# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

# No. XXII.

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An Act to consolidate and amend the law relating to Apprentices. [Assented to, 1st June, 1894.]

DE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Apprentices Act, 1894," and short title. shall come into operation on the first day of July, one thousand eight

hundred and ninety-four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in the next succeeding section hereof, to whom or to which any child,

male

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter expression were repeated whenever the former occurs.

Meaning of word "Apprentice."

Exemptions.

4. The word "Apprentice" as used in this Act shall mean any such child as is referred to, and so bound as is expressed in the preceding section. And nothing herein contained shall extend to, or to the articled clerk of, any attorney or solicitor, or to the clerk or apprentice of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

Orphan apprentices.

5. The person who shall have the principal control or management of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Magistrates in certain cases may execute the indenture.

6. Any Stipendiary or Police Magistrate, or any two Justices of the Peace, of New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Where child has no parent or guardian magistrate to act.

7. Any father resident in New South Wales of any child above fourteen years of age, or if the father be dead, or the inmate of any prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a term which shall not exceed seven years.

Master may take any apprentice coming within preceding sections.

8. Any such master as aforesaid resident in and exercising any trade, art, business, or manual occupation within New South Wales, may, by such indenture as aforesaid, take any apprentice coming within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby limited.

Government apprentices.

9. Any official in the service of the Government of New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

Manager of company may receive apprentice.

10. The manager of any company established and registered in New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he may be admitted to become a probationer for three as and become a probationer on such terms as may be agreed upon months, then for a period of three months to the proposed master in the trade, art, apprenticeship to be business, or manual occupation as to which it is contemplated to bind entered into. him; and it shall be lawful either for the proposed master or proposed apprentice, or the parent or other person authorised, at the end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) for the then remainder of the term mentioned in that indenture: Provided that such indersement, or other instrument as aforesaid, Proviso. shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force in New South Wales.

- 14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. master for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic
- 15. In case of any difference or dispute between any such Court may settle master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the

district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment. And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then be owing by the master to the apprentice.

Apprentice absenting

16. If any such apprentice as aforesaid shall, before the may be compelled to expiration of his term of apprenticeship, absent himself without leave from his master's service for more than one week, such apprentice for refusing to serve shall at any time wherever he shall be found, be compelled to serve as required to be as required to be dealt with summarily. such master for so long a time as he shall have so absented himself, unless he shall make reasonable satisfaction to his master for the loss the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

Penalty in cases where master trans-fers or discharges apprentice without his consent.

17. It shall not be lawful for any such master as aforesaid to put away or transfer any such apprentice as aforesaid to any other person, or in any way discharge such apprentice from his service without such consent as is specified in or under such certificate as is provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

Persons enticing. employing, or harboring apprentices liable to a fine of not exceeding £10.

18. If any person shall entice or take away or employ or harbor, or be aiding or concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by any such indenture or assignment as aforesaid, while the same remains in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose.

19. If any such fine, penalty, costs, or wages as is or are Procedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-Supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	The whole.
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section

#### SECOND SCHEDULE.

This indenture, made the , one thousand eight hundred day of and , between , son of , of in Wales, and hereinaîter designated apprentice of the first part; in the Colony of New South

of the second part (as , of consenting hereto); and carrying on business as , and hereinafter designated master of the third part: Witnesseth that the puts himself apprentice to the said master to learn the trade, art, business, or occupation of

and everything relating thereto, for the space of

additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupation; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him but shell master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without such consent, he shall serve one day at the end of each year of his apprenticeship, and such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the seventh year from the said for the sixth year; and shillings per for the seventh year from the said

the fourth year; shillings per for the fifth year; shillings per for the sixth year; and shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the same

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master doth hereby, with the consent of assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

By Authority: Charles Potter, Government Printer, Sydney, 1894.

# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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# No. XXII.

An Act to consolidate and amend the law relating to Apprentices. [Assented to, 1st June, 1894.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Apprentices Act, 1894," and short title. shall come into operation on the first day of July, one thousand eight hundred and ninety-four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in the next succeeding section hereof, to whom or to which any child,

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male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter expression were repeated whenever the former occurs.

Meaning of word "Apprentice."

Exemptions.

4. The word "Apprentice" as used in this Act shall mean any such child as is referred to, and so bound as is expressed in the preceding section. And nothing herein contained shall extend to, or to the articled clerk of, any attorney or solicitor, or to the clerk or apprentice of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

Orphan apprentices.

5. The person who shall have the principal control or management of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Magistrates in certain cases may execute the indenture.

6. Any Stipendiary or Police Magistrate, or any two Justices of the Peace, of New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Where child has no parent or guardian magistrate to act.

7. Any father resident in New South Wales of any child above fourteen years of age, or if the father be dead, or the inmate of any prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a term which shall not exceed seven years.

Master may take any apprentice coming within preceding sections.

8. Any such master as aforesaid resident in and exercising any trade, art, business, or manual occupation within New South Wales, may, by such indenture as aforesaid, take any apprentice coming within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby

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Government apprentices.

9. Any official in the service of the Government of New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

Manager of company may receive apprentice.

10. The manager of any company established and registered in New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

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Penalty in cases where master trans-fers or discharges apprentice without his consent.

17. It shall not be lawful for any such master as aforesaid to put away or transfer any such apprentice as aforesaid to any other person, or in any way discharge such apprentice from his service without such consent as is specified in or under such certificate as is provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

Persons enticing, employing, or harboring apprentices liable to a fine of not exceeding £10.

18. If any person shall entice or take away or employ or harbor, or be aiding or concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by any such indenture or assignment as aforesaid, while the same remains in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose. 19.

19. If any such fine, penalty, costs, or wages as is or are Procedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-Supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	The whole.
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

#### SECOND SCHEDULE.

, one thousand eight hundred day of This indenture, made the , between , son of , of in the Colony of New South Wales, and hereinaster designated apprentice of the first part; of the second part (as ereto); and , of , carrying on business as , and hereinafter designated master of the third part: Witnesseth that the consenting hereto); and at puts himself apprentice to the said master to learn the trade, art, business, or occupation of

and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupation; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the fifth year; shillings per for the sixth year; and shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event

and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master doth hereby, with the consent of assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

By Authority: Charles Potter, Government Printer, Sydney, 1894.

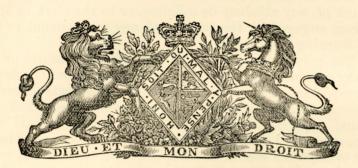
[6d.]

I Certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

Legislative Assembly Chamber, Sydney, 22 May, 1894.

F. W. WEBB, Clerk of the Legislative Assembly.

# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

## No. XXII.

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An Act to consolidate and amend the law relating to Apprentices. [Assented to, 1st June, 1894.]

DE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Apprentices Act, 1894," and short title. shall come into operation on the first day of July, one thousand eight hundred and ninety-four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in the next succeeding section hereof, to whom or to which any child,

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

NINIAN MELVILLE, Chairman of Committees of the Legislative Assembly.

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter expression were repeated whenever the former occurs.

Meaning of word "Apprentice."

Exemptions.

4. The word "Apprentice" as used in this Act shall mean any such child as is referred to, and so bound as is expressed in the preceding section. And nothing herein contained shall extend to, or to the articled clerk of, any attorney or solicitor, or to the clerk or apprentice of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

Orphan apprentices.

5. The person who shall have the principal control or management of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Magistrates in certain cases may execute the indenture.

