SAORSTÁT EIREANN

BILLE PRINTISEACHTA, 1930.
APPRENTICESHIP BILL, 1930.

Mar do ritheadh ag Dáil Eireann.
As passed by Dáil Eireann.

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SCHEDULE.

[No. 22c of 1930.]

SAORSTÁT EIREANN.

BILLE PRINTISEACHTA, 1930.
APPRENTICESHIP BILL, 1930.

BILL

entitled

AN ACT TO MAKE BETTER PROVISION FOR THE REGULATION OF APPRENTICESHIP IN CERTAIN TRADES.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTAT EIREANN AS FOLLOWS:—

Definitions.

1.—In this Act—

the expression " the Minister " means the Minister for Industry and Commerce;

the word " trade " includes any industry, occupation, or business, and also includes any distinct branch of a trade;

the expression " trade-board " means a trade-board established under the Trade Boards Acts, 1909 and 1918;

the expression " trade-board trade " means a trade in respect of which a trade-board is for the time being in existence;

the expression " non-trade-board trade " means a trade which is not a trade-board trade;

the expression " district trade committee " means a district trade committee established by a trade-board under the Trade Boards Acts, 1909 and 1918;

the expression " designated trade " means a trade which is for the time being declared under this Act to be a designated trade for the purposes of this Act, references to the carrying on of a designated trade shall, in the case of a trade which is a designated trade in part only of Saorstát Eireann, be construed as referring only to the carrying on of such trade in that part of Saorstát Eireann;

the expression " authorised officer " includes any person authorised in writing (either generally or for a special purpose) by the Minister to exercise all or any of the powers and perform all or any of the duties conferred or imposed on an authorised officer under this Act;

the word " prescribed " means prescribed by regulations made by the Minister under this Act.

Designated trades.

2.—(1) Subject to the provisions of this section, the Minister may by order (in this Act referred to as a special order) do any of the following things, that is to say:—

(*a*) declare any particular trade to be a designated trade for the purposes of this Act either throughout Saorstát Eireann or in any specified part of Saorstát Eireannn; or

(*b*) revoke or amend any order previously made by him under this sub-section.

(2) Every special order shall be made under and in accordance with the rules contained in the Schedule to this Act and those rules shall regulate the procedure to be followed in making such orders.

(3) Every special order shall be published in the *Iris Oifigiúil* and also in such other manner as the Minister shall consider to be the best adapted for bringing such special order to the notice of persons affected thereby.

(4) Every special order shall come into operation on such date, subsequent to the publication of such order in the *Iris Oifigiúil*, as is specified in that behalf in such order or, where no such date is so specified, on the date of such publication.

(5) Every special order shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution is passed by either such House within the next subsequent twenty-one days on which such House has sat after such order is laid before it annulling such order, such order shall be annulled accordingly but without prejudice to the validity of anything previously done under such order.

Apprenticeship districts and apprenticeship committees.

3.—(1) Whenever the Minister makes a special order declaring a trade to be a designated trade in any area (whether such area does or does not extend to the whole of Saorstát Eireann) the following provisions shall have effect, that is to say:—

(*a*) the Minister shall by another order forthwith either constitute such area to be an apprenticeship district for the purposes of such designated trade or divide such area into two or more apprenticeship districts for the purposes of such designated trade;

(*b*) there shall be established and maintained in every such apprenticeship district an apprenticeship committee for such designated trade to perform in such district and in relation to such trade the functions assigned by this Act to apprenticeship committees.

(2) Before making an order under this section constituting an area to be an apprenticeship district or dividing an area into two or more apprenticeship districts for the purposes of a designated trade which is a trade-board trade, the Minister shall consult the trade-board for such trade.

(3) References in this Act to the district of an apprenticeship committee shall be construed as referring to the apprenticeship district in which such committee is established by this section.

Constitution of apprenticeship committees.

4.—(1) The following provisions shall have effect in relation to every apprenticeship committee which is established by this Act for a designated trade which is a non-trade-board trade, that is to say:—

(*a*) such committee shall consist of—

(i) members (in this Act referred to as representative members) representing in equal proportions employers and employees engaged in such trade in such district, and

(ii) unless it is otherwise prescribed, members (in this Act referred to as appointed members) appointed by the Minister;

(*b*) the number of representative members shall be such even number as shall be prescribed and the number of appointed members (if any) shall be such number, not exceeding three, as shall be prescribed;

(*c*) the time and method of selection of representative members shall be such as shall be prescribed;

(*d*) the members of such committee shall hold office for such term as may be prescribed.

