

(As amended by Act No. 49 of 1950, 47 of 1963 and G.N. 499 of 1964)

19. If any person wilfully hinders or molests any police officer in the exercise of the powers given to him by the last preceding section, he shall be liable on summary conviction to a fine not exceeding six hundred penalty units. Penalty

(As amended by Act No. 13 of 1994)

20. The Minister may, by statutory instrument, make regulations for all or any of the purposes following: Regulations

(a) prescribing the ages under which young persons shall not be employed in particular trades or occupations;

(b) generally for carrying into effect the purposes and provisions of this Act.

(As amended by G.N. No. 233 of 1964 and 36 of 1967)

CHAPTER 275 THE APPRENTICESHIP ACT

ARRANGEMENT OF SECTIONS

Section

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CHAPTER 275

APPRENTICESHIP

36 of 1964
 56 of 1970
 13 of 1994
*Government
 Notice*
 497 of 1964

An Act to regulate the employment of apprentices in various trades; to provide for the registration, transfer, modification and rescission of contracts of apprenticeship; to provide for the appointment of inspectors and to specify their powers; to provide for the making of regulations; and to provide for matters incidental to or connected with the foregoing.

[3rd September, 1965]

1. This Act may be cited as the Apprenticeship Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"apprentice" means any person employed under a contract of apprenticeship registered under section *twelve* or *fourteen*;

"Controller" means the Controller of Apprenticeship appointed in pursuance of section *seven*;

"designated trade" means any trade designated under subsection (1) of section *eight*, or, if the Minister has defined any such trade under paragraph (b) or subsection (1) of section *eight*, such trade as so defined;

"employer" means any person who employs any apprentice or who employs or provides work for any minor in any designated trade;

"guardian" includes, in the case of a minor who has no guardian, or who has no guardian who is able to assist him, a person who, with the approval of the Controller, acts as or in the place of the guardian of the minor;

"industry" includes any class of undertaking and any section or portion of an industry and any group of industries;

"inspector" means an inspector appointed under section *twenty*;

"minor" means any person under the age of twenty-one years;

"trade" includes any branch of a trade and any group of trades or branches of trades.

3. (1) This Act shall not apply to-

Application of
Act

(a) any student at a university, university college, technical college or school, specified by the Minister, who works in a designated trade during vacations in order to obtain practical experience;

(b) work performed in or in connection with any educational institution approved by the Minister, as part of the education or training of the persons performing it;

(c) any person who, having obtained a diploma or degree of a university, university college or technical college, works in a designated trade in order to obtain practical experience;

(d) any person who is working in a designated trade as a part of his training as a pupil engineer.

4-6. (Repealed by No. 56 of 1970)

7. (1) The shall be a Controller of Apprenticeship who shall be a public officer and who shall, subject to the directions of the Minister, exercise the powers conferred and carry out the duties imposed on the Controller by this Act or any other law and perform such other duties as the Minister may from time to time assign to him.

Controller of
Apprentice-ship

(2) The Minister may, by Gazette notice, designate such number of public officers as he deems necessary for the purpose of carrying out the provisions of this Act, and the Controller may authorise any officer so designated to perform, subject to his directions, any act which may lawfully be performed by the Controller.

(3) The provisions of the Interpretation and General Provisions Act shall apply to the power of designation under this section as it applies to the power of appointment under any written law.

Cap. 2

8. (1) The Minister may, by statutory notice-

Designation of
trades

(a) designate any trade included in an industry as a trade in respect of which the provisions of this Act shall apply;

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

(2) The Minister may, by statutory notice, vary or revoke any designation made in pursuance of the provisions of subsection (1).

9. (1) No person shall, without the written permission of the Controller, employ in a designated trade any minor who is eligible for service as an apprentice under this Act for a longer period than six months, or for a period which, when added to any period or periods during which such minor has been employed in a trade, exceeds six months, unless a

Penalty for
employing
minors contrary
to Act

contract of apprenticeship has been entered into in accordance with this Act:

Provided that any employer of an eligible minor shall inform the Controller of the employment of such person within seven days from the date of his employment.

(2) The permission of the Controller under subsection (1) may be given in respect of any individual minor or any class of minors or in respect of all minors employed in any particular class of work.

(3) Any person dissatisfied with the refusal of the Controller to grant permission under this section may appeal to the Minister within one month of the date on which the decision of the Controller is communicated to him.

