

Apprentices Act, 1961

Chapter 2 - Apprentices and their Training

A person shall not be qualified for being engaged as an apprentice to undergo apprenticeship training in any designated trade, unless he--

- (a) is not less than fourteen years of age; and
- (b) satisfies such standards of education and physical fitness as may be prescribed:

Provided that different standards may be prescribed in relation to apprenticeship training in different designated trades¹[and for different categories of apprentices].

1. Added by Act 27 of 1973, section 5 (w.e.f. 1-12-1974).

Section 3A - Reservation of training places for the Scheduled Castes and the Scheduled Tribes in designated trades

¹[3A. Reservation of training places for the Scheduled Castes and the Scheduled Tribes in designated trades

(1) In every designated trade, training places shall be reserved by the employer for the Scheduled Castes and the Scheduled Tribes ² [and where there is more than one designated trade in an establishment, such training places shall be reserved also on the basis of the total number of apprentices in all the designated trades in such establishment.]

(2) The number of training places to be reserved for the Scheduled Castes and the Scheduled Tribes under sub-section (1) shall be such as may be prescribed, having regard to the population of the Scheduled Castes and the Scheduled Tribes in the State concerned.

Explanation.--In this section, the expressions "Scheduled Castes" and "Scheduled Tribes" shall have the meanings as in clauses (24) and (25) of article 366 of the Constitution.]

1. Inserted by Act 27 of 1973, section 6 (w.e.f. 1-12-1974).

2. Inserted by Act 41 of 1986, section 4 (w.e.f. 16-12-1987).

Section 3B - Reservation of training places for Other Backward Classes in designated trades

¹[3B. Reservation of training places for Other Backward Classes in designated trades

(1) In every designated trade, training places shall be reserved by the employer for the Other Backward Classes and where there is more than one designated trade in an establishment, such training places shall be reserved also on the basis of the total number of apprentices in all the designated trades in such establishment.

(2) The number of training places to be reserved for the Other Backward Classes under sub-section (1) shall be such as may be prescribed, having regard to the population of the Other Backward Classes in the State concerned.]

1. Inserted by the Apprentices (Amendment) Act, 2007 [Act No. 36 of 2007].

Section 4 - Contract of apprenticeship

¹[4. Contract of apprenticeship

(1) No person shall be engaged as an apprentice to undergo apprenticeship training in a designated trade unless such person or, if he is a minor, his guardian has entered into a contract of apprenticeship with the employer.

(2) The apprenticeship training shall be deemed to have commenced on the date on which the contract of apprenticeship has been entered into under sub-section (1).

(3) Every contract of apprenticeship may contain such terms and conditions as may be agreed to by the parties to the contract:

Provided that no such term or condition shall be inconsistent with any provision of this Act or any rule made thereunder.

(4) Every contract of apprenticeship entered into under sub-section (1) shall be sent by the employer within such period as may be prescribed to the Apprenticeship Adviser for registration.

(5) The Apprenticeship Adviser shall not register a contract of apprenticeship unless he is satisfied that the person described as an apprentice in the contract is qualified under this Act for being engaged as an apprentice to undergo apprenticeship training in the designated trade specified in the contract.

(6) Where the Central Government, after consulting the Central Apprenticeship Council, makes any rule varying the terms and conditions of apprenticeship training, of any category of apprentices undergoing such training, then, the terms and conditions of every contract of apprenticeship relating to that category of apprentices and subsisting immediately before the making of such rule shall be deemed to have been modified accordingly.]

1. Substituted by Act 27 of 1973, section 7, for section 4 (w.e.f. 1-12-1974).

Section 5 - Novation of contract of apprenticeship

Where an employer with whom a contract of apprenticeship has been entered into, is for any reason, unable to fulfil his obligations under the contract and with the approval of the Apprenticeship Adviser it is agreed between the employer, the apprentice or his guardian and any other employer that the apprentice shall be engaged as an apprentice under the other employer for the unexpired portion of the period of apprenticeship training, the agreement, on registration with the Apprenticeship Adviser, shall be deemed to be the contract of apprenticeship between the apprentice or his guardian and the other employer, and on and from the date of such registration, the contract of apprenticeship with the first employer shall terminate and no obligation under that contract shall be enforceable at the instance of any party to the contract against the other party thereto.

Section 6 - Period of apprenticeship training

The period of apprenticeship training, which shall be specified in the contract of apprenticeship, shall be as follows:--

(a) in the case of¹[trade apprentices] who, having undergone institutional training in a school or other institution recognised by the National Council, have passed the trade tests²[or examinations] conducted by¹[that Council or by an institution recognised by that Council], the period of apprenticeship training shall be such as may be determined by that Council;

³[(aa) in the case of trade apprentices who, having undergone institutional training in a school or other institution affiliated to or recognised by a Board or State Council of Technical Education or any other authority which the Central Government may, by notification in the Official Gazette specify in this behalf, have passed the trade tests²[or examinations] conducted by that Board or State Council or authority, the period of apprenticeship training shall be such as may be prescribed;]

(b) in the case of other¹[trade apprentices], the period of apprenticeship training shall be such as may be prescribed;

³[(c) in the case of graduate or technician apprentices⁴[technician (vocational) apprentices], the period of apprenticeship training shall be such as may be prescribed.]

1. Substituted by Act 27 of 1973, section 8, for "apprentices" (w.e.f. 1-12-1974).

2. Inserted by Act 41 of 1986, section 5 (w.e.f. 16-12-1987).

3. Inserted by Act 27 of 1973, section 8 (w.e.f. 1-12-1974).

4. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).

Section 7 - Termination of apprenticeship contract

(1) The contract of apprenticeship shall terminate on the expiry of the period of apprenticeship training.

(2) Either party to a contract of apprenticeship may make an application to the Apprenticeship Adviser for the termination of the contract, and when such application is made, shall send by post a copy thereof to the other party to the contract.

(3) After considering the contents of the application and the objections, if any, filed by the other party, the Apprenticeship Adviser may, by order in writing, terminate the contract if he is satisfied that the parties to the contract or any of them have or has failed to carry out the terms and conditions of the contract and that it is desirable in the interests of the parties or any of them to terminate the same:

Provided that where a contract is terminated--

(a) for failure on the part of the employer to carry out the terms and conditions of the contract, the employer shall pay to the apprentice such compensation as may be prescribed;

(b) for such failure on the part of the apprentice the apprentice or his guardian shall refund to the employer as cost of training such amount as may be determined by the Apprenticeship Adviser.

¹[(4) Notwithstanding anything contained in any other provision of this act, where a contract of apprenticeship has been terminated by the Apprenticeship Adviser before the expiry of the period of apprenticeship training and a new contract of apprenticeship is being entered into with a new employer, the Apprenticeship Adviser may, if he is satisfied that the contract of apprenticeship with the previous employer could not be completed because of any lapse on the part of the previous employer, permit the period of apprenticeship training already undergone by the apprentice with his previous employer to be included in the period of apprenticeship training to be undertaken with the new employer.]

1. Inserted by Act 4 of 1997, section 3 (w.e.f. 8-1-1997).

Section 8 - Number of apprentices for a designated trade

¹ [(1) The Central Government shall, after consulting the Central Apprenticeship Council, by order notified in the Official Gazette, determine for each designated trade the ratio of trade apprentices to workers other than unskilled workers in that trade:

Provided that nothing contained in this sub-section shall be deemed to prevent any employer from engaging a number of trade apprentices in excess of the ratio determined under this sub-section.

(2) In determining the ratio under sub-section (1), the Central Government shall have regard to the facilities available for apprenticeship training under this Act in the designated trade concerned as well as to the facilities that may have to be made available by an employer for the training of graduate or technician apprentices, ² [technician (vocational) apprentices], if any, in pursuance of any notice issued to him under subsection (3A) by the Central Apprenticeship Adviser or such other person as is referred to in that sub-section.

(3) The Apprenticeship Adviser may, by notice in writing, require an employer to engage such number of trade apprentices within the ratio determined by the Central Government for any designated trade in his establishment, to undergo apprenticeship training in that trade and the employer shall comply with such requisition:

Provided that in making any requisition under this sub-section, the Apprenticeship Adviser shall have regard to the facilities actually available in the establishment concerned:

⁵[Provided further that the Apprenticeship Adviser may, on a representation made to him by an employer and keeping in view the more realistic employment potential, training facilities and other relevant factors, permit him to engage such number of apprentices for a designated trade as is lesser than the number arrived at by the ratio for that trade, not being lesser than fifty per cent. of the number so arrived at, subject to the condition that the employer shall engage apprentices in other trades in excess in number equivalent to such shortfall.]

(3A) The Central Apprenticeship Adviser or any other person not below the rank of an Assistant Apprenticeship Adviser authorised by the Central Apprenticeship Adviser in writing in this behalf shall, having regard to--

- (i) the number of managerial person (including technical and supervisory persons) employed in a designated trade;
- (ii) the number of management trainees engaged in the establishment;
- (iii) the totality of the training facilities available in a designated trade; and
- (iv) such other factors as he may consider fit in the circumstances of the case;

by notice in writing, require an employer to impart training to such number of graduate or technician apprentices ¹[technician (vocational) apprentices] in such trade in his establishment as may be specified in such notice and the employer shall comply with such requisition.

Explanation.--In this sub-section the expression "management trainee" means a person who is engaged by an employer for undergoing a course of training in the establishment of the employer (not being apprenticeship training under this Act) subject to the condition that on successful completion of such training, such person shall be employed by the employer on a regular basis.]

(4) Several employers may join together for the purpose of providing practical training to the apprentices under them by moving them between their respective establishments.

(5) Where, having regard to the public interest, a number of apprentices in excess of the ratio determined by the Central Government ⁴ [or in excess of the number specified in a notice issued under sub-section (3A)] should in the opinion of the appropriate Government be trained, the appropriate Government may require employers to train the additional number of apprentices.

(6) Every employer to whom such requisition as aforesaid is made, shall comply with the requisition if the Government concerned makes available such additional facilities and such additional financial assistance as are considered necessary by the Apprenticeship Adviser for the training of the additional number of apprentices.

(7) Any employer not satisfied with the decision of the Apprenticeship Adviser under sub-section (6), may make a

reference to the Central Apprenticeship Council and such reference shall be decided by a Committee thereof appointed by that Council for the purpose and the decision of that Committee shall be final.

1. Substituted by Act 27 of 1973, section 9, for sub-sections (1), (2) and (3) (w.e.f. 1-12-1974).
2. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).
3. Added by Act 4 of 1997, section 4 (w.e.f. 8-1-1997).
4. Inserted by Act 27 of 1973, section 9 (w.e.f. 1-12-1974).
5. Substituted for the following by the Apprentices (Amendment) Act, 2007 [Act No. 36 of 2007].

³ [Provided further that the Apprenticeship Adviser may, on a representation made to him by an employer and keeping in view the more realistic employment potential, training facilities and other relevant factors, permit him to engage such number of apprentices for a designated trade as is lesser than the number arrived at by the ratio for that trade, not being lesser than twenty per cent of the number so arrived at, subject to the condition that the employer shall engage apprentices in other trades in excess in number equivalent to such shortfall.]

Section 9 - Practical and basic training of apprentices

(1) Every employer shall make suitable arrangements in his workshop for imparting a course of practical training to every apprentice engaged by him in accordance with the programme approved by the Apprenticeship Adviser.

(2) ¹ [The Central Apprenticeship Adviser or any other person not below the rank of an Assistant Apprenticeship Adviser authorised by the Central Apprenticeship Adviser in writing in this behalf] shall be given all reasonable facilities for access to each such apprentice with a view to test his work and to ensure that the practical training is being imparted in accordance with the approved programme:

Provided that ² [the State Apprenticeship Adviser or any other person not below the rank of an Assistant Apprenticeship Adviser authorised by the State Apprenticeship Adviser in writing in this behalf] shall also be given such facilities in respect of apprentices undergoing training in establishments in relation to which the appropriate Government is the State Government.

³ [(3) Such of the trade apprentices as have not undergone institutional training in a school or other institution recognised by the National Council or any other institution affiliated to or recognised by a Board or State Council of Technical Education or any other authority which the Central Government may, by notification in the Official Gazette, specify in this behalf, shall, before admission in the workshop for practical training, undergo a course of basic training.]

(4) Where an employer employs in his establishment five hundred or more workers, the basic training shall be imparted to ⁴ [the trade apprentices] either in separate parts of the workshop building or in a separate building which shall be set up by the employer himself, but the appropriate Government may grant loans to the employer on easy terms and repayable by easy instalments to meet the cost of the land, construction and equipment for such separate building.

⁵ [(4A) Notwithstanding anything contained in sub-section (4), if the number of apprentices to be trained at any time in any establishment in which five hundred or more workers are employed, is less than twelve the employer in relation to such establishment may depute all or any of such apprentices to any Basic Training Centre or industrial Training Institute for basic training in any designated trade, in either case, run by the Government.

(4B) Where an employer deputes any apprentice under sub-section (4A), such employer shall pay to the Government the expenses incurred by the Government on such training, at such rate as may be specified by the Central Government.]

(5) Where an employer employs in his establishment less than five hundred workers, the basic training shall be imparted to ⁴ [the trade apprentices] in training institutes set up by the Government.

(6) In any such training institute, which shall be located within the premises of the most suitable establishment in the locality or at any other convenient place ⁴ [the trade apprentices] engaged by two or more employers may be imparted basic training.

(7) ⁶ [In the case of an apprentice other than a graduate or technician apprentice, ⁸ [technician (vocational) apprentice], the syllabus of], and the equipment to be utilised for, practical training including basic training shall be such as may be approved by the Central Government in consultation with the Central Apprenticeship Council.

⁵ [(7A) In the case of graduate or technician apprentices, ⁷ [technician (vocational) apprentice] the programme of apprenticeship training and the facilities required for such training in any subject field in engineering or technology ⁶ [or vocational course] shall be such as may be approved by the Central Government in consultation with the Central Apprenticeship Council.]

(8)(a) Recurring costs (including the cost of stipends) incurred by an employer in connection with ⁸ ⁹ [basic training] imparted to trade apprentices other than those referred to in clauses (a) and (aa)] of section 6 shall be borne--

(i) if such employer employs ¹⁰ [two hundred and fifty] workers or more, by the employer;

(ii) if such employer employs less than ¹⁰ [two hundred and fifty] workers, by the employer and the Government in equal shares up to such limit as may be laid down by the Central Government and beyond that limit, by the employer alone; and

(b) Recurring costs (including the cost of stipends) if any, incurred by an employer in connection with ¹¹ [practical training including basic training, imparted to trade apprentices referred to in clauses (a) and (aa)] of section 6 shall, in every case, be borne by the employer;

⁵ [(c) Recurring costs (excluding the cost of stipends) incurred by an employer in connection with the practical training imparted to graduate or technician apprentices ⁷ [technician (vocational) apprentices] shall be borne by the employer and the cost of stipends shall be borne by the Central Government and the employer in equal shares up to such limits as may be laid down by the Central Government and beyond that limits by the employer alone.]

1. Substituted Act 27 of 1973, section 10, for "The Central Apprenticeship Adviser" (w.e.f. 1-12-1974).
2. Substituted by Act 27 of