(2) Save as is otherwise provided by this section, the following provisions shall have effect in relation to every apprenticeship committee established by this Act for a designated trade which is a trade-board trade, that is to say:—

(*a*) such committee shall consist of—

(i) ex-officio members, and

(ii) unless it is otherwise prescribed, members (in this Act referred to as appointed members) appointed by the Minister;

(*b*) the ex-officio members of such committee shall—

(i) where such district is co-terminous with Saorstát Eireann, be the persons who for the time being are the representative members within the meaning of the Trade Boards Act, 1909, of the trade-board for such trade, and

(ii) where such district is part only of Saorstát Eireann and is co-terminous with the functional area of the district trade committee (if any) of the trade-board for such trade, be the persons (other than a person or persons appointed by the Minister under the Trade Boards Act, 1909, to be a member or members of such trade-board) who for the time being are the members of such district trade committee;

(*c*) the number of appointed members (if any) shall be such number, not exceeding three, as shall be prescribed;

(*d*) the appointed members (if any) shall hold office for such term as may be prescribed.

(3) Where the apprenticeship district of an apprenticeship committee for a trade-board trade is part only of Saorstát Eireann and there is for the time being no district trade committee for such trade whose functional area is co-terminous with such district, the apprenticeship committee for such district shall be constituted under this section in all respects as if such trade were a non-trade board trade and shall continue to be so constituted unless and until such a district trade committee is established.

(4) The Minister may by regulations make provision for any matter or thing relating to the constitution of apprenticeship committees or of any class of such committees which is not provided for by this section, and may by such regulations make different such provision in respect of different classes of such committees.

Chairman and secretary of apprenticeship committees.

5.—(1) The chairman of every apprenticeship committee shall be such member of such committee as the Minister may appoint and shall hold office during the pleasure of the Minister.

(2) The secretary of every apprenticeship committee shall be appointed by the Minister, and every such secretary shall hold office on such terms and on such conditions and shall receive such remuneration and allowances as the Minister, with the sanction of the Minister for Finance, shall appoint.

Procedure at meetings of apprenticeship committees.

6.—(1) The quorum for a meeting of an apprenticeship committee shall be one-third of the whole number of (as the case may be) the representative members or the ex-officio members of such committee and, if such committee includes any appointed members, one appointed member of such committee.

(2) At a meeting of an apprenticeship committee:—

(*a*) the chairman of such committee shall, if he is present, be chairman of the meeting;

(*b*) if the chairman of such committee is not present, or the office of chairman is vacant, the members of the committee who are present shall choose one of their number to be chairman of the meeting.

(3) The proceedings of an apprenticeship committee shall not be invalidated by any vacancy in the membership of such committee or by any defect in the appointment, election or nomination of any member thereof.

(4) Subject to the provisions of this Act, the Minister may by regulations made by him under this Act prescribe the procedure to be observed at meetings of apprenticeship committees.

7.—Every apprenticeship committee shall make to the Minister such reports and returns and furnish to the Minister such information as he may from time to time require.

Reports and returns by apprenticeship committee.

8.—(1) Every apprenticeship committee shall make the following rules, that is to say:—

Rules by apprenticeship committees.

(*a*) rules (in this Act referred to as apprenticeship classification rules) declaring that employment in the designated trade for which such committee is established of any specified class of persons in any specified manner shall constitute employment by way of apprenticeship in such trade;

(*b*) rules (in this Act referred to as rules regulating the period of apprenticeship) in relation to the period (including any probationary period) of employment by way of apprenticeship in such trade in the district of such committee;

(*c*) rules (in this Act referred to as rules regulating the minimum rates of wages) in relation to the minimum rates of wages to be paid to persons employed by way of apprenticeship in such trade in such district;

(*d*) rules (in this Act referred to as rules regulating the maximum hours of work) in relation to the maximum number of hours (exclusive of overtime) which may be worked in any week by persons employed by way of apprenticeship in such trade in such district, but not so as to increase the maximum number of such hours appointed by or under any other enactment.