10. Any person who-

Enticement to leave
employment illegal

(a) forces or persuades or endeavours to force or persuade any apprentice to break his contract of apprenticeship; or

(b) knowing a minor to be an apprentice, persuades or entices such minor to enter his employment;

shall be guilty of an offence and liable to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months, or to both.

(As amended by Act No. 13 of 1994)

11. (1) Any person may, subject to and in accordance with the provisions of this Act, bind himself as an apprentice in any designated trade, if he-

Who may bind
himself as
apprentice

(a) has the qualifications prescribed in respect of the designated trade concerned;

(b) has obtained a certificate of physical fitness, appropriate to the needs of the designated trade concerned in the prescribed form;

(c) has attained the age prescribed in respect of the designated trade concerned; and

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

(2) If any such person is a minor he shall be assisted by his guardian and, if he is not a minor, he shall not so bind himself, except with the consent of the Controller.

(3) Any minor may so bind himself as to complete the period of apprenticeship prescribed in respect of the designated trade concerned, after his majority.

12. (1) No contract of apprenticeship in a designated trade made after the commencement of this Act shall be binding unless-

Registration of contracts of apprenticeship

(a) it is in the prescribed form;

(b) at the time it was entered into it was reduced to writing;

(c) it has been signed by or on behalf of the employer, and by the apprentice, and, in the case of a minor, by his guardian; and

(d) it has been registered by the Controller.

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

13. (1) Subject to the provisions of section *fourteen*, the Controller may refuse to register a contract of apprenticeship if in his opinion it is not in the interests of the apprentice to enter into such contract, and he may in reaching a decision have regard, in addition to any other circumstances, to the prospects of the apprentice obtaining employment in the trade concerned at the expiry of the contract.

Refusal to register contract of apprenticeship

(2) Any party to a contract of apprenticeship who is dissatisfied with the refusal of the Controller to register such contract may appeal to the Minister within one month of the date on which the decision of the Controller is communicated to him.

14. Whenever a trade is designated by the Minister, the following provisions shall apply in respect of any minor employed in that trade:

Existing
contract of
apprenticeship

(a) if on the date of the designation the minor is employed under a written contract of apprenticeship entered into before the date of designation-

(i) the employer shall lodge the contract in the prescribed manner within four months after the date of designation with the Controller for registration; and

(ii) the Controller shall register the contract and the provisions of this Act shall apply in respect of the contract or of the minor concerned while he is employed under the contract and for the unexpired period thereof;

(b) if on the date of the designation the minor has been employed in that trade continuously during a period of not less than three months immediately before the date of designation without a written contract of apprenticeship, and enters within two months after the date of designation into such a contract with his employer in accordance with the provisions of this Act and with the conditions of apprenticeship applicable to that trade and as nearly as possible in the prescribed form-

(i) the employer shall lodge the contract within one month after the date upon which it was entered into with the Controller for registration; and

(ii) the Controller shall register the contract, and the period during which the minor was employed without a written contract of apprenticeship, or any part thereof, may, with the approval of the Controller, be reckoned as part of the period of apprenticeship prescribed in respect of that trade.

15. (1) With the consent of the Controller, the rights and obligations of any employer under any contract of apprenticeship may be transferred to any person.

Transfer of
contracts

(2) Subject to the provisions of subsection (4), no such transfer shall be complete until it has been registered by the Controller.

(3) The Controller may refuse to register any transfer which, in his

opinion, is not in the interest of the apprentice, and shall refuse to register such transfer if the apprentice has not declared his acceptance of such transfer.

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

(5) Where any person is apprenticed to an individual, a partnership or a company and-

(a) such individual dies or is adjudged bankrupt; or

(b) the partnership is dissolved or the estates of the partnership and the partners are adjudged bankrupt; or

(c) the High Court has approved an arrangement between the company and its creditors or the affairs of the company are being wound up or the company is placed under judicial management;

as the case may be, the Controller shall, after consultation with the sub-committee concerned, transfer the rights and obligations of the employer under the contract to another person.

(6) If the Controller is unable to transfer such rights and obligations within one month of his becoming aware of such death, bankruptcy, dissolution, arrangement, winding-up or being placed under judicial management, as the case may be, he shall suspend the contract of apprenticeship for a period not exceeding four months, and if at the expiry of such period of suspension the rights and obligations under the contract have not been so transferred, the contract shall be rescinded by the Controller.