6. Any Stipendiary or Police Magistrate, or any two Justices of the Peace, of New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Where child has no parent or guardian magistrate to act.

7. Any father resident in New South Wales of any child above fourteen years of age, or if the father be dead, or the inmate of any prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a term which shall not exceed seven years.

Master may take any apprentice coming within preceding sections. 8. Any such master as aforesaid resident in and exercising any trade, art, business, or manual occupation within New South Wales, may, by such indenture as aforesaid, take any apprentice coming within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby limited.

Government apprentices.

9. Any official in the service of the Government of New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

Manager of company may receive apprentice.

10. The manager of any company established and registered in New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he may be admitted to become a probationer for three as and become a probationer on such terms as may be agreed upon months, then for a period of three months to the proposed master in the trade, art, indenture of apprenticeship to be business, or manual occupation as to which it is contemplated to bind entered into. him; and it shall be lawful either for the proposed master or proposed apprentice, or the parent or other person authorised, at the end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by assign indenture of indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso. shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force in New South Wales.

- 14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. master for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic
- 15. In case of any difference or dispute between any such Court may settle master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the award costs, &c.

district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment. And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then be owing by the master to the apprentice.

Apprentice absenting serve the time lost by his absence, and

16. If any such apprentice as aforesaid shall, before the himself without leave may be compelled to expiration of his term of apprenticeship, absent himself without leave from his master's service for more than one week, such apprentice for refusing to serve shall at any time wherever he shall be found, be compelled to serve as required to be such master for so larger times. as required to be dealt with summarily. such master for so long a time as he shall have so absented himself, unless he shall make reasonable satisfaction to his master for the loss the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

Penalty in cases apprentice without his consent.

17. It shall not be lawful for any such master as aforesaid to where master trans- put away or transfer any such apprentice as aforesaid to any other person, or in any way discharge such apprentice from his service without such consent as is specified in or under such certificate as is provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

Persons enticing, employing, or harbor-ing apprentices liable to a fine of not exceeding £10.

18. If any person shall entice or take away or employ or harbor, or be aiding or concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by any such indenture or assignment as aforesaid, while the same remains in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose. 19.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-Supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

#### SECOND SCHEDULE.

This indenture, made the day of , one thousand eight hundred and , between , son of , of in the Colony of New South Wales, and hereinafter designated apprentice of the first part;

consenting hereto); and , of , carrying on business as at , and hereinafter designated master of the third part: Witnesseth that the puts himself apprentice to the said master to learn the trade, art, business,

or occupation of
and everything relating thereto, for the space of
years, and for so many
additional days as is hereinafter provided for—such term to be computed from the
day of
, one thousand eight hundred and
And the said apprentice,
hereby agrees and engages with the said master, and his executors and administrators, or
those he or they may please to set over him in the said trade, art, business, or occupation; that he will at no time absent himself therefrom without proper consent; and
that he will not be accessory to, nor commit or permit any hurt or damage to his said
master or his property, nor conceal any such hurt or damage if known to him, but shall
do everything in his power to prevent the same; and that for every day's absence
during the said term from attention to said trade, art, business, or occupation without
such consent, he shall serve one day at the end of each year of his apprenticeship, and
such year shall not be considered complete until the said additional day or days
shall have been served. And the said master hereby agrees, engages, and binds
himself with and to the said apprentice, and his executors and administrators, that
he, the said master or his executors or administrators, shall, during the aforesaid
term, duly teach and instruct the said apprentice, or cause him to be taught and
instructed, in the trade, art, business, or occupation aforesaid, and do his utmost
to make him skilled and expert therein; and shall also make payment to the
said apprentice at the following rate of wages per , during which he shall
diligently and faithfully labour in said trade, art, business, or occupation,

the fourth year; shillings per for the fifth year; shillings per for the sixth year; shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

THE within named master doth hereby, with the consent of

assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators,

for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

In the name and on the behalf of Her Majesty I assent to this Act.

R. W. DUFF,
Governor.

Government House, Sydney, 1st June, 1894.

I Certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

Legislative Assembly Chamber,

F. W. WEBB, Sydney, 22 May, 1894. Sydney, 22 May, 1894. Clerk of the Legislative Assembly.

# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

# No. XXII.

An Act to consolidate and amend the law relating to Apprentices. [Assented to, 1st June, 1894.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "Apprentices Act, 1894," and short title. shall come into operation on the first day of July, one thousand eight hundred and ninety-four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in the next succeeding section hereof, to whom or to which any child,

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter expression were repeated whenever the former occurs.

Meaning of word "Apprentice."

Exemptions.

4. The word "Apprentice" as used in this Act shall mean any such child as is referred to, and so bound as is expressed in the preceding section. And nothing herein contained shall extend to, or to the articled clerk of, any attorney or solicitor, or to the clerk or apprentice of any person engaged in the tuition of any professional or scientific

branch of learning or pursuit.

Orphan apprentices.

5. The person who shall have the principal control or management of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Magistrates in certain cases may execute the indenture.

6. Any Stipendiary or Police Magistrate, or any two Justices of the Peace, of New South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more than seven years.

Where child has no parent or guardian magistrate to act.

7. Any father resident in New South Wales of any child above fourteen years of age, or if the father be dead, or the inmate of any prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any trade, art, business, or manual occupation within New South Wales, may, by such indenture as aforesaid, take any apprentice coming within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby

limited.

Government apprentices.

Master may take any apprentice coming within

preceding sections.

9. Any official in the service of the Government of New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

Manager of company may receive apprentice.

10. The manager of any company established and registered in New South Wales having the direction and control of persons engaged in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he may be admitted to become a probationer on such terms as may be agreed upon months, then for a period of three months to the proposed master in the trade, art, indenture of apprenticeship to be business, or manual occupation as to which it is contemplated to bind entered into. him; and it shall be lawful either for the proposed master or proposed apprentice, or the parent or other person authorised, at the end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso. shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. master for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic

15. In case of any difference or dispute between any such Court may settle master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the

district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment. And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then be owing by the master to the apprentice.

Apprentice absenting himself without leave

16. If any such apprentice as aforesaid shall, before the may be compelled to expiration of his term of apprenticeship, absent himself without leave from his master's service for more than one week, such apprentice by his absence, and for refusing to serve shall at any time wherever he shall be found, be compelled to serve as required to be dealt with summarily. such master for so long a time as he shall have so absented himself, unless he shall make reasonable satisfaction to his master for the loss the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

Penalty in cases where master trans-fers or discharges apprentice without his consent.

17. It shall not be lawful for any such master as aforesaid to put away or transfer any such apprentice as aforesaid to any other person, or in any way discharge such apprentice from his service without such consent as is specified in or under such certificate as is provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

Persons enticing. employing, or harboring apprentices liable to a fine of not exceeding £10.

18. If any person shall entice or take away or employ or harbor, or be aiding or concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by any such indenture or assignment as aforesaid, while the same remains in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose. 19.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-Supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the

Industrial Schools Act of 1866. 22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may

appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a

good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

#### SECOND SCHEDULE.

This indenture, made the , one thousand eight hundred , between son of of in the Colony of New South Wales, and hereinafter designated apprentice of the first part;

of the second part (as consenting hereto); and carrying on business as , and hereinafter designated master of the third part: Witnesseth that the said puts himself apprentice to the said master to learn the trade, art, business. or occupation of

and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators,

that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupation; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without such consent, he shall serve one day at the end of each year of his apprenticeship, and such consent, he shall serve one day at the end of each year of his apprendices hip, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid here the said master or his executors. term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the sixth year; and shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his

of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master doth hereby, with the consent of assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

In the name and on the behalf of Her Majesty I assent to this Act.