(2) Every apprenticeship committee may make all or any of the following rules, that is to say:—

(*a*) rules (in this Act referred to as rules regulating the educational qualifications of apprentices) in relation to the educational qualifications of persons entering on employment by way of apprenticeship in the designated trade for which such committee is established with persons carrying on such trade in the district of such committee;

(*b*) rules (in this Act referred to as rules regulating the age of entry on apprenticeship) in relation to the age limits within which employment by way of apprenticeship may commence in such trade in such district;

(*c*) rules (in this Act referred to as rules regulating the training of apprentices) requiring employers carrying on such trade in such district to train and instruct apprentices employed by them in a specified manner;

(*d*) rules (in this Act referred to as rules regulating the number of apprentices) fixing in relation to any specified employer carrying on such trade in such district the number (in this Act referred to as the standard number) of apprentices whom such committee considers should be employed by such employer in such trade in such district, and such number may, if such apprenticeship committee thinks fit, be expressed as a proportion of the number of persons of any class or classes employed from time to time in such trade in such district by such employer.

(3) An apprenticeship committee may from time to time by rules made under this section rescind, amend, or add to any rules previously made by them under this section and for the time being in force.

(4) An apprenticeship committee shall not make any rules under this section unless and until one month's notice of the intention to make such rules has been given in accordance with regulations made by the Minister and until they have considered any representations made in relation to such rules received before the expiration of the said period.

(5) Every rule made by an apprenticeship committee under this section shall be submitted to the Minister as soon as may be after it is made and no such rule shall be of any force or effect unless or until it is confirmed by order of the Minister, but on being so confirmed shall come into force on such date (not earlier than the date of such order) as shall be specified in that behalf in such order or, if no such date is so specified, on the date of such order.

Confirmation of rules.

9.—(1) The Minister may, in respect of any rule submitted to him by an apprenticeship committee under this Act, either by order confirm such rule or refuse to confirm such rule.

(2) Whenever the Minister refuses to confirm a rule made by an apprenticeship committee under this Act, such apprenticeship committee shall, in case such rule is a rule which such apprenticeship committee is required by this Act to make, and may, in any other case, make a new rule and this section shall apply to such new rule in like manner as it applies to the original rule.

Proof of rules.

10.—Prima facie evidence of any rules made by an apprenticeship committee and confirmed by order of the Minister under this Act may be given in all Courts of Justice and in all legal proceedings by the production of a copy of such rules and order printed under the superintendence or authority of and published by the Stationery Office.

Definition of "employment by way of apprenticeship" and "apprentice."

11.—(1) Where apprenticeship classification rules made by an apprenticeship committee are for the time being in force such employment as is declared by such rules to constitute employment by way of apprenticeship in the designated trade for which such committee is established shall for the purposes of this Act be employment by way of apprenticeship in that trade in the district of that committee.

(2) In this Act the word "apprentice" means a person employed by way of apprenticeship in the designated trade and in the apprenticeship district in relation to which the said word is used.

Period of apprenticeship

12.—Where rules regulating the period of apprenticeship made by an apprenticeship committee are for the time being in force, every person who is employed by way of apprenticeship in the designated trade for which such committee is established and in the district of such committee shall, where such employment commences while such rules are in force and notwithstanding any agreement to the contrary, be deemed to be employed under an agreement signed by such person and his employer whereby such employer agrees to employ such person and such person agrees to serve such employer for the period of apprenticeship specified in such rules, but such committee may, if it so thinks fit, release both parties from their respective obligations under the agreement implied by this section or modify such agreement or transfer the benefits and obligations of such employer under such agreement to another employer carrying on in such district such trade.

Prohibition of payments of wages below minimum rates.

13.—(1) Where any rules regulating the minimum rates of wages made by an apprenticeship committee are for the time being in force, every employer carrying on in the district of such committee the designated trade for which such committee is established shall pay to every apprentice employed by him wages at not less than the rate or rates payable under such rules, and for the purpose of any civil proceedings by any such apprentice against such employer to recover wages there shall be deemed to be a valid and effective contract by such employer to pay to such apprentice wages at a rate or rates not less than the rate or rates payable under such rules.

(2) If any employer fails to comply with this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds, and on such conviction the court may order such employer to pay, in addition to such fine, such sum as appears to

be due to the person employed on account of wages, the wages being calculated on the basis of the minimum rate or rates payable under the rules regulating the minimum rates of wages applicable to such person, but the power to order payment of wages under this sub-section shall not be in derogation of any right of the person employed to recover wages by any other proceedings.

Records of wages paid to apprentices.