(7) Where the rights and obligations of the employer under a contract have been transferred to a person or partnership in terms of subsection (4), such person or partnership shall lodge the contract, in the prescribed manner and within one month of the date of such death or retirement, with the Controller for registration of the transfer.

(8) Any employer may, with the consent of the apprentice, apply to the Controller for the suspension of the contract of apprenticeship to enable the apprentice to proceed to any place outside the borders of Zambia for the purpose of receiving training not available within Zambia. The Controller may grant the suspension of such contract for such period and on such conditions as he may specify.

(9) Any employer who is dissatisfied with the refusal of the Controller to register the transfer of any contract of apprenticeship may appeal to the Minister within one month of the date on which the decision of the Controller is communicated to him.

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

Suspension of
apprentice

(2) An employer who has suspended an apprentice in accordance with the provisions of subsection (1) shall report the matter in writing to the Controller within seven days of the suspension, and the Controller shall thereupon investigate the circumstances and may confirm or set aside the suspension of the apprentice.

(3) If the Controller sets aside the suspension of the apprentice, the employer shall pay to the apprentice any wages withheld from him during the period of suspension.

17. (1) A contract of apprenticeship may be rescinded by mutual agreement of the parties thereto or by the Controller at the instance of any party thereto if he is satisfied that it is expedient so to do.

Rescission of
contracts of
apprenticeship

(2) The employer shall give notice to the Controller of the rescission of any contract by mutual agreement of the parties.

(3) The Controller shall not rescind any contract of apprenticeship until he has given all parties to the contract an opportunity to be heard by him or to make representations to him in writing.

(4) The Controller shall endorse on the registered copy of the contract of apprenticeship the fact that the contract has been rescinded.

18. (1) Whenever it appears that the facts relating to any apprentice are incorrectly recorded in his contract of apprenticeship and that by reason thereof prejudice is caused to a party to the contract, the Controller may, if he is satisfied that it is desirable to do so on the application of the prejudiced party and with the consent of the other party to the contract, affix thereto a statement setting out the correct facts and the relative terms of the contract as amended in consequence of those facts.

Modification of contracts of apprenticeship

(2) Any such statement shall be signed by the Controller and thereafter the relative terms so set out therein shall form part of the contract of apprenticeship and the Controller shall adjust his records in accordance therewith.

19. (1) On appeal being made to him under the provisions of this Act from a decision of the Controller, the Minister may confirm the Controller's decision or give such other decision as, in his opinion, the Controller ought to have given.

Appeals to Minister

(2) No appeal shall lie from a decision of the Minister on an appeal.

20. (1) The Minister may appoint any person to be an inspector for the purposes of this Act.

Appointment of inspectors

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

21. An inspector may-

Powers of inspectors

(a) at any reasonable time enter upon any premises in which he has reasonable cause to believe that an apprentice or minor is employed or is being trained in any designated trade and take with him any interpreter or other assistant or police officer;

(b) while he is upon or in the premises, or at any other time, question any person who is or has been in or upon the premises, in the presence of or apart from others;

(c) require from any such person the production then and there or at any time and place fixed by the inspector of any document being one or more of the records required under this Act to be kept by an employer, or any document relating to such records which is or has been upon or in the premises or in the possession or custody or under the control of any employer by whom the premises are occupied or used, or of any apprentice or minor employed by that employer;

(d) at any reasonable time and at any place require from any person who has the possession or custody or control of any such document relating to the business of any person whom he has reasonable cause to believe is or was an employer the production then and there, or at a time and place fixed by the inspector, of that document;

(e) examine and make extracts from and copies of all such documents and require an explanation of any entries in any such documents as in his opinion may afford evidence of any offence under this Act;

(f) require any apprentice or minor to appear before him at any time and place fixed by the inspector, and then and there question that apprentice or minor provided that the apprentice or minor may at his request be accompanied by a third party during such interrogation and shall be so informed by the inspector;

(g) require any employer to make all payments due to any apprentice or minor employed by him, in the presence of the inspector;

(h) suspend an apprentice for a period not exceeding fourteen days provided that he shall immediately report such suspension and the circumstances giving rise to it to the Controller.