R. W. DUFF,
Governor.

Government House, Sydney, 1st June, 1894.

#### APPRENTICES BILL.

SCHEDULE of Amendments referred to in Message of 21st March, 1894.

Page 1, clause 1, line 5, Omit "1893" insert "1894"
Page 1, clause 1, line 7. Omit "three" insert "four"
Page 3, clause 11. Omit clause 11 insert new clause 11.

Page 4, clause 14, line 15. Omit "by what is known as 'piecework,' or task work, or"

Page 5, clause 21. At end of clause add "Provided that nothing herein shall be "taken to apply to any child apprenticed under the provisions of the

"Industrial Schools Act of 1866."

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

Legislative Assembly Chamber, Sydney, 23 May, 1893.

F. W. WEBB, Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, Sydney, 21st March, 1894. JOHN J. CALVERT, Clerk of the Parliaments.

# New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the law relating to Apprentices.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Apprentices Act, 1893 1894," Short title. and shall come into operation on the first day of July, one thousand eight hundred and ninety-three four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory 10 provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, 210— (302)

Note. The words to be omitted are ruled through; those to be inserted are printed in black letter.

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter 5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." section. And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice

10 of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

5. The person who shall have the principal control or manage-orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New

15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than seven years.

6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as the indenture. 20 aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force 25 in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more

than seven years.

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian prison lumptic acylum or benevalant institution of any magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any

35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice within may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby 45 limited.

9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive 50 such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in

office in such service for a term such as is thereby limited. 10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he shall be admitted to become a probationer for a period of three months to the proposed months, then indenmaster in the trade, art, business, or manual occupation as to which it ture of apprentice-5 is contemplated to bind him; and it shall be lawful either for the into. proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counter 10 part thereof, shall be entered into, signed, and sealed by the apprentice, as to the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, 15 as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be, that is shown by, and shall contain the various covenants and 20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

25 11. Before any such child as is referred to in any of the pre- Proposed ceding sections hereof is bound or received as apprentice, he may be apprentice admitted as and become a probationer, on such terms as may be agreed probationer for upon, for a period of three months to the proposed master in the trade, three months, art, business, or manual occupation as to which it is contemplated to then indenture 30 bind him; and it shall be lawful either for the proposed master or of apprenticeship proposed apprentice, or the parent or other person authorised, at the to be entered into. end of such period of three months to terminate such engagement, if

any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, 35 with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances

40 of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such

45 indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may 50 indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the 55 Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement)

60 for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso.

shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment ship expire in certain cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall 10 attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force

in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labour.

15 master by what is known as "piecework," or task work, or for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such court may settle 20 master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the award costs, &c. district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and

25 calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon

30 such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct

or breach of contract on his part towards the other. Such Magistrate 35 or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment.

40 And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting 45 expiration of his term of apprenticeship, absent himself without leave may be compelled to from his master's service for more than one week, such apprentice serve the time lost shall at any time wherever he shall be found, be compelled to serve for refusing to serve such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily.

50 the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New

55 South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and

60 determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any

time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

17. It shall not be lawful for any such master as aforesaid to Penalty in cases but away or transfer any such apprentice as aforesaid to any other fers or discharges person, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is his consent. provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a 10 penalty of ten pounds, which may be imposed by any Stipendiary

or Police Magistrate or two such Justices of the Peace as aforesaid. 18. If any person shall entice or take away or employ or Persons enticing, harbor, or be aiding or concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by liable to a fine of 15 any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices

of the Peace may award and impose in a summary way upon a summons issued for that purpose.

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20 19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or 25 recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally 30 as compensation for the wrong or injury which may have been

sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment. years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-Supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. 40 any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried

45 out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary 55 proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or

shall be held void by reason of any defect therein, provided it be 60 therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

otherwise into the Supreme Court; and no warrant of commitment

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

SECOND SCHEDULE. , one thousand eight hundred 20 This indenture, made the day of and , between , son of , of ir Wales, and hereinafter designated apprentice of the first part; in the Colony of New South of the second part (as consenting hereto); and , of carrying on business as , and hereinafter designated master of the third part: Witnesseth that the 25 at puts himself apprentice to the said master to learn the trade, art, business, or occupation of and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said appren . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupa-35 tion; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without 40 such consent, he shall serve one day at the end of each year of his apprenticeship, and such consent, he shall serve one day at the end of each year of his apprentices. In such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the fifth year; shillings per f d shillings per the fourth year; for the fifth year; shillings per for the seventh year from the said ed and . The said apprentice for the sixth year; and day of , one thousand eight hundred and

55 further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master
doth hereby, with the consent of

15 assign the within indenture and the services thereunder of the within named apprentice
unto of his executors and administrators,
for the unexpired portion of the within-named term of years: And the said
doth hereby declare his acceptance of such apprentice, and acknowledges
himself, and his executors and administrators, to be bound by the agreements, engage20 ments, obligations, and covenants on the part of the master of such apprentice, to be
done and performed as fully as if he himself had entered into same as a party under
that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

25 Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

Sydney: Charles Potter, Government Printer.—1894.

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#### APPRENTICES BILL.

SCHEDULE of Amendments referred to in Message of 21st March, 1894.

Page 1, clause 1, line 5, Omit "1893" insert "1894" Page 1, clause 1, line 7. Omit "three" insert "four"

Page 3, clause 11. Omit clause 11 insert new clause 11.

Page 4, clause 14, line 15. Omit "by what is known as 'piecework,' or task work, or"

Page 5, clause 21. At end of clause add "Provided that nothing herein shall be "taken to apply to any child apprenticed under the provisions of the

"Industrial Schools Act of 1866."

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

Legislative Assembly Chamber,

F. W. WEBB, Sydney, 23 May, 1893. Street Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, Sydney, 21st March, 1894.

JOHN J. CALVERT, Clerk of the Parliaments.

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the law relating to Apprentices.

DE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "Apprentices Act, 1893 1894," Short title. and shall come into operation on the first day of July, one thousand eight hundred and ninety-three four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory 10 provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the 15 passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, 210-(302)

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter

5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." section. And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice

10 of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

5. The person who shall have the principal control or manage- Orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New

15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than

seven years.

20 6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as the indenture. aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force

25 in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more

than seven years.

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any 35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound

any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a

term which shall not exceed seven years.

40 8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby

45 limited. 9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive 50 such and so many apprentices, each coming within any of the preceding

sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he shall be admitted to become bationer to be a small be admitted bationer to be a small be admitted become as and become a probationer for a period of three months to the proposed months, then indenmaster in the trade, art, business, or manual occupation as to which it ture of apprentices is contemplated to bind him; and it shall be lawful either for the into.

proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counter 10 part thereof, shall be entered into, signed, and sealed by the apprentice, as to the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circums tances of each case, 15 as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be, that is shown by, and shall contain the various covenants and 20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full

age at the time of his entering into and signing and sealing the same. 11. Before any such child as is referred to in any of the pre-Proposed ceding sections hereof is bound or received as apprentice, he may be apprentice admitted as and become a probationer, on such terms as may be agreed to become a probationer for upon, for a period of three months to the proposed master in the trade, three months, art, business, or manual occupation as to which it is contemplated to then indenture 30 bind him; and it shall be lawful either for the proposed master or of apprenticeship proposed apprentice, or the parent or other person authorised, at the to be entered into.

end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, 35 with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the

fifth, sixth, and seventh sections hereof according to the circumstances 40 of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such

45 indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may 50 indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the 55 Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice,

assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) 60 for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso.

shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall 10 attain the age of twenty-one years, or, shall marry with the consent of

the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force

in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labour.