14.—(1) Where any rules regulating the minimum rates of wages made by an apprenticeship committee are for the time being in force, it shall be the duty of every employer who carries on in the district of such committee the designated trade for which such committee is established and employs any apprentice in such trade to keep such records of wages paid and time worked as are necessary to show that such rules are being complied with in relation to such apprentice.

(2) If any employer—

(*a*) fails or neglects to keep such records as are required by this section to be kept; or

(*b*) wilfully or negligently makes in such records any entry which is false or misleading in any material particular,

he shall be guilty of an offence under this section and be liable on summary conviction thereof to a fine not exceeding six pounds and also, in case of failure or neglect to keep such records, to a fine not exceeding three pounds for every day during which such failure or neglect continues after conviction.

Prohibition of employment above maximum number of hours.

15.—(1) Where any rules regulating the maximum hours of work made by an apprenticeship committee are for the time being in force, it shall not be lawful for any person (in this section referred to as an employer) carrying on in the district of such committee the designated trade for which such committee is established to cause or require any apprentice employed by him in such trade to work for a greater number of hours (exclusive of overtime) in any week than the number laid down in such rules.

(2) If any employer acts in contravention of this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Records of hours of work.

16.—(1) Where any rules regulating the maximum hours of work made by an apprenticeship committee are for the time being in force, it shall be the duty of every employer who carries on in the district of such committee the designated trade for which such committee is appointed and who employs any apprentice in such trade to keep such records as are necessary to show that such rules are being complied with in relation to such apprentice.

(2) If any employer—

(*a*) fails or neglects to keep such records as are required by this section to be kept; or

(*b*) wilfully or negligently makes in such records any entry which is false or misleading in any material particular,

he shall be guilty of an offence under this section and be liable on summary conviction thereof to a fine not exceeding six pounds and also, in case of failure or neglect to keep such records, to a fine not exceeding three pounds for every day during which such failure or neglect continues after conviction.

Prohibition of apprenticeship of person not possessing prescribed educational qualifications.

17.—(1) Where rules regulating the educational qualifications of apprentices made by an apprenticeship committee are for the time being in force, it shall not be lawful for any person (in this section referred to as an employer) carrying on in the district of such committee the designated trade for which such committee is established to employ by way of apprenticeship in such trade any person unless such person possesses the educational qualifications laid down in such rules.

(2) If an employer employs by way of apprenticeship any person in contravention of this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Prohibition of apprenticeship of person under prescribed age.

18.—(1) Where rules regulating the age of entry on apprenticeship made by an apprenticeship committee are for the time being in force, it shall not be lawful for any person (in this section referred to as an employer) carrying on in the district of such committee the designated trade for which such committee is established to employ by way of apprenticeship any person unless such person is within the age limits specified in such rules.

(2) If an employer employs by way of apprenticeship any person in contravention of this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Instruction of apprentices by employers.

19.—(1) Where rules regulating the training of apprentices made by an apprenticeship committee are for the time being in force, it shall be the duty of every employer who carries on in the district of such committee the designated trade for which such committee is established and who employs any apprentice in such trade in such district to comply with such of the provisions of such rules as are applicable to such apprentice.

(2) If any such employer fails or neglects to comply with this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Restriction on number of apprentices.

20.—(1) Where any rules regulating the number of apprentices made by an apprenticeship committee are for the time being in force and such rules fix a standard number in relation to any specified employer, it shall not be lawful for such employer to take into his employment by way of apprenticeship in the district of such committee in the trade for which such committee is established any person unless—

(*a*) either no person is then employed by such employer as an apprentice in such trade in such district or the number of persons then so employed is less than such standard number; and

(*b*) such taking into employment would have the effect of making the total number of apprentices so employed by him equal to such standard number.

(2) If any such employer employs by way of apprenticeship any person in contravention of this section he shall be guilty of an offence under this section and be liable on summary conviction thereof to a fine not exceeding ten pounds.

Obligation to employ apprentices.

21. (1) Where any rules regulating the number of apprentices made by an apprenticeship committee are for the time being in force and such rules fix a standard number in relation to any specified employer, if and whenever such employer employs in the district of such committee in the trade for which such committee is established either no apprentice or a number of apprentices less than such standard number, such committee may make an order in the prescribed form requiring him to take into his employment by way of apprenticeship in such district in such trade such number of persons as will make the total number of apprentices employed by him in such district in such trade equal to such standard number.

