeship or in any condition of apprenticeship applicable to the apprentice as the case may be: Provided that if it is proved what hours any such apprentice actually worked in his employment during any particular week, the presumption established by this sub-section shall not apply in respect of that apprentice with reference to that week.

(10) Whenever any person is charged under sub-section (1) of section *twenty-nine* with having failed to pay any apprentice employed by him during any period the remuneration which in respect of that period he was required to pay to that apprentice under any contract of apprenticeship or in terms of any condition of apprenticeship, and it is proved that that apprentice was, during any period covered by the charge, bound to that person by a contract of apprenticeship under this Act, and that under that contract or in terms of any condition of apprenticeship the accused was required to pay to that apprentice a certain amount as remuneration in respect of that period, the accused shall be presumed, until the contrary is proved, not to have paid that amount to that apprentice.

(11) Every contract of apprenticeship shall be deemed to contain the provision that the apprentice shall not wilfully hinder or insult any teacher or lecturer in charge of any class which he is required to attend in terms of such contract or of any condition of apprenticeship.

#### Jurisdiction.

38. If any person is charged with having failed to comply with the provisions of paragraph (a) or (c) of sub-section (2) of section *twenty-one* or sub-section (3) of section *twenty-three* or sub-section (4) or paragraph (b) of sub-section (5) of section *twenty-five*, any court within whose area of jurisdiction such person may be, shall be competent to try the charge.

#### Regulations.

39. (1) The Governor-General may make regulations as to—

- (a) the procedure to be followed in submitting any contract of apprenticeship or agreement of transfer for registration by the controller under section *twenty-three* or *twenty-five*;

die vermoede by hierdie sub-artikel bepaal nie ten opsigte van daardie minderjarige of vakleerling met betrekking tot daardie gedeelte van bedoelde tydperk van toepassing is nie.

(5) By 'n proses ingevolge hierdie Wet is 'n verklaring of inskrywing wat vervat is in enige boek of geskrif wat deur 'n werkgewer of deur sy bestuurder, agent of werknemer gehou word, of wat gevind word op of in 'n perseel wat deur daardie werkgewer geokkupeer word, of op 'n voertuig wat in die besigheid van daardie werkgewer gebruik word, toelaatbaar by wyse van getuienis teen hom as 'n erkenning van die feite in daardie verklaring of inskrywing uiteengesit, tensy bewys word dat daardie verklaring of inskrywing nie deur daardie werkgewer of deur 'n bestuurder, agent of werknemer van daardie werkgewer in die loop van sy werk as bestuurder of in die loop van sy agentskap of diens gemaak is nie.

(6) Wanneer daar by 'n proses ingevolge hierdie Wet bewys word dat 'n valse inskrywing vervat is in 'n aantekening wat enige persoon ingevolge artikel *drie-en-dertig* gehou het, word vermoed totdat die teendeel bewys word, dat hy daardie inskrywing gemaak het wetende dat dit vals was.

(7) 'n Verslag wat heet die notule van 'n vergadering van 'n komitee te wees en onderteken te wees deur iemand wat homself as voorsitter of waarnemende voorsitter beskryf, word by oorlegging daarvan deur enige persoon, aanvaar as *prima facie* bewys van die daarin genotuleerde verrigtings.

(8) By 'n proses ten opsigte van 'n oortreding van sub-artikel (1) van artikel *twintig* word vermoed totdat die teendeel bewys word, dat die kontroleur nie die in daardie sub-artikel bedoelde toestemming verleen het nie.

(9) As 'n werkgewer versuim het om ten opsigte van een of ander tydperk die aantekenings te hou wat hy volgens artikel *drie-en-dertig* moet hou, of om sulke aantekenings vir die in sub-artikel (3) van daardie artikel vermelde tydperk te behou, of sulke aantekenings vervals het, dan word by 'n proses ingevolge hierdie Wet vermoed dat 'n vakleerling wat by hom in diens was gedurende die tydperk ten opsigte waarvan die versuim of vervalsing plaasgevind het, elke week gedurende die hele tydperk van sy diens wat binne die tydperk val ten opsigte waarvan die versuim of vervalsing plaasgevind het, nie minder in sy diens gewerk het nie dan die aantal ure wat gebruikelik is in daardie nywerheid of die aantal ure waarvoor voorsiening gemaak word in die leerlingskontrak of in enige leervoorswaarde wat op daardie vakleerling van toepassing is, na gelang van die geval: Met dien verstande dat as daar bewys word welke ure so 'n vakleerling werklik gedurende 'n bepaalde week in sy diens gewerk het, die vermoede by hierdie sub-artikel bepaal nie ten opsigte van daardie vakleerling met betrekking tot daardie week van toepassing is nie.

