



**AN BILLE PRINTISEACHTA, 1958.
APPRENTICESHIP BILL, 1958.**

EXPLANATORY MEMORANDUM.

1. The purpose of this Bill is to make better provision for the recruitment and training of apprentices.

2. *Part I* contains the usual preliminary provisions regarding commencement, interpretation and expenses. It also provides (*section 7*) for the repeal of the Apprenticeship Act, 1931, when arrangements have been made to bring within the scope of the new legislation the four trades which availed of the facilities provided under the 1931 Act for the establishment of statutory apprenticeship schemes.

3. *Part II* provides (*section 8*) for the establishment of a body (*An Cheard Chomhairle*) the duty of which will be to promote and regulate satisfactory schemes of apprenticeship in various trades and industries throughout the country. The Bill does not apply to agriculture, horticulture, the dairying industry or to professional or clerical occupations. An Chomhairle will consist of a Chairman and eleven ordinary members (*section 9*) who will be appointed by the Minister for Industry and Commerce. The Chairman will be known as the Director of Apprenticeship and will devote the whole of his time to the work of An Chomhairle (*section 10*). The ordinary members will serve on a voluntary basis and will not be remunerated. They will be representative of workers, employers and educational interests (*section 11*). An annual grant will be paid to An Chomhairle out of voted moneys towards the expenses incurred by it in the performance of its functions (*section 19*). The staff of An Chomhairle will be civil servants (*section 15*). There are usual provisions about the keeping and auditing of accounts, and the submission of the audited accounts, and an annual report, to each House of the Oireachtas (*sections 17 and 18*).

4. Under *Part III* of the Bill An Chomhairle will be empowered to carry out an examination of the methods used in any trade for the recruitment and training of apprentices (*section 20*). If An Chomhairle considers that the apprenticeship arrangements in a trade are entirely satisfactory it will take no further action but may keep such arrangements under review. If the apprenticeship arrangements are defective in certain respects only, An Chomhairle may decide not to bring the trade within scope of the Bill provided the defects are remedied to the satisfaction of An Chomhairle (*section 21*). If, however, An Chomhairle considers it necessary that the apprenticeship arrangements in a trade should be brought under statutory control it may designate the trade throughout the State or in a part of the State for the purposes of the Bill (*section 21*). When a trade has been designated An Chomhairle will constitute an apprenticeship district or districts for the trade, and if possible, establish an apprenticeship committee in respect of each district so constituted. Apprenticeship committees will include representatives of employers, workers and educational interests connected with the trade and the members (including the Chairman) will be appointed by An Chomhairle. All members of an apprenticeship committee will serve on a voluntary basis, but the Chairman may be paid fees for attendance at meetings. (*section 22*).

When An Chomhairle has designated a trade and has constituted an apprenticeship committee(s) for that trade An Chomhairle will make rules defining the type of employment constitut-

ing apprenticeship in the trade (*section 24*), and prescribing the minimum qualifications as to education (*section 25*) to be possessed by candidates for apprenticeship. Rules relating to the minimum age of entry (*section 26*) and to the dismissal of apprentices (*section 27*) may also be made by An Chomhairle (*section 27*). An apprenticeship committee for a trade will be required to make rules dealing with the period of apprenticeship (*section 28*), the training of apprentices (*section 29*), and the making of progress reports by employers (*section 30*). Rules made by an apprenticeship committee will require to be confirmed by An Chomhairle before they have the force of law (*section 32*).

It will be noted that the power to make rules fixing minimum wages and maximum hours of work vested in apprenticeship committees established under the Apprenticeship Act, 1931 is not repeated in this Bill. It is considered that these matters are more appropriate for settlement by negotiation between employers and workers or their organisations.

Each apprenticeship committee will maintain a register of candidates for apprenticeship, and no person may be taken into employment as an apprentice in the trade unless he has been enrolled on this register (*sections 34* and *40*) and possesses the qualifications as to age and education prescribed for the trade by An Chomhairle. An apprenticeship committee is empowered to specify the number of apprentices to be taken into the trade in a particular period, to make arrangements for the employment in the trade of the specified number in the period, and, if necessary, to direct individual employers to take a specified number of apprentices into employment (*section 35*). Employers will be required to send to the committee particulars of all apprentices entering or leaving their employment (*section 43*) and these, and other particulars, will be kept in a register of apprentices by the committee (*section 41*).

Where An Chomhairle has made arrangements for the provision of courses of instruction for apprentices in technical schools, an apprenticeship committee may require apprentices to attend the courses and employers to allow time off for attendance (*section 36*). An apprenticeship committee will arrange for the holding of examinations (junior and senior stages) for apprentices (*section 38*) and for the issue of certificates to apprentices who have completed their training satisfactorily and have passed their examinations (*section 39*).

Where it proves impracticable to establish an apprenticeship committee for a trade, or where a committee fails to make rules or exercise any of its other functions, An Chomhairle may act as or for a committee for such purposes (*section 23*). Failure to comply with any rule made or direction given by An Chomhairle or an apprenticeship committee will constitute an offence. It will also be an offence for any person to obstruct or prevent an employer from complying with such a rule or direction (*section 48*).

An Chomhairle will have power to exclude satisfactory schemes of apprenticeship within a designated trade from any provision of the Bill, (*section 52*) and certain exemptions may also be granted to individual employers in respect of individual apprentices (*section 53*).

An Chomhairle may make grants to employers in certain trades who have trained apprentices satisfactorily (*section 44*), may collect fees from apprentices (*section 51*), and may award scholarships and other prizes to apprentices (*sections 45* and *46*). An Chomhairle may also appoint supervisors to give advice and assistance in the training and instruction of apprentices (*sections 50* and *55*).

5. *Part IV* of the Bill contains provisions in regard to prosecutions, penalties and other miscellaneous matters. Enforcement action will lie with An Chomhairle which will have the services of Inspectors appointed by the Minister for Industry and Commerce for the purpose.

An Roinn Tionscail agus Tráchtála.
Deireadh Fómhair, 1958.