15 master by what is known as "piecework," or task work, or for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such Court may settle 20 master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the award costs, &c. district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and

25 calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon

30 such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate 35 or Justices may also discharge such apprentice, if he or they shall

think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment.

40 And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting 45 expiration of his term of apprenticeship, absent himself without leave may be compelled to from his master's service for more than one week, such apprentice serve the time lost shall at any time wherever he shall be found, be compelled to serve for refusing to serve the standard of the serve to be t such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily.

50 the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New

55 South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and

60 determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any

time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

17. It shall not be lawful for any such master as aforesaid to Penalty in cases 5 put away or transfer any such apprentice as aforesaid to any other where master transfers or discharges person, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is his consent. provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a 10 penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

18. If any person shall entice or take away or employ or Persons enticing, harbor, or be aiding or concerned in enticing or taking away or employing, or harboring any child who has been bound apprentice by liable to a fine of 15 any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose.

20 19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or 25 recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally 30 as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs,

or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment. years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. 40 any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried

45 out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may

appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary 55 proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be

60 therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8 5	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	The whole.
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	

SECOND SCHEDULE. , one thousand eight hundred 20 This indenture, made the day of , son of in the Colony of New South , between Wales, and hereinafter designated apprentice of the first part; of the second part (as ereto); and , of , carrying on business as , and hereinafter designated master of the third part: Witnesseth that the consenting hereto); and 25 at puts himself apprentice to the said master to learn the trade, art, business, or occupation of and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupa-35 tion; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without 40 such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed in the trade art business or occupation aforesaid, and do his utmost instructed, in the trade, art, business, or occupation aforesaid, and do his utmost

instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to 50 say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the fifth year; shillings per for the sixth year; and shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice 55 further agrees with his said master that he will be responsible for all tools, patterns, and other prepare that may be in his charge or under his care; and that in the event

55 further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master
doth hereby, with the consent of

15 assign the within indenture and the services thereunder of the within named apprentice
unto
of
his executors and administrators,
for the unexpired portion of the within-named term of
years: And the said
doth hereby declare his acceptance of such apprentice, and acknowledges
himself, and his executors and administrators, to be bound by the agreements, engage20 ments, obligations, and covenants on the part of the master of such apprentice, to be
done and performed as fully as if he himself had entered into same as a party under
that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

25 Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, 23 May, 1893.

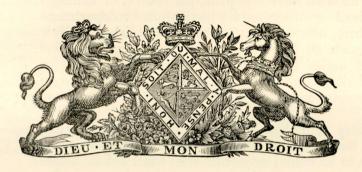
F. W. WEBB, Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, March, 1894. Sydney,

Clerk of the Parliaments.

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

## VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the law relating to Apprentices.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and Legislative the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the "Apprentices Act, 1893 1894," Short title. and shall come into operation on the first day of July, one thousand

eight hundred and ninety-three four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the 15 passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, 210-(302)

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter

5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." section. And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice 10 of any person engaged in the tuition of any professional or scientific

branch of learning or pursuit.

5. The person who shall have the principal control or manage- Orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New 15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or

institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than

seven years.

6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as the indenture. aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force 25 in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more than seven years.

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the

child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any 35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a

term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby 45 limited.

9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive 50 such and so many apprentices, each coming within any of the preceding

sections, as he may require to serve under him and his successors in office in such service for a term such as is thereby limited.

10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he shall be admitted to become a probationer for three as and become a probationer for a period of three months to the proposed months, then indenas and become a propositioner for a period of three months to the proposed matter in the trade, art, business, or manual occupation as to which it ture of apprentice master in the trade, art, business, or manual occupation as to which it ship to be entered 5 is contemplated to bind him; and it shall be lawful either for the into. proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counter 10 part thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stiplendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, 15 as of the second plant; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be, that is shown by, and shall contain the various covenants and 20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be hinding both another master and the apprentice. indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

11. Before any such child as is referred to in any of the pre-proposed ceding sections hereof is bound or received as apprentice, he may be apprentice admitted as and become a probationer for a period of three months to become a probationer for the proposed master in the trade, art, business, or manual occupation three months, as to which it is contemplated to hind him or such toward a probationer for three months, as to which it is contemplated to bind him on such terms as may be then indenture 30 agreed upon; and it shall be lawful either for the proposed master or of apprenticeship proposed apprentice, or the parent or other person authorised, at the to be entered into.

end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, 35 with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances

40 of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such 45 indenture shall be binding both on the master and on the apprentice

in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same. 12. Any master, or if he be then dead, the executor or adminis- Master or Executor

trator of the master of any such apprentice as aforesaid may, by in certain cases may 50 indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the 55 Peace of New South Wales, testified by his or their joining as a party

or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement)

60 for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso.

shall

shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con- Terms of apprentice-tained herein, or in any such indenture of apprenticeship or assignment ship expire in certain cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall 10 attain the age of twenty-one years, or, shall marry with the consent of

the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force

in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. 15 master by what is known as "-piecework," or task work, or for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such Court may settle 20 master and any such apprentice as aforesaid arising under any such disputes arising indenture or assignment as aforesaid, the nexty feeling aggrioved may between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the award costs, &c. district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and

25 calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon

30 such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate

35 or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment.

40 And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting 45 expiration of his term of apprenticeship, absent himself without leave from his master's service for more than one week, such apprentice serve the time lost shall at any time wherever he shall be found, be compelled to serve for refusing to serve the serve to serve the time lost of the shall at any time wherever he shall be found, be compelled to serve for refusing to serve the serve the serve the serve the serve to serve the serve to serve the serv such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily.

50 the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New

55 South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and

60 determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any

time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself

17. It shall not be lawful for any such master as aforesaid to Penalty in cases 5 put away or transfer any such apprentice as aforesaid to any other where master transperson, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is his consent. provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a 10 penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

18. If any person shall entice or take away or employ or Persons enticing, harbor, or be aiding or concerned in enticing or taking away or employing, or harboremploying or harboring any child who has been bound apprentice by liable to a fine of the properties of t 15 any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or recovered, the amount of the fine or penalty shall be smalled and

25 recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally

30 as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment. years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. 40 any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried

45 out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary 55 proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment 60 shall be held void by reason of any defect therein, provided it be

therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

SECOND SCHEDULE. 20 This indenture, made the , one thousand eight hundred day of , son of of , between in the Colony of New South Wales, and hereinafter designated apprentice of the first part; of the second part (as , and hereinafter designated master of the third part: Witnesseth that the consenting hereto); and 25 at said puts himself apprentice to the said master to learn the trade, art, business, or occupation of and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupa-35 tion; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without 40 such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for 50 say :for the fifth year; shillings per for the fifth year; shillings per er for the seventh year from the said. The said apprentice tools natterns, shillings per for and shillings per the fourth year; for the sixth year; and day of , one thousand eight hundred and . The said apprentice 55 further agrees with his said master that he will be responsible for all tools, patterns,

day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and administrators, covenants and agrees with the other, and his executors and administrators, 5 that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said 10 in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

THE within named master

that indenture.