(2) Whenever an order is duly made under the foregoing subsection in relation to an employer and such order is personally served on such employer, it shall be the duty of such employer to comply with such order within one month after such service, and if he fails so to do he shall, unless he satisfies the Court that such failure was due to some unavoidable cause, be guilty of an offence under this section and be liable on summary conviction thereof to a fine not exceeding ten pounds.

Interference with employers.

22.—(1) Where any rules made by an apprenticeship committee under this Act are for the time being in force it shall not be lawful for any person to do any act or thing whereby an employer carrying on in the district of such committee the designated trade for which such committee is established is prevented from or obstructed or impeded in complying with such rules.

(2) If any person acts in contravention of this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding twenty pounds.

Education of apprentices

23.—(1) An apprenticeship committee may make representations to the Minister for Education with a view to the provision by the vocational education committee whose functional area is co-terminous with or included in or includes the district of such apprenticeship committee of courses of instruction in the nature of technical education of a type suitable for apprentices engaged in the designated trade for which such apprenticeship committee is established, and that Minister may, if having regard to all the circumstances he considers that effect should be given to such representations or any part thereof, forward such representations to such vocational education committee for its consideration.

(2) Where a course of instruction in the nature of technical education provided by a vocational education committee is available for any apprentice employed in an apprenticeship district in a designated trade and such course is held within the normal working hours of such apprentice and at a place within a distance of three miles from the premises at which such apprentice is so employed measured according to the shortest way lawfully and conveniently available for him, the apprenticeship committee for such district for the purposes of such trade may, if it considers such course suitable, make an order (in this section referred to as an attendance order) in the prescribed form requiring such apprentice to attend such course.

(3) Whenever an attendance order is duly made in relation to an apprentice and such order is personally served on such apprentice, it shall be the duty of such apprentice to comply with such order and if he fails so to do he shall, unless he satisfies the Court that such failure was due to sickness or other unavoidable cause, be guilty of an offence under this section.

(4) Whenever an attendance order is duly made in relation to an apprentice and such order is personally served on the employer of such apprentice, it shall be the duty of such employer, if such apprentice is attending or desires to attend the course of instruction which he is required by such order to attend, to afford, such apprentice time and liberty to attend such course of instruction without any deduction from wages or any addition to the hours of employment or reckoning such time as lost, and if such employer fails or neglects to comply with the requirements of this sub-section he shall be guilty of an offence under this section.

(5) Every person guilty of an offence under this section shall be liable on summary conviction thereof in the case of a first offence to a fine not exceeding twenty shillings, and in the case of a second or any subsequent offence to a fine not exceeding forty shillings.

(6) Any fees which may be payable to a vocational education committee by an apprentice in respect of a course of instruction which he is attending in pursuance of an attendance order shall be paid on behalf of such apprentice by the apprenticeship committee by which such order was made.

Other functions of apprenticeship committees.

24.—(1) Every apprenticeship committee shall hold an investigation into any dispute between an employer carrying on in the district of such committee the designated trade for which such committee is established and any apprentice employed by him in such trade in such district which may be referred to it by such employer or apprentice and shall endeavour to effect a settlement of any dispute so investigated and shall report to the Minister the result of such investigation.

(2) Every apprenticeship committee shall report to the Minister on any matter relating to apprenticeship in the designated trade for which such committee is established which the Minister may refer to it for its report.

Notification of employment by way of apprenticeship.

25.—(1) Every employer carrying on in the district of an apprenticeship committee the designated trade for which such committee is established who employs by way of apprenticeship any person to such trade in such district shall, within two weeks after so employing such person, send to such apprenticeship committee the prescribed particulars in relation to such person.

(2) If any such employer fails or neglects to comply with this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding ten pounds and in the case of a continuing offence a further fine of ten pounds for every day during which the offence is continued.

Notification of termination of apprenticeship.

26.—(1) Every employer carrying on in the district of an apprenticeship committee the designated trade for which such committee is established who ceases to employ by way of apprenticeship any person to such trade in such district shall, within two weeks after ceasing to so employ such person, send to such apprenticeship committee the prescribed particulars in relation to such person.

(2) If any such employer fails or neglects to comply with this section he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding ten pounds and in the case of a continuing offence to a further fine of ten pounds for every day during which the offence is continued.

Register of apprentices.

27.—(1) Every apprenticeship committee shall cause to be kept a register, to be known as the register of apprentices.

(2) Every apprenticeship committee shall cause to be entered in the register of apprentices kept by it such particulars of persons employed or ceasing to be employed by way of apprenticeship in the designated trade for which such committee is established and in the district of such committee as may be sent to it in pursuance of this Act by the employers of such persons.