(10) Wanneer iemand ingevolge sub-artikel (1) van artikel *negen-en-twintig* aangekla word van versuim om aan 'n vakleerling wat gedurende enige tydperk by hom in diens was die vergoeding te betaal wat hy volgens 'n leerlingskontrak of ooreenkomstig enige leervoorswaarde verplig was om ten opsigte van daardie tydperk aan daardie vakleerling te betaal, en daar bewys word dat daardie vakleerling gedurende enige tydperk waaroor die aanklag handel deur 'n leerlingskontrak ingevolge hierdie Wet teenoor daardie persoon gebonde was, en dat die beskuldigde ingevolge daardie kontrak of ooreenkomstig enige leervoorswaarde verplig was om 'n sekere bedrag aan daardie vakleerling as vergoeding ten opsigte van daardie tydperk te betaal, word vermoed, totdat die teendeel bewys word, dat die beskuldigde nie daardie bedrag aan daardie vakleerling betaal het nie.

(11) Elke leerlingskontrak word geag die bepaling te bevat dat die vakleerling nie opsetlik 'n onderwyser of dosent wat optree voor 'n klas wat die vakleerling ooreenkomstig daardie kontrak of 'n leervoorswaarde verplig is om by te woon, mag hinder of beledig nie.

38. Indien iemand aangekla word van versuim om aan die Regsbevoegdheid. 70 bepalings van paragraaf (a) of (c) van sub-artikel (2) van artikel *een-en-twintig* of sub-artikel (3) van artikel *drie-en-twintig* of sub-artikel (4) of paragraaf (b) van sub-artikel (5) van artikel *vyf-en-twintig*, te voldoen, is enige hof binne wie se regsgebied so iemand hom bevind, bevoeg om die aanklag te verhoor.

75 39. (1) Die Goewerneur-generaal kan regulasies uitvaardig Regulasies. betreffende—

(a) die prosedure wat gevolg moet word wanneer 'n leerlingskontrak of ooreenkoms tot oordrag aan die kontroleur vir registrasie ingevolge artikel *drie-en-twintig* of *vyf-en-twintig* voorgelê word;

- (b) the issue by the controller of copies of contracts of apprenticeship registered with him, and the fees to be paid in connection therewith ;
- (c) the submission by employers to the controller for endorsement of contracts of apprenticeship which have expired or which have been cancelled under section *twenty-seven*, and the procedure to be followed in submitting such contracts to the controller ;
- (d) the circumstances under which employers shall pay the fees payable by their apprentices in respect of any classes or courses prescribed under paragraph (d) or (e) of sub-section (2) of section *sixteen*, or refund to their apprentices any such fees paid by them ;
- (e) the certificates in respect of birth or educational standard, which may be demanded in connection with the registration of a contract of apprenticeship ;
- (f) the nature of returns which committees may from time to time require employers to furnish to them, and the period within which such returns shall be so furnished ;
- (g) the circumstances and manner in which any amendment may be made in a contract of apprenticeship, including an amendment whereby any contract of apprenticeship in any designated trade becomes a contract of apprenticeship in another designated trade ;
- (h) all matters which by this Act are required or permitted to be prescribed ;
- (i) generally all matters which he considers it necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

(2) Different regulations may be made under sub-section (1) in respect of different classes of apprentices and of different areas, and in making such regulations the Governor-General may apply such method of discrimination or differentiation as he may deem advisable.

(3) Any regulations made under sub-section (1) may prescribe penalties for any contravention thereof or failure to comply therewith not exceeding a fine of fifty pounds or imprisonment for a period of six months.

#### Exemptions.

40. (1) After consideration of any recommendation by the committee concerned the controller may, if he deems it expedient to do so, under licence signed by himself or by an officer, and, subject to such conditions and for such period as may be specified therein, exempt any person from any provision of this Act or from any condition of apprenticeship.

(2) Any such exemption may at any time be withdrawn at the discretion of the controller.