25

doth hereby, with the consent of
15 assign the within indenture and the services thereunder of the within named apprentice

unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engage-20 ments, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture

In witness whereof the parties hereto have set their hands and seals one thousand eight hundred and this day of

Signed, sealed, and delivered by the or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

Legislative Assembly Chamber, Sydney, 23 May, 1893.

F. W. WEBB, Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, Sydney, March, 1894.

Clerk of the Parliaments.

## New South Wales.



ANNO QUINQUAGESIMO SEPTIMO

# VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the law relating to Apprentices.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Apprentices Act, 1893 1894," short title. and shall come into operation on the first day of July, one thousand

eight hundred and ninety-three four.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory 10 provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, 210— (302)

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter 5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." section. And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice

10 of any person engaged in the tuition of any professional or scientific

branch of learning or pursuit.

5. The person who shall have the principal control or manage-orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New

15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than

6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as the indenture. 20 aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force

25 in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any 35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by

term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby 45 limited.

such master in any trade, art, business, or manual occupation for a

9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive

50 such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in

office in such service for a term such as is thereby limited.

10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice sections hereof is bound or received as apprentice, he shall be admitted to become a probationer for a period of three months to the proposed months, then indentice to be a probation of the proposed months are proposed months, then indentice to be a probation of the proposed months are proposed months. master in the trade, art, business, or manual occupation as to which it ture of apprentice-entered

5 is contemplated to bind him; and it shall be lawful either for the into proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then

an indenture of apprenticeship in writing or print, with a counter 10 part thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stiplendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case,

15 as of the second plant; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be, that is shown by, and shall contain the various covenants and

20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

11. Before any such child as is referred to in any of the pre-Proposed ceding sections hereof is bound or received as apprentice, he may be apprentice admitted as and become a probationer for a period of three months to to become a the proposed master in the trade, art, business, or manual occupation three months, as to which it is contemplated to hind him as such than a probationer for as to which it is contemplated to bind him on such terms as may be then indenture 30 agreed upon; and it shall be lawful either for the proposed master or of apprenticeship

proposed apprentice, or the parent or other person authorised, at the tobe entered into. end of such period of three months to terminate such engagement, if any or either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print,

35 with a counterpart thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances

40 of each case, as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be set out in the Second Schedule hereto. And every such

45 indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may 50 indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the

55 Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) 60 for the then remainder of the term mentioned in that indenture:

Provided that such indorsement, or other instrument as aforesaid, Proviso.

shall be in the form as nearly as can be, and contain the declaration and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con- Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall 10 attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of minors under the provisions of any Act for that purpose then in force in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. 15 master by what is known as "-piecework," or task work, or for more than forty-eight hours during any one week: Provided always that this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such Court may settle 20 master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause a summons to be issued forth of the Court of Petty Sessions of the award costs, &c. district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and

25 calling upon the other party to show cause upon a given day before such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have

power and authority to hear and to give and make such order upon 30 such difference or dispute as in his or their discretion, equity, and right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate

35 or Justices may also discharge such apprentice, if he or they shall think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment.

40 And the Magistrate or Justices may award such costs of the proceeding in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting 45 expiration of his term of apprenticeship, absent himself without leave may be compelled to from his master's service for more than one week, such apprentice serve the time lost shall at any time wherever he shall be found, be compelled to serve by his absence, and for refusing to serve the ser such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily.

50 the latter shall have sustained by such absence; and so from time to time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New

55 South Wales—which oath such Justice is hereby empowered to administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and

60 determine what satisfaction shall be made to such master; and in case such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any

time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself as aforesaid.

17. It shall not be lawful for any such master as aforesaid to Penalty in cases 5 put away or transfer any such apprentice as aforesaid to any other master transperson, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is his consent. provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a 10 penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

18. If any person shall entice or take away or employ or Persons enticing, harbor, or be aiding or concerned in enticing or taking away or employing, or harboremploying or harboring any child who has been bound apprentice by liable to a fine of the state of the sta 15 any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices of the Peace may award and impose in a summary way upon a summons issued for that purpose.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under 20 contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as the case may be upon whom it has been imposed; and when paid or

25 recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice shall reside, or to and for the use and benefit of the party personally 30 as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs,

or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or reformatory for any time not exceeding fourteen days. 35

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-supervision of visions of the fifth section of this Act may be liable to inspection by orphan apprentices. 40 any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements made between such apprentices and their masters are faithfully carried 45 out, and such officer shall report annually upon the operations of the

Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary: Provided that nothing herein shall be taken to apply to any child apprenticed under the provisions of the Industrial Schools Act of 1866.

22. Any person who shall think himself aggrieved by any order, As to appeals. 50 fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary 55 proceedings before Justices; but no conviction, order, warrant, or other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by *certiorari* or otherwise into the Supreme Court; and no warrant of commitment

60 shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	tati biy Aleni areni. Omaniko da ere
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	

SECOND SCHEDULE. , son of , one thousand eight hundred 20 This indenture, made the , between of in the Colony of New South Wales, and hereinafter designated apprentice of the first part; of the second part (as ereto); and , of , carrying on business as , and hereinafter designated master of the third part: Witnesseth that the consenting hereto); and 25 at puts himself apprentice to the said master to learn the trade, art, business, and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said appren And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupa-35 tion; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without 40 such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per , during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to shillings per shillings per for the first year; for the third year; shillings per shillings per 50 say :for the second year; r the third year;
for the fifth year; shillings per
er for the seventh year from the said
The said apprentice shillings per for shillings per the fourth year; for the sixth year; and day of , one thousand eight hundred and . The said apprentice 55 further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

THE within named master doth hereby, with the consent of

10

15 assign the within indenture and the services thereunder of the within named apprentice

unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engage-20 ments, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture that indenture.

> In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

Signed, sealed, and delivered by the 25 said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,

F. W. WEBB, Sydney, 23 May, 1893. S Clerk of the Legislative Assembly.

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

## VICTORIÆ REGINÆ.

No.

An Act to consolidate and amend the law relating to Apprentices.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "Apprentices Act, 1893," and short title. shall come into operation on the first day of July, one thousand eight

hundred and ninety-three.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory 10 provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the

15 passing of this Act. 3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, (302)—

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter 5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice

10 of any person engaged in the tuition of any professional or scientific branch of learning or pursuit.

5. The person who shall have the principal control or manage- orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New

15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than

20 6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as cases may execute the indenture. aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force

25 in New South Wales enabling Justices to make orders for the maintenance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more

than seven years.

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any 35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound

any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a

term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby 45 limited.

9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive 50 such and so many apprentices, each coming within any of the preceding

sections, as he may require to serve under him and his successors in

office in such service for a term such as is thereby limited.

10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentics sections hereof is bound or received as apprentice, he shall be admitted to become a probationer for three as and become a probationer for a period of three months to the proposed months, then indenmaster in the trade, art, business, or manual occupation as to which it ture of apprentices is contemplated to bind him; and it shall be lawful either for the into. proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counter

10 part thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case,

15 as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as can be, that is shown by, and shall contain the various covenants and

20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient 30 instrument in writing, under his hand and seal, but by and with the

consent of a Stipendiary or Police Magistrate or of two Justices of the Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice, 35 assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) for the then remainder of the term mentioned in that indenture:

shall be in the form as nearly as can be, and contain the declaration 40 and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of

such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con-Terms of apprenticetained herein, or in any such indenture of apprenticeship or assignment cases. 45 thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of 50 minors under the provisions of any Act for that purpose then in force in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. master by what is known as "piecework," or task work, or for more than forty-eight hours during any one week: Provided always that 55 this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such court may settle master and any such apprentice as aforesaid arising under any such disputes arising between master and indenture or assignment as aforesaid the portry feeling aggregated may be between master and master and any such apprentice as aforesaid, the party feeling aggrieved may apprentice, and cause award costs, &c.