22. (1) If any person in the exercise of his powers under this Act or in the performance of his duties in carrying out this Act or by attendance at any meeting of the Council or a sub-committee thereof, acquires information relating to the financial affairs, or the secret processes, or the plant or equipment of any other person, firm or business, he shall not, save for the purposes of legal proceedings under this Act, disclose such information to any other person, except-

Secrecy to be observed

(a) to a court of law or to any person who by law is invested with the power to compel the disclosure of such information; or

(b) to the Minister or to any person acting in the execution of this Act, in so far as such information may be necessary for the execution thereof.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

23. (1) The Minister may, on the advice of the Council, by statutory instrument, make regulations for all or any of the following purposes: Regulations

- (i) the qualifications, including age and educational standard required, for apprenticeship in any designated trade;
- (ii) the registration of contracts of apprenticeship and transfers thereof and the notification of the expiration or cancellation of contracts of apprenticeship;
- (iii) the rescinding of contracts of apprenticeship;
- (iv) records to be kept by employers;
- (v) the period of apprenticeship in any designated trade, the reduction in such period which may be allowed, the circumstances in which such reduction may be allowed and the rates according to which wages shall be payable to apprentices in any designated trade;
- (vi) the circumstances in which the period of apprenticeship may or shall be extended because of sickness or absence of the apprentice or for other cause;
- (vii) the classes which apprentices shall attend and the number of hours per week, whether within or without their ordinary working hours, during which they shall attend such classes;
- (viii) the nature and number of the correspondence courses to be followed by apprentices in lieu of or in addition to any classes prescribed under paragraph (vii) and the conditions subject to which such courses may be followed in lieu of classes;
- (ix) the practical training which employers shall provide for apprentices in their employ;
- (x) the practical training which may be provided other than by the employer for apprentices in any designated trade;
- (xi) the number of efficiency tests, examinations or assessments which apprentices shall undergo from time to time;
- (xii) the maximum number of ordinary working hours which apprentices may be required to work during any week or any day and the hours of any day before or after which and the intervals during which no such apprentice may be required to work;

- (xiii) the maximum period of overtime which an apprentice may be required to work;
- (xiv) the number and duration of paid holidays which shall be allowed to apprentices during any year of apprenticeship;
- (xv) the circumstances in which employers shall pay the fees in respect of any prescribed technical education classes or courses;
- (xvi) the fees payable for hostel accommodation while apprentices attend technical education classes and the manner of making payment;
- (xvii) the circumstances in which travelling expenses may be paid for or by apprentices attending technical education classes and the method of payment;
- (xviii) the certificates in respect of birth or educational standard which may be demanded in connection with the registration of a contract of apprenticeship;
- (xix) the number of apprentices in relation to artisans or other instructors who may be employed in any designated trade;
- (xx) the issue of certificates of apprenticeship;
- (xxi) the manner and form in which exemptions by the Minister shall be published;
- (xxii) the circumstances in which a training levy shall be imposed on employers and the method of collection thereof;
- (xxiii) the transfer or loan of apprentices by one employer to another;
- (xxiv) the circumstances in which apprentices may be allowed to work short time;
- (xxv) the circumstances in which an apprentice may transfer from one designated trade to another designated trade and the manner and consequences of such transfer;
- (xxvi) all matters which by this Act are permitted to be prescribed;
- (xxvii) generally for the better carrying into effect of the provisions of this Act.

(2) Different conditions of apprenticeship may be prescribed under subsection (1) in respect of different classes of employers or apprentices in different designated trades.

24. (*Spent*)

25. (1) Any employer who contravenes any provision of a contract of apprenticeship or any condition of apprenticeship which is binding upon him shall be guilty of an offence and liable- Offences

(a) in the case of an offence under this subsection (which does not consist of the failure to make any payment to an apprentice), to a fine not exceeding one thousand five hundred penalty units or to imprisonment for a period not exceeding six months, or to both;

(b) in the case of an offence under this subsection which consists of the failure to make any payment to an apprentice, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding twelve months, or to both.

(2) Any person who-

(a) employs a minor contrary to the provisions of section *nine*:

(b) fails to lodge a contract within the time provided in subsection (2) of section *twelve*;

(c) fails to lodge a contract within the time provided in paragraph (a) (i) or (b) (i) of section *fourteen*:

(d) fails to lodge a contract within the time provided in subsection (7) of section *fifteen*;

(e) falsely holds himself out to be an inspector;

(f) refuses or fails to answer to the best of his knowledge any question which an inspector has put to him in the exercise of his functions under section *twenty-one*;

(g) refuses or fails to comply to the best of his ability with any requirement of an inspector under section *twenty-one*;

(h) hinders an inspector in the performance of his functions under section *twenty-one*;

(i) fails to comply with any conditions imposed under subsection

(3) of section *twenty-seven*;

(j) makes any incorrect statement or entry in any records kept in pursuance of any regulations made under section *twenty-three*, knowing the same to be incorrect;

shall be guilty of an offence and liable on conviction to a fine not exceeding three thousand penalty units, or to imprisonment for a period not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

26. (1) Whenever any manager, agent or employee of any employer does or omits to do any act which it would be an offence under this Act for the employer to do or omit to do, unless it is proved that-

Acts or omissions by managers, agents or employees

(a) in doing or omitting to do that act the manager, agent or employee was acting without the connivance or permission of the employer;

(b) all reasonable steps were taken by the employer to prevent any act or omission of the kind in question; and

(c) it was not under any condition or in any circumstances within the scope of the authority, or in the course of the employment of the manager, agent or employee to do or omit to do acts, whether lawful or unlawful, of the character of the act or omission charged;

the employer shall be presumed himself to have done or omitted to do that act and be liable to be convicted and sentenced in respect thereof, and the fact that he issued instructions forbidding any act or omission of the kind in question shall not, of itself, be accepted as sufficient proof that he took reasonable steps to prevent the act or omission.

(2) Whenever any manager, agent or employee of any employer does or omits to do any act which it would be an offence under this Act for the employer to do or omit to do, he shall be liable to be convicted and sentenced in respect thereof as if he were the employer.

(3) Any manager, agent or employee may be so convicted and sentenced in addition to the employer.

27. (1) Notwithstanding anything to the contrary in this Act, the Minister may, if in his opinion special circumstances exist which justify exemption, by statutory notice, exempt any class, group, section or type of employers or apprentices specified in the notice, either generally or with such restriction as he may deem fit and subject to any conditions he may impose in the notice, from all or any of the provisions of this Act, or from any condition of apprenticeship, and the Minister may, in so specifying any such class, group, section or type, apply any method of differentiation he may deem advisable, other than differentiation on the grounds of the nationality, colour or religion of the employers or apprentices.

Exemption by
Minister

(2) The Minister may in the same manner cancel or amend any notice published under subsection (1).

(3) The Minister may, if in his opinion special circumstances exist which justify exemption, exempt any person, either generally or with such restrictions as he may deem fit, and subject to any conditions he may impose and for such period as he may specify, from all or any of the provisions of this Act, or from any conditions of apprenticeship or from any conditions prescribed in a notice published under subsection (1).

(4) A certificate stating that such exemption has been granted and setting out all the conditions of the exemption shall be signed and issued by the Controller.

(5) Any exemption granted under subsection (3) may at any time be withdrawn at the discretion of the Minister.

28. The Apprenticeship Act, Chapter 187 of the 1964 Edition of the Laws (hereinafter in this section referred to as the "former Act") is hereby repealed:

Repeal and
savings

Provided that-

(i) a Scheduled trade, as defined in the former Act, shall be deemed to be a designated trade for the purposes of this Act, and the provisions of this Act shall apply accordingly;

(ii) every Scheduled trade, as defined in the former Act, shall be deemed to have been designated by the Minister under and in accordance with the provisions of section *eight* immediately after the commencement of this Act;

(iii) the provisions of paragraph (a) (i) of section *fourteen* shall not apply to a written contract of apprenticeship in respect of a Scheduled trade, as defined in the former Act, and the Controller shall register every such contract subsisting immediately after the commencement of this Act, notwithstanding that such contract is not lodged with him in pursuance of the said paragraph.

SUBSIDIARY LEGISLATION

APPRENTICESHIP

SECTIONS 8 AND 28-DESIGNATION OF TRADES

Notices by the Minister

Government Notices

264 of 1950

258 of 1951

006 of 1952

131 of 1952

253 of 1952

143 of 1953

227 of 1953

329 of 1954

189 of 1955

254 of 1955

005 of 1957

038 of 1957

334 of 1957

132 of 1958

008 of 1960

071 of 1960

138 of 1961

193 of 1961

Statutory

Instruments

208 of 1965

312 of 1965

Automobile electrician
Automotive fitter\machinist
Blacksmith
Boilermaker
Bookbinder
Bricklayer
Carpenter
Coachbuilder (vehicle)
Compositor in the printing trade
Diesel fitter
Electrician
Fitter
Fitter and turner
Flat stereotyper
Instrument mechanic
Lead burner
Letterpress machine minder
Lithographer
Mason
Motor vehicle mechani
Moulder
Office appliance mechanic
Painter and signwriter
Panel beater
Patternmaker
Plumber
Plumber and sheetmetal worke
Printer's engineer (general)
Process engraver
Radio mechanic
Radio serviceman
Refrigeration mechanic
Rigger
Rotary stereotyper and machine minder
Saw doctor
Sheetmetal worker
Shopfitter
Signal technician
Toolmaker
Turner\machinist
Welder
Woodworking machinist

In all industries and undertakings, and in the service of the Government

Regulations by the Minister on the advice of the National Apprenticeship Council

311 **of**
1965

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <p>1. These Regulations may be cited as the Apprenticeship (Contract) Regulations, and shall be read as one with the Apprenticeship Regulations.</p> | Title |
| <p>2. The educational qualifications required by section <i>eleven</i> of the Act of a person wishing to be bound as an apprentice for a trade specified in Column A of the First Schedule shall be those indicated opposite thereto in Column B of the First Schedule.</p> | Educational qualifications |
| <p>3. The minimum age to be attained in accordance with section <i>eleven</i> of the Act by a person wishing to be bound as an apprentice in any trade shall be fifteen years.</p> | Minimum age |
| <p>4. The length of the period of apprenticeship required to be served by apprentices shall be five years:</p> | Length of apprenticeship |
| <p>Provided that an apprentice who passes a trade test to be set in the fourth year of apprenticeship may have a year of such period of apprenticeship remitted in addition to any remission granted for the passing of recognised examinations coupled with demonstrated ability above average in earlier trade tests.</p> | |
| <p>5. The form of the certificate of physical fitness required by subsection (1) (b) of section <i>eleven</i> of the Act shall be as set out in the Second Schedule.</p> | Certificate of physical fitness |
| <p>6. The contract of apprenticeship required to be lodged in accordance with section <i>twelve</i> of the Act shall be in the form set out in the Third Schedule.</p> | Form of contract of apprenticeship |
| <p>7. The manner of lodging a contract of apprenticeship for registration or for registration of a transfer of the contract of apprenticeship shall be—</p> <p>(a) by delivery by hand to the Controller at his office within usual</p> | Lodging contracts of apprenticeship |

office hours; or

(b) by posting by prepaid registered post an envelope containing the contract addressed to the Controller.

FIRST SCHEDULE

(Regulation 2)

Column A <i>Designated Trade</i>	Column B <i>Educational Qualifications</i>
Automobile electrician .. ..	.. .. Form II with passes in English, Mathematics and any two other subjects.
Automotive fitter\machinist .. ..	.. .... Form II with passes in English, Mathematics and any two other subjects.
Blacksmith .. ..	.. Grade VII, average rating C.
Boilermaker .. ..	.. Form II with passes in English, Mathematics and any two other subjects.
Bookbinder .. ..	.. Form II with passes in English, Mathematics and any other two subjects.
Bricklayer .. ..	.. Grade VII, average rating C.
Carpenter .. ..	.. Grade VII, average rating C.
Coachbuilder (vehicle) .. ..	.. .. Form II with passes in English, Mathematics and any two other subjects.
Compositor in the printing.. ..	.. Form II with passes in English, Mathematics trade and any two other subjects.
Diesel fitter .. ..	.. Form II with passes in English, Mathematics and any two other subjects.
Electrician .. ..	.. Form II with passes in English, Mathematics and any two other subjects.
Fitter .. ..	.. Form II with passes in English, Mathematics and any two other subjects.
Fitter and turner _____
Flat stereotyper .. ..	.. .. Form II with passes in English, Mathematics and any two other subjects.
Instrument mechanic .. ..	.. .. Form II with passes in English, Mathematics and any two other subjects.
Lead burner .. ..	.. Grade VII, average rating C.
Letterpress machine minder .. ..	.. .... Form II with passes in English, Mathematics and any two other subjects.
Lithographer .. ..	.. Form II with passes in English, Mathematics and any two other subjects.
Mason .. ..	.. Grade VII, average rating C.
Motor vehicle mechanic .. ..	.. .. Form II with passes in English, Mathematics and any two other subjects.

Moulder .. .. .	..	Grade VII, average rating C.
Office appliance mechanic..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Painter and signwriter ..	.. ..	Grade VII, average rating C.
Panel beater .. .. .	..	Grade VII, average rating C.
Patternmaker .. .. .	..	Form II with passes in English, Mathematics and any two other subjects.
Plumber .. .. .	..	Grade VII, average rating C.
Plumber and sheetmetal worker.		
Printer's engineer (general)	.. ....	Form II with passes in English, Mathematics and any two other subjects.
Process engraver ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Radio Mechanic .. ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Radio serviceman .. ..	.. ..
Refrigeration mechanic ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Rigger .. .. .	..	Grade VII, average rating C.
Rotary stereotyper and machine minder	..	Form II with passes in English, Mathematics and any two other subjects.
Saw doctor		
Sheetmetal worker .. ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Shopfitter .. .. .	..	Grade VII, average rating C.
Signal technician . ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Toolmaker .. .. .	..	Form II with passes in English, Mathematics and any two other subjects.
Turner\machinist .. ..	.. ..	Form II with passes in English, Mathematics and any two other subjects.
Welder .. .. .	..	Grade VII, average rating C.
Woodworking machinist	.. ..	Grade VII, average rating C.

SECOND SCHEDULE

(Regulation 5)

CERTIFICATE OF PHYSICAL FITNESS

I certify that I have examined.....
 (name)

and have found him to be physically fit to be employed as an apprentice.....

.....

(Trade)

Medical Practitioner

Place:.....

Date:.....

THIRD SCHEDULE

(Regulation 6)

ARTICLES OF APPRENTICESHIP

THIS CONTRACT OF APPRENTICESHIP made the..... day of
.....One thousand nine hundred and

BETWEEN whose registered o
at and who has a place of business
at (hereinafter called "the Employer") of the first part
and
..... born on the day
of19..... (hereinafter called "the Apprentice") of the second part
and the father/mother/and/or guardian of the Apprentice
of
(hereinafter called "the Guardian") of the third part.

WHEREAS:

- 1. The Apprentice has attained the age of fifteen years;
- 2. The Apprentice has been examined by a medical practitioner lawfully registered in Zambia and certified by
practitioner to be of a sufficient standard of physical fitness to perform the work of the trade to which he is b
- 3. The Apprentice has attained the prescribed educational standard;

NOW THIS CONTRACT WITNESSETH as follows:

1. The Apprentice of his own free will and with the consent of the Guardian testified by the latter's execution
hereby agrees:

(a) To bind himself apprentice to the Employer in the trade or occupation
of for the period of apprenticeship of five year
from the day of, 19..... unless the said period shall be s
determined or reduced.

(b) To serve faithfully, honestly and diligently the Employer and to obey all lawful and reasonable command
requirements of the Employer or those duly placed in authority over him.

- (c) Not to disclose or communicate to any person whomsoever any information relating to the business of the
- (d) Not to be interested directly or indirectly, either as paid agent or servant, in any business or undertaking of the Employer, and not to absent himself except in the event of sickness from his employment without permis
- (e) To attend such courses and classes as he may be directed to attend pursuant to regulations made under the Act.
- (f) To reside if so required by the Employer in such accommodation as may be provided by the Employer or by any other institution where a course of instruction is conducted and to abide by all rules and regulations made by the authority over such accommodation.

2. The Employer hereby agrees with the Guardian and with the Apprentice and each of them severally as follows:

- (a) To receive and allow to continue the Apprentice as his apprentice during the period of apprenticeship unless the period shall be sooner lawfully determined or reduced and during the said period to teach the Apprentice or to cause the Apprentice to be taught the trade or occupation of and to provide suitable and ample opportunity for experience and training in every part of the trade to which the Apprentice is bound.
- (b) To pay to the Apprentice during the said period such wages as may be prescribed by regulations made under the Apprenticeship Act.

3. It is further mutually agreed by and between all the parties hereto as follows:

- (a) This contract of apprenticeship may with the mutual consent of all parties be transferred to another employer in the same trade provided that the Controller consents to such transfer and such transfer shall be effected by executing the form annexed to this contract by all necessary parties.
- (b) If the Employer is satisfied that the Apprentice has committed a serious breach of the terms of this contract or a condition of apprenticeship, he may forthwith suspend the Apprentice and shall within three days report the matter to the Controller of Apprenticeship.
- (c) If the Employer shall commit any serious breach of the terms of this contract, the Apprentice may with the consent of the Guardian report the matter to the Controller.
- (d) Where for any reason beyond his control the Employer is unable to provide the Apprentice with work or to employ him for the full period of his ordinary working hours, the Employer may with the written approval of the Controller employ the Apprentice on short-time or lend his services to another employer for such period or periods and upon such conditions and wages and otherwise as may be determined by the Controller.

IN WITNESS whereof the contracting parties hereto have hereunder set their hands this of, 19.....

AS WITNESSES:	Signed by	for and on
1.		behalf of the Employer
2. ....		.....
1.		Signed by the said
2. ....		.....
		<i>Guardian</i>
1.		Signed by the said
2. ....		.....

.....
Apprentice

REGISTERED at the Office of the Controller of Apprenticeship this day of
19.....

.....
Controller of Apprenticeship

DETAILS OF EXAMINATIONS PASSED

<i>Title of Examination</i>	<i>Date of passing</i>	<i>Signature of Controller of Apprenticeship</i>
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DETAILS OF SPECIALISED TRAINING UNDERTAKEN

<i>Branch of trade</i>	<i>Length of period of specialisation</i>	<i>Signature of Controller of Apprenticeship Seal of Controller of Apprenticeship</i>
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DEDUCTIONS

<i>Deduction Granted</i>	<i>Reason for Deduction</i>	<i>Signature of Controller of Apprenticeship</i>
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TRANSFER OF CONTRACT

WHEREAS it is agreed, with the consent of the Controller to transfer the rights and obligations of the Employer under this contract to whose registered office is at and who has a place of business at (hereinafter called "the Transferee");

NOW this Agreement witnesseth as follows:

1. The Employer hereby transfers and assigns the within contract of apprenticeship and all his interest therein and the benefit of all covenants therein to the Transferee for all the residue now unexpired of the within stated period of apprenticeship.
2. The Transferee covenants with the Employer, the Guardian and the Apprentice and each of them severally as follows:
 - (a) to take the Apprentice as his apprentice for the now unexpired residue of the within stated period of apprenticeship unless the said apprenticeship shall be sooner lawfully determined or reduced;
 - (b) that he will observe and perform all the covenants in the within contract of apprenticeship contained on the part of the Employer to be observed and performed in like manner as if he the Transferee were therein named instead of the Employer and will keep

the Employer indemnified accordingly.

3. The Guardian and the Apprentice severally covenant with the said Transferee as follows:

(a) that the Apprentice will serve the Transferee as his apprentice in the within stated trade or occupation for the now unexpired residue of the within stated period of apprenticeship unless the said apprenticeship shall be sooner lawfully determined or reduced;

(b) that they and each of them will observe and perform all the covenants in the within contract of apprenticeship contained and on their part to be observed in all respects as if the Transferee were therein named instead of the Employer.

IN WITNESS WHEREOF the parties hereto have hereunder set their hands
thisday of, 19.....

AS WITNESSES: Signed by for and on

1. behalf of the Employer

2.

.....

Employer

1. Signed by the said

2.

.....

Guardian

1. Signed by the said

2.

.....

Apprentice

1. Signed by the said

2.

.....

Transferee

TRANSFER registered at the Office of the Controller of Apprenticeship
this day of, 19.....

.....
Controller of Apprenticeship

RESCISSION OF CONTRACT

This contract was, in terms of section 17 (1) of the Apprenticeship Act, rescinded as from
the.....day of.....19.....

.....
Controller of Apprenticeship

COMPLETION OF CONTRACT

This is to certify that the apprentice named in the Indenture has satisfactorily completed an apprenticeship of years monthsdays to the trade of.....in accordance with the Apprenticeship Act.
Dated this.....day of.....19.....

.....
Controller of Apprenticeship

THE APPRENTICESHIP REGULATIONS [ARRANGEMENT OF REGULATIONS]

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II

CONTRACTS OF APPRENTICESHIPS

3. Regulations are binding on parties to contract
4. Form of contract
5. Registration of contracts
6. Refusal to register contracts and appeals
7. Registration of transfer of contracts
8. Discharge by agreement or death
9. Discharge by default
10. Discharge by performance