(3) Every register of apprentices kept by an apprenticeship committee shall at all reasonable hours be open for inspection by an authorised officer and also by any person carrying on in the district of such committee the designated trade for which such committee is established.

Right of audience at meetings of apprenticeship committees.

28.—(1) An authorised officer shall be entitled to be present at any meeting of an apprenticeship committee and to address such meeting, but shall not be entitled to vote on any matter to be decided at such meeting.

(2) An officer of the Minister for Education authorised in that behalf in writing by that Minister shall be entitled to be present at any meeting of an apprenticeship committee and to address such meeting, but shall not be entitled to vote on any matter to be decided at such meeting.

Employers to furnish particulars.

29.—(1) Every person carrying on a designated trade shall, if required so to do by notice in writing in the prescribed form served on or left for him at his place of business by an authorised officer, furnish to such officer, within the time and in the manner specified in such notice, the particulars specified in such notice of all apprentices or any specified apprentice employed by him.

(2) Every person carrying on a designated trade who fails to furnish in accordance with this section all or any particulars which he is duly required under this section so to furnish or who so furnishes any such particulars which are to his knowledge

false or misleading in any material respect, shall be guilty of an offence under this section and shall on summary conviction thereof be liable to a fine not exceeding twenty shillings.

Additional powers of authorised officers.

30.—(1) An authorised officer may do all or any of the following things, that is to say:—

(*a*) at all reasonable times enter upon any premises in which a designated trade is carried on where he has reasonable cause to believe any person is employed in such premises;

(*b*) require the person carrying on a designated trade in any premises upon which he is entitled to enter under the foregoing paragraph and in which any person is employed, to produce wages sheets, time sheets, and other records of wages to him and inspect and examine the same and take copies or extracts thereof;

(*c*) enter any premises in an apprenticeship district in which courses of instruction in the nature of technical education provided by a vocational education committee are being given where he has reasonable cause to believe any apprentice in a designated trade is attending such courses;

(*d*) examine either alone or in the presence of any other person, as he thinks fit, with respect to matters under this Act, every person whom he finds in any premises upon which he is entitled under this section to enter and require such person to answer such questions as he may put touching such matter, and to sign a declaration of the truth of the answers to such questions.

(2) If any person:—

(*a*) refuses, neglects, or fails to produce for inspection any documents which he is required by an authorised officer under this section to produce, or obstructs any authorised officer in the making of such inspection or the taking of copies or extracts of such documents, or

(*b*) prevents or attempts to prevent any person from appearing before an authorised officer, or

(*c*) wilfully refuses to answer any questions lawfully asked of him by an authorised officer under this section, or

(*d*) refuses to sign a declaration which he is lawfully required by an authorised officer to sign under this section, or

(*e*) in any other manner obstructs or impedes an authorised officer in the exercise of any of the powers conferred upon an authorised officer by this section,

such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding five pounds.

Certificates of authorised officers.

31.—Every authorised officer shall be furnished by the Minister with a certificate in the prescribed form of his appointment as such authorised officer and when exercising any of the powers conferred on him by this Act shall, if so required, produce such certificate to any person affected.

Prosecution of offences.

32.—(1) Proceedings for an offence under this Act shall not be instituted except by or with the consent of the Minister or an authorised officer.

(2) Every offence under this Act may be prosecuted by or at the suit of the Minister or an authorised officer as prosecutor.

Regulations as to mode of giving notice.

33.—(1) The Minister shall make regulations as to the notice to be given of any matter under this Act, with a view to bringing the matter of which notice is to be given so far as practicable to the knowledge of persons affected in apprenticeship districts.

(2) Every occupier of any premises in which a designated trade is carried on shall in the manner directed by regulations

made under this section fix any notice in his premises which he may be required to fix by such regulations, and shall give notice in any other manner, if required by such regulations, to the persons employed by him of any matter of which he is required to give notice under such regulations.

(3) If any person fails or neglects to comply with this section, he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding forty shillings.

Non-application of Trade Boards Acts, 1909 and 1918.

34.—Whenever rules made by an apprenticeship committee for a trade-board trade are for the time being in force the provisions of the Trade Boards Acts, 1909 and 1918, in relation to any matters the subject of such rules shall cease to have effect in the district of such committee.

Regulations.