#### Application of Industrial Conciliation Act.

41. The provisions of any agreement, notice or award, published or made or deemed to have been published or made under the Industrial Conciliation Act, 1937 (Act No. 36 of 1937), shall, in so far as they are inconsistent with any provision of this Act or any notice published under section *sixteen* or *seventeen*, which applies to any apprentice, or with any provision of a contract of apprenticeship entered into by any apprentice in accordance with this Act, not apply to such apprentice.

#### Repeal of laws.

42. (1) The Apprenticeship Act, 1922 (Act No. 26 of 1922), the Apprenticeship Act, 1922, Amendment Act, 1924 (Act No. 15 of 1924), and the Apprenticeship (Amendment) Act, 1930 (Act No. 22 of 1930), are hereby repealed.

(2) Any industry scheduled, apprenticeship committee established, trade designated, contract of apprenticeship entered into and any other action taken under the provisions of any of the laws repealed by sub-section (1), shall be deemed to have been scheduled, established, designated, entered into, or taken under the provisions of this Act.

#### Short title and commencement.

43. This Act shall be called the Apprenticeship Act, 1940, and shall come into operation on a date to be fixed by the Governor-General by proclamation in the *Gazette*.

- (b) die uitreiking, deur die kontroleur, van afskrifte van by hom geregistreerde leerlingskontrakte, en die gelde in verband daarmee betaalbaar;
- 5 (c) die voorlegging vir endossement aan die kontroleur deur werkgewers, van leerlingskontrakte wat verstryk het of wat ingevolge artikel *sewen-en-twintig* ontbind is, en die prosedure wat by die voorlegging van sulke kontrakte aan die kontroleur gevolg moet word;
- 10 (d) die omstandighede waarin werkgewers die gelde moet betaal wat deur hul vakleerlinge betaalbaar is ten opsigte van enige ingevolge paragraaf (d) of (e) van sub-artikel (2) van artikel *sestien* voorgeskrewe klasse of kursusse, of sulke gelde wat deur hul vakleerlinge betaal is, aan hul moet terugbetaal;
- 15 (e) die sertifikate ten opsigte van geboorte en opvoedkundige standaard wat in verband met die registrasie van 'n leerlingskontrak gevorder kan word;
- 20 (f) die aard van die opgawes wat komitees van tyd tot tyd van werkgewers kan verlang, en die tydperk binne welke sulke opgawes aan komitees verstrekk moet word;
- (g) die omstandighede waarin en die wyse waarop enige wysiging van 'n leerlingskontrak aangebring kan word, met inbegrip van 'n wysiging ingevolge welke 'n leerlingskontrak in enige aangewese bedryf 'n leerlingskontrak in 'n ander aangewese bedryf word;
- 25 (h) alle aangeleenthede wat ingevolge hierdie Wet voorgeskryf moet of kan word;
- 30 (i) in die algemeen, alle aangeleenthede wat hy nodig en raadsaam ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

(2) Verskillende regulasies kan ingevolge sub-artikel (1) uitgevaardig word ten opsigte van verskillende kategorieë van vakleerlinge en van verskillende gebiede, en die Goewerneur-generaal kan, wanneer hy bedoelde regulasies uitvaardig, enige metode van diskriminering en onderskeiding wat hy raadsaam ag, aanwend.

(3) Regulasies kragtens sub-artikel (1) uitgevaardig kan op 40 enige oortreding daarvan of versuim om daaraan te voldoen, strawwe stel van hoogstens 'n boete van vyftig pond of gevangenisstraf vir 'n tydperk van ses maande.

40. (1) Die kontroleur kan, na oorweging van enige aan- Vrystellings.  
beveling deur die betrokke komitee, indien hy dit raadsaam  
45 ag om sulks te doen, by lisensie deur hom of deur 'n amptenaar onderteken, en onderworpe aan die voorwaardes en vir die tydperk daarin vermeld, aan enige persoon vrystelling verleen van enige bepaling van hierdie Wet of van enige leervoorswaarde.

(2) So 'n vrystelling kan te eniger tyd na goeddunke van die  
50 kontroleur ingetrek word.

41. Die bepalinge van 'n ooreenkoms, kennisgewing of Toepassing van  
uitspraak wat kragtens die Nywerheid-versoeningswet, 1937 Nywerheid-  
(Wet No. 36 van 1937), bekendgemaak of gemaak is, of geag versoeningswet.  
word bekendgemaak of gemaak te gewees het, is, vir sover  
55 hulle strydig is met enige bepaling van hierdie Wet of 'n kennisgewing kragtens artikel *sestien* of *sewentien* gepubliseer wat op 'n vakleerling van toepassing is, of met enige bepaling van 'n leerlingskontrak wat ooreenkomstig hierdie Wet deur 'n vakleerling aangegaan is, nie op daardie vakleerling van toepassing nie.

42. (1) Die „Vakleerlinge Wet, 1922” (Wet No. 26 van Herroeping van 1922), die „Vakleerlinge Wet, 1922, Wijzigings Wet, 1924” Wette.  
(Wet No. 15 van 1924) en die Vakleerlinge Wysigingswet, 1930 (Wet No. 22 van 1930), word hierby herroep.

65 (2) Enige nywerheid wat in 'n bylae opgeneem is, komitee vir vakleerlinge wat ingestel is, bedryf wat aangewys is, leerlingskontrak wat aangegaan is, en enige ander handeling wat verrig is ingevolge die bepalinge van enigeen van die Wette by sub-artikel (1) herroep, word geag kragtens die bepalinge  
70 van hierdie Wet in die bylae opgeneem, ingestel, aangewys, aangegaan of verrig te gewees het.

43. Hierdie Wet heet die Wet op Vakleerlinge, 1940, en Kort titel en tree in werking op 'n datum wat deur die Goewerneur-generaal inwerkingtreding.  
by Proklamasie in die *Staatskoerant* vasgestel word.

### Schedule.

1. The Air Craft Industry.
2. The Beauty Culture Industry.
3. The Boot and Shoemaking Industry.
4. The Boat Building Industry.
5. The Building Industry.
6. The Clothing Manufacturing Industry.
7. The Commercial Distributive Industry.
8. The Dental Mechanician Industry.
9. The Diamond Cutting Industry.
10. The Electrical Engineering Industry.
11. The Baking and Confectionery Industry.
12. The Meat Industry.
13. The Milling Industry.
14. The Sweetmaking Industry.
15. The Furniture Manufacturing Industry.
16. The Hairdressing Industry.
17. The Hotel Industry.
18. The Leather Working Industry.
19. The Mechanical Engineering Industry.
20. The Mining Industry.
21. The Motor Engineering Industry.
22. The Printing and Newspaper Industry.
23. The Radio Engineering Industry.
24. The Sugar Industry.
25. The Textile Industry.
26. The Vehicle Building Industry.
27. Undertakings of the Government of the Union (excluding undertakings of the Railway, Harbour and Airways Administration).
28. Undertakings of the Railway, Harbour and Airways Administration.
29. Undertakings of Provincial Administrations.
30. Public Utility Undertakings.
31. Undertakings of Local Authorities.

### Bylae.

1. Die Vliegtuignywerheid.
2. Die Skoonheidsversorgingsnywerheid.
3. Die Skoenmaaknywerheid.
4. Die Bootbounywerheid.
5. Die Bounywerheid.
6. Die Klerasievervaardigingsnywerheid.
7. Die Kommersiële Distribusienywerheid.
8. Die Gebitmakersnywerheid.
9. Die Diamantslypersnywerheid.
10. Die Elektrotegniese-ingenieursnywerheid.
11. Die Bak- en Banketbaknywerheid.
12. Die Vleisnywerheid.
13. Die Meulenaarsnywerheid.
14. Die Lekkergoed-vervaardigingsnywerheid.
15. Die Meubelvervaardigingsnywerheid.
16. Die Haarsnyersnywerheid.
17. Die Hotelnywerheid.
18. Die Leerbewerkingsnywerheid.
19. Die Werktuigkundige-ingenieursnywerheid.
20. Die Mynnywerheid.
21. Die Motor-ingenieursnywerheid.
22. Die Druk- en Nuusbladnywerheid.
23. Die Radio-ingenieursnywerheid.
24. Die Suikernywerheid.
25. Die Tekstielnywerheid.
26. Die Rytuig-bounywerheid.
27. Ondernemings van die Unie-regering (behalwe ondernemings van die Spoorweg-, Hawe- en Lugweë-administrasie).
28. Ondernemings van die Spoorweg-, Hawe- en Lugweë-administrasie.
29. Ondernemings van Provinsiale Administrasies.
30. Openbare diensondernemings.
31. Ondernemings van Plaaslike Bestuursliggame.