Provided that such indorsement, or other instrument as aforesaid, Proviso.

cause a summons to be issued forth of the Court of Petty Sessions of the district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and calling upon the other party to show cause upon a given day before

5 such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon

such difference or dispute as in his or their discretion, equity, and 10 right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate or Justices may also discharge such apprentice, if he or they shall

15 think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment. And the Magistrate or Justices may award such costs of the proceeding

20 in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting expiration of his term of apprenticeship, absent himself without leave may be compelled to serve the time lost shall at any time wherever he shall be found, be compelled to serve by his absence, and for refusing to serve such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily. the latter shall have sustained by such absence; and so from time to

30 time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New South Wales-which oath such Justice is hereby empowered to

35 administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and determine what satisfaction shall be made to such master; and in case

40 such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself

45 as aforesaid.

17. It shall not be lawful for any such master as aforesaid to Penalty in cases put away or transfer any such apprentice as aforesaid to any other fers or discharges person, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is

50 provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

18. If any person shall entice or take away or employ or Persons enticing,
55 harbor, or be aiding or concerned in enticing or taking away or employing, or harboring any child who has been bound apprentice by liable to a fine of the state of the concerned in enticing or taking away or employing or harboring any child who has been bound apprentice by liable to a fine of the concerned in entire to the concerned in entire to a fine of the concerned in entire to the any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices

60 of the Peace may award and impose in a summary way upon a summons issued for that purpose.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of

- the goods and chattels of the master or apprentice or other person as 5 the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice
- 10 shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or

15 reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-supervision of 20 visions of the fifth section of this Act may be liable to inspection by orphan apprentices, any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements

25 made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision thereunder, to the Colonial Secretary.

22. Any person who shall think himself aggrieved by any order, As to appeals.

30 fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the district in which the same was so made or imposed according to the provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or 35 other matter made or purporting to be made or done by virtue of this Act shall be quashed for want of form, or removed by continuous or

Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a

40 good and valid conviction to sustain the same.

#### SCHEDULES.

#### FIRST SCHEDULE.

	Date of Act.	Title of Act.	Extent of repeal.
5	9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	The whole.
10	5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
	8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15	15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section.

SECOND SCHEDULE. , son of day of 20 This indenture, made the , one thousand eight hundred , between of in the Colony of New South Wales, and hereinafter designated apprentice of the first part; of the second part (as consenting hereto); and , of , carrying on business as at , and hereinafter designated master of the third part: Witnesseth that the puts himself apprentice to the said master to learn the trade, art, business, 25 at or occupation of and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the day of , one thousand eight hundred and . And the said apprentice hereby agrees and engages with the said master, and his executors and administrators, that during such term he will faithfully dilicently and agriduously correspond to here that during such term he will faithfully, diligently, and assiduously serve and obey all lawful commmands of his said master, and his said executors and administrators, or those he or they may please to set over him in the said trade, art, business, or occupa-35 tion; that he will at no time absent himself therefrom without proper consent; and that he will not be accessory to, nor commit or permit any hurt or damage to his said that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall do everything in his power to prevent the same; and that for every day's absence during the said term from attention to said trade, art, business, or occupation without 40 such consent, he shall serve one day at the end of each year of his apprenticeship, and such year shall not be considered complete until the said additional day or days shall have been served. And the said master hereby agrees, engages, and binds himself with and to the said apprentice, and his executors and administrators, that he, the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed, in the trade, art, business, or occupation aforesaid, and do his utmost to make him skilled and expert therein; and shall also make payment to the said apprentice at the following rate of wages per during which he shall diligently and faithfully labour in said trade, art, business, or occupation, that is to so say:— shillings per for the first year; shillings per for the shillings per shillings per for the first year;
for the third year; 50 say :shillings per for the second year; shillings per

the fourth year; shillings per for the fifth year; shillings per for the sixth year; and shillings per for the seventh year from the said day of , one thousand eight hundred and . The said apprentice further agrees with his said master that he will be responsible for all tools, patterns, and other property that may be in his charge or under his care; and that in the event of any such tools patterns and other property being damaged or lost through his of any such tools, patterns, and other property being damaged or lost through his neglect or default, it shall be lawful for his said master to deduct a fair charge for the

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

THE within named master doth hereby, with the consent of 15 assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture

> In witness whereof the parties hereto have set their hands and seals day of one thousand eight hundred and

Signed, sealed, and delivered by the or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

that indenture.

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This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,

F. W. WEBB, Sydney, 23 May, 1893. Something Clerk of the Legislative Assembly.

## New South Wales.



ANNO QUINQUAGESIMO SEXTO

# VICTORIÆ REGINÆ.

## No.

An Act to consolidate and amend the law relating to Apprentices.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:-

1. This Act may be cited as the "Apprentices Act, 1893," and short title. shall come into operation on the first day of July, one thousand eight hundred and ninety-three.

2. The Acts specified in the First Schedule hereto are to the Repeal of Acts. extent mentioned in that Schedule, as well as all other statutory 10 provisions inconsistent herewith, hereby repealed: Provided that such repeal shall not affect any indenture or assignment of apprenticeship entered into, executed, or made, or any summons, complaint, application, order, direction, certificate, warrant, or other proceeding, matter, or thing commenced, had, or issued in New South Wales before the 15 passing of this Act.

3. The word "Master" as used in this Act shall mean any Meaning of word person carrying on any trade, art, business, or manual occupation "Master." upon his own account, or any Official or Company hereinafter specified, resident or established in New South Wales, save as is mentioned in 20 the next succeeding section hereof, to whom or to which any child, (302)-

male or female, shall be bound apprentice by indenture or by assignment of indenture, such as is prescribed by the eleventh and twelfth sections hereof. And the word "Master" as so used shall be taken to include the word "Mistress" as well and as fully as if the latter

5 expression were repeated whenever the former occurs.

4. The word "Apprentice" as used in this Act shall mean any Meaning of word such child as is referred to, and so bound as is expressed in the preceding "Apprentice." section. And nothing herein contained shall extend to, or to the Exemptions. articled clerk of, any attorney or solicitor, or to the clerk or apprentice 10 of any person engaged in the tuition of any professional or scientific

branch of learning or pursuit.

5. The person who shall have the principal control or manage- Orphan apprentices. ment of any orphan school or other public institution or department of an eleemosynary nature, now or hereafter to be established in New

15 South Wales, may, by such an indenture as aforesaid, bind or cause to be bound any child under his care or control in said school or institution, who shall not be under the age of fourteen years, to be apprentice to any such master as aforesaid for a term of not more than

20 6. Any Stipendiary or Police Magistrate, or any two Justices Magistrates in certain of the Peace, of New South Wales, may, by such an indenture as cases may execute the indenture. aforesaid, bind or cause to be bound any child who shall not be under the age of fourteen years, in respect of whose maintenance any order shall have been made under the provisions of any Act then in force 25 in New South Wales enabling Justices to make orders for the mainten-

ance of children deserted or left without adequate means of support, to be apprentice to any such master as aforesaid for a term of not more

than seven years.

7. Any father resident in New South Wales of any child above Where child has no 30 fourteen years of age, or if the father be dead, or the inmate of any parent or guardian magistrate to act. prison, lunatic asylum, or benevolent institution of any kind, then the mother so resident, and not under any such disability, or if the child have neither such a father nor mother, but have a guardian, then such guardian, and if there be no such guardian, then any

35 Stipendiary or Police Magistrate, or any two Justices of the Peace, may, by such an indenture as aforesaid, bind or cause to be bound any such child to any such master as aforesaid to be instructed by such master in any trade, art, business, or manual occupation for a

term which shall not exceed seven years.

8. Any such master as aforesaid resident in and exercising any Master may take trade, art, business, or manual occupation within New South Wales, any apprentice may, by such indenture as aforesaid, take any apprentice coming preceding sections. within any of the preceding sections to be instructed in such trade, art, business, or occupation within such Colony for a term such as is thereby 45 limited.

9. Any official in the service of the Government of New South Government Wales having the direction and control of persons engaged in any apprentices. trade, art, or manual occupation exercised therein on behalf of that Government, may by such an indenture as aforesaid take and receive

50 such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in

office in such service for a term such as is thereby limited.

10. The manager of any company established and registered in Manager of company New South Wales having the direction and control of persons engaged apprentice. 55 in any trade, art, or manual occupation exercised therein on behalf of such company, may, by such an indenture as aforesaid, take and receive such and so many apprentices, each coming within any of the preceding sections, as he may require to serve under him and his successors in office for a term such as is thereby limited.

11. Before any such child as is referred to in any of the preceding Proposed apprentice, sections hereof is bound or received as apprentice, he shall be admitted to become a probationer for three as and become a probationer for a period of three months to the proposed months, then indenticated the proposed months are three to be a probation of the proposed months. master in the trade, art, business, or manual occupation as to which it ture of apprentice ship to be entered 5 is contemplated to bind him; and it shall be lawful either for the into. proposed master or proposed apprentice at the end of such period of three months to terminate all engagement with the other, if either shall so desire and signify; but if no such desire be expressed, then an indenture of apprenticeship in writing or print, with a counter 10 part thereof, shall be entered into, signed, and sealed by the apprentice, as of the first part; by the parent as contemplated by the seventh section hereof, or by such person, guardian, Stipendiary or Police Magistrate, or Justices of the Peace, as is provided by the fifth, sixth, and seventh sections hereof according to the circumstances of each case, 15 as of the second part; and by the intended master as of the third part; and such indenture shall specify the particular trade, art, business, or occupation in which the apprentice is to be instructed, and the period for which he is to serve, and shall be in the form as nearly as

can be, that is shown by, and shall contain the various covenants and 20 stipulations as well on the part of the master as of the apprentice, which are specified in the Second Schedule hereto: And every such indenture shall be binding both on the master and on the apprentice in like manner as it would have been if the apprentice had been of full age at the time of his entering into and signing and sealing the same.

12. Any master, or if he be then dead, the executor or adminis- Master or Executor trator of the master of any such apprentice as aforesaid may, by in certain cases may indorsement in writing or print, or partly in the one and partly in apprenticeship for the other, set out upon the indenture of apprenticeship, or on the remainder of term. counterpart thereof, or if both be lost, then by any other sufficient

30 instrument in writing, under his hand and seal, but by and with the consent of a Stipendiary or Police Magistrate or of two Justices of the Peace of New South Wales, testified by his or their joining as a party or parties to such indorsement, and after reasonable notice to, and hearing such apprentice, and with the consent of such apprentice,

35 assign that indenture and the services of the apprentice thereunder, to any fit person (who shall also join as a party to such indorsement) for the then remainder of the term mentioned in that indenture: Provided that such indorsement, or other instrument as aforesaid, Proviso. shall be in the form as nearly as can be, and contain the declaration

40 and acknowledgment set out in the Third Schedule hereto; and in such case such apprentice shall be deemed to be the apprentice of such assignee to all intents and purposes.

13. Provided always and notwithstanding any provision con- Terms of apprentice-tained herein, or in any such indenture of apprenticeship or assignment ship expire in certain cases. 45 thereof as aforesaid, the term of apprenticeship specified therein shall, if it be not sooner completed by flux of time, be taken to expire, and shall expire accordingly when the apprentice named therein shall attain the age of twenty-one years, or, shall marry with the consent of the person or persons appointed to give consent to the marriage of 50 minors under the provisions of any Act for that purpose then in force

in New South Wales.

14. No such apprentice as aforesaid shall be bound to serve his Hours of labor. master by what is known as "piecework," or task work, or for more than forty-eight hours during any one week: Provided always that 55 this restriction shall not apply to apprentices bound to farming occupations or to other servants in husbandry, or to domestic service.

15. In case of any difference or dispute between any such Court may settle master and any such apprentice as aforesaid arising under any such disputes arising indenture or assignment as aforesaid, the party feeling aggrieved may apprentice, and cause cause

cause a summons to be issued forth of the Court of Petty Sessions of the district in which the ground of such difference or dispute arose, specifying the wrong or injury complained of, and the redress sought; and calling upon the other party to show cause upon a given day before 5 such Court why that party should not be ordered to give and make that redress. And thereupon the Stipendiary or Police Magistrate or any two Justices of the Peace presiding on such occasion shall have power and authority to hear and to give and make such order upon such difference or dispute as in his or their discretion, equity, and 10 right shall require, including the power of imposing any fine not exceeding the sum of ten pounds upon such master, or upon such

apprentice as the case may be, as a penalty for any proved misconduct or breach of contract on his part towards the other. Such Magistrate or Justices may also discharge such apprentice, if he or they shall

15 think proper, by certificate under his or their hand or hands, from the service of such master and may cancel the indenture of apprenticeship or any assignment thereof, which certificate shall be a complete bar to any action that may be brought on such indenture or assignment. And the Magistrate or Justices may award such costs of the proceeding

20 in favour of or against either party thereto, as he or they may consider reasonable, as well as award the payment of any wages that may then

be owing by the master to the apprentice.

16. If any such apprentice as aforesaid shall, before the Apprentice absenting expiration of his term of apprenticeship, absent himself without leave himself without leave may be compelled to 25 from his master's service for more than one week, such apprentice serve the time lost shall at any time wherever he shall be found, be compelled to serve by his absence, and such master for so long a time as he shall have so absented himself, as required to be unless he shall make reasonable satisfaction to his master for the loss dealt with summarily. the latter shall have sustained by such absence; and so from time to 30 time as often as such apprentice shall so absent himself: And in case such apprentice shall refuse to serve as hereby required or to make

such reasonable satisfaction as aforesaid, or cannot then be found, such master may complain on oath to any Justice of the Peace in New South Wales—which oath such Justice is hereby empowered to 35 administer—and he may issue a warrant under his hand for apprehending such apprentice whenever he can be found, and bringing him

before any two or more such Justices, or before a Stipendiary or Police Magistrate, who shall hear the complaint in a summary way, and determine what satisfaction shall be made to such master; and in case

40 such apprentice shall not make or give security to make such satisfaction according to such determination, such Magistrate or Justices may commit such apprentice to any gaol or house of correction for any time not exceeding one month; the apprentice shall also be bound to serve his master for the period during which he so absented himself 45 as aforesaid.

17. It shall not be lawful for any such master as aforesaid to Penalty in cases put away or transfer any such apprentice as aforesaid to any other where master transperson, or in any way discharge such apprentice from his service apprentice without without such consent as is specified in or under such certificate as is his consent.

50 provided for by the twelfth and fifteenth sections hereof; and any master violating the provisions of this section shall be liable to a penalty of ten pounds, which may be imposed by any Stipendiary or Police Magistrate or two such Justices of the Peace as aforesaid.

18. If any person shall entice or take away or employ or Persons enticing,
55 harbor, or be aiding or concerned in enticing or taking away or employing, or harboremploying or harboring any child who has been bound apprentice by liable to a fine of any such indenture or assignment as aforesaid, while the same remains not exceeding £10. in force, he shall be liable to a fine or penalty of not more than ten pounds, which any Stipendiary or Police Magistrate or any two Justices

60 of the Peace may award and impose in a summary way upon a summons issued for that purpose.

19. If any such fine, penalty, costs, or wages as is or are Proceedure under contemplated by any section hereof shall not be duly paid according to this Act. the exigency thereof, the same may be levied by distress and sale of

the exigency thereof, the same may be levied by distress and sale of the goods and chattels of the master or apprentice or other person as 5 the case may be upon whom it has been imposed; and when paid or recovered the amount of the fine or penalty shall be applied and disposed of at the discretion of the Stipendiary or Police Magistrate or Justices imposing it, either towards the funds of any charitable institution existing in the district wherever such master or apprentice

10 shall reside, or to and for the use and benefit of the party personally as compensation for the wrong or injury which may have been sustained by him in the premises. And if such fine, penalty, costs, or wages is or are not so paid, or recovered, such Magistrate or Justices may commit the defaulter to any gaol, house of correction, prison, or

15 reformatory for any time not exceeding fourteen days.

20. Provided always that no imprisonment shall be inflicted Exemptions to under any section of this Act upon any apprentice under sixteen imprisonment.

years of age, or upon any female apprentice.

21. Any apprentices placed out in accordance with the pro-supervision of 20 visions of the fifth section of this Act may be liable to inspection by orphan apprentices, any officer authorised by the Colonial Secretary, and such officer shall act as guardian to the aforesaid apprentices, and he shall have full power to initiate and carry out legal proceedings on their behalf and otherwise provide that the conditions of all indentures and agreements

25 made between such apprentices and their masters are faithfully carried out, and such officer shall report annually upon the operations of the Act, so far as he is herein empowered to exercise supervision there-

district in which the same was so made or imposed according to the

under, to the Colonial Secretary.

22. Any person who shall think himself aggrieved by any order, As to appeals. 30 fine, penalty, or punishment made or imposed under this Act may appeal against the same to the Court of Quarter Sessions for the

provisions of any Act then in force regulating appeals on summary proceedings before Justices; but no conviction, order, warrant, or 35 other matter made or purporting to be made or done by virtue of this Act, shall be quashed for want of form, or removed by certiorari or otherwise into the Supreme Court; and no warrant of commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and that there be a

40 good and valid conviction to sustain the same.

## SCHEDULES.

## FIRST SCHEDULE.

Date of Act.	Title of Act.	Extent of repeal.
9 Geo. IV, No. 8	An Act for enabling persons holding certain public offices in New South Wales to take apprentices to serve under them and their successors in office, and for regulating all matters relating to masters and apprentices.	The whole.
5 Wm. IV, No. 3	An Act for apprenticing the children of male and female orphan schools and other poor children in the Colony of New South Wales.	The whole.
8 Vic. No. 2	An Act to regulate and amend the law of orphan and other apprentices in the Colony of New South Wales.	The whole.
15 15 Vic. No. 2	An Act to make further provision for the apprenticing of the children in the male and female orphan schools, and other poor children.	The third section

Shi la chambaga dan 1862 manganan magananan asami a
SECOND SCHEDULE.
20 This indenture, made the day of , one thousand eight hundred and , between , son of , of  in the Colony of New South Wales, and hereinafter designated apprentice of the first part;
and , between , son of , of in the Colony of New South
Wales, and hereinafter designated apprentice of the first part;
consenting nereto): and of carrying on husiness as
consenting hereto); and , of , carrying on business as  25 at , and hereinafter designated master of the third part: Witnesseth that the puts himself apprentice to the said master to learn the trade, art, business
said puts himself apprentice to the said master to learn the trade, art, business, or occupation of
and everything relating thereto for the space of
and everything relating thereto, for the space of years, and for so many additional days as is hereinafter provided for—such term to be computed from the
out thousand eight himdred and And the said apprentice
neredy agrees and engages with the said master, and his executors and administrators
that during such term he will faithfully, diligently, and assiduously serve and obey
all lawlur communities of his said master, and his said executors and administrators or
those he or they may please to set over him in the said trade, art, business, or occupa-
35 tion; that he will at no time absent himself therefrom without proper consent; and
that he will not be accessory to, nor commit or permit any hurt or damage to his said master or his property, nor conceal any such hurt or damage if known to him, but shall
do everything in his power to prevent the same; and that for every day's absence
during the said term from attention to said trade art business or occupation without
<b>40</b> such consent, he shall serve one day at the end of each year of his appropriace him and
such year shall not be considered complete until the said additional day on days
shall have been served. And the said master hereby agrees, engages and hinds
ministent with and to the said apprentice, and his executors and administrators that
he, the said master or his executors or administrators, shall, during the aforesaid 45 term, duly teach and instruct the said apprentice, or cause him to be taught and instructed in the taught and
instructed, in the trade, art. pusiness, or occupation aforesaid and do his utmost
to make him skilled and expert therein; and shall also make name to the
said apprentice at the following rate of wages per diligently and faithfully labour in said trade, art, business, or occupation, that is to
diligently and faithfully labour in said trade, art, business, or occupation, that is to
say:— shillings per for the first year; shillings per for the second year; shillings per for the third year; shillings per for the fourth year; shillings per for the fifth year; shillings per for the sixth year; and shillings per for the seventh year from the said
the fourth year; shillings per for the third year; shillings per for
for the sixth year; and shillings per for the seventh year; snillings per
day of , one thousand eight hundred and The said apprentice
day of , one thousand eight hundred and . The said apprentice 55 further agrees with his said master that he will be responsible for all tools, patterns,
and other property that may be in his charge or under his care, and that in the event
of any such tools, patterns, and other property being damaged or lost through his
neglect or default, it shall be lawful for his said master to deduct a fair charge for the
same

same from the wages above mentioned. And that in all respects he will conform to the reasonable rules and regulations for the time being in force in the establishment of the said master. And the said and , each for himself, his executors and administrators, covenants and agrees with the other, and his executors and administrators, that he shall in all respects well and faithfully observe and perform all the covenants and agreements contained in these presents on his part to be observed and performed.

In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed, and delivered by the said in the presence of

#### THIRD SCHEDULE.

Assignment of the within Indenture.

The within named master doth hereby, with the consent of

15 assign the within indenture and the services thereunder of the within named apprentice unto of his executors and administrators, for the unexpired portion of the within-named term of years: And the said doth hereby declare his acceptance of such apprentice, and acknowledges himself, and his executors and administrators, to be bound by the agreements, engagements, obligations, and covenants on the part of the master of such apprentice, to be done and performed as fully as if he himself had entered into same as a party under that indenture

that indenture.

In witness whereof the parties hereto have set their hands and seals this day of one thousand eight hundred and

25 Signed, sealed, and delivered by the said or his executors or administrators.

Master. Consenting party or parties. Proposed assignee.

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TO PARTONICAL MODEL

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