35.—(1) The Minister may make regulations in relation to any matter or thing referred to in this Act as prescribed or to be prescribed.

(2) Any regulations made by the Minister under this Act may relate to several matters in respect of which the power to make regulations is conferred by different sections of this Act.

(3) Every regulation made by the Minister under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made, and if a resolution is passed by either such House within the next subsequent twenty-one days on which such House has sat after such regulation is laid before it annulling such regulation, such regulation shall be annulled accordingly but without prejudice to the validity of anything previously done under such regulation.

Expenses of members of apprenticeship committees.

36.—(1) There shall be paid out of moneys provided by the Oireachtas to members of apprenticeship committees appointed by the Minister under this Act such remuneration and expenses as may be sanctioned by the Minister for Finance.

(2) There shall be paid out of moneys provided by the Oireachtas to members of apprenticeship committees (other than members appointed by the Minister under this Act) any expenses (including compensation for loss of time) up to an amount sanctioned by the Minister for Finance which may be incurred by them as such members.

Expenses of apprenticeship committees and Minister.

37.—(1) All expenses incurred with the approval of the Minister by apprenticeship committees under this Act shall, to such extent as shall be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

(2) All expenses incurred by the Minister and by the Minister for Education respectively under this Act shall, to such extent as shall be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Short title.

38.—This Act may be cited as the Apprenticeship Act, 1931.

SCHEDULE.

Procedure for Making Special Orders.

1. Before making a special order the Minister shall cause a draft (in this Schedule referred to as the original draft) of such order to be prepared and shall publish in the *Iris Oifigiúil*, and in such other manner as he thinks best adapted for informing persons who would, if such special order were made, be affected thereby, notice of his intention to make such special order, of the place where copies of the original draft of such order may be obtained and of the time (in this Schedule referred to as the time limited for making objections) within which any objection with respect to such original draft may be made, and the time

limited for making objections to be so specified in such notice shall not in any case be less than forty days after the day of publication in the *Iris Oifigiúil* of such notice.

2. Every person objecting to the making of a special order may within the time limited for making objections to such proposed special order send notice in writing to the Minister of his objection and such notice shall state:—

(*a*) the specific grounds of objection to the making of such special order, and

(*b*) the amendments (if any) to the original draft of such order which such person desires to have incorporated therein.

3. If no objection to the making of a special order is made in accordance with the foregoing rule or if an objection to the making of a special order is so made but the Minister considers such objection frivolous, he may, at the expiration of time limited for making objections to such proposed special order, make such special order in terms of the original draft thereof.

4. If no objection to the making of a special order is made in accordance with Rule 2 of this Schedule, the Minister may, if he so thinks fit, amend the original draft of such order, and in such case the original draft as so amended shall be deemed for the purposes of the foregoing provisions of this Schedule to be a new original draft of such special order and the said provisions shall apply to such original draft as so amended accordingly.

5. If an objection to the making of a special order is made in accordance with Rule 2 of this Schedule and the Minister does not amend the original draft of such special order under the foregoing rule, he shall before making such special order, unless he considers such objection frivolous, cause an inquiry to be held into the making of such special order.

6. The Minister may appoint a fit and proper person to hold an inquiry into the making of a special order and to report to him thereon.

7. Every inquiry held under this Schedule shall be held in public and any officer of the Minister and any persons who appear to the person holding any such inquiry to be persons who, if the special order the subject of such inquiry was made, would be affected thereby may appear at such inquiry either in person or by agents duly authorised in writing, or by counsel or solicitor and may adduce evidence.

8. Any person appointed by the Minister to hold an inquiry under this Schedule shall have power to take evidence on oath and for that purpose may administer oaths to persons attending before him as witnesses.

9. Subject to the foregoing rule of this Schedule an inquiry under this Schedule and proceedings preliminary and incidental thereto shall be conducted in accordance with regulations made by the Minister.

10. There shall be paid to persons holding inquiries under this Schedule such remuneration and allowances as the Minister, with the sanction of the Minister for Finance, shall appoint.

11. On receipt of a report of inquiry held under Schedule in relation to the making of a special order, the Minister shall consider such report and may after such consideration make such special order in terms of the original draft thereof or with such modifications in such original draft as he may think proper.

Saorstát Eireann

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APPRENTICESHIP BILL, 1930.

BILL

entitled

An Act to make better provision for the regulation of apprenticeship in certain trades

Passed by Dáil Eireann, 23*rd October*, 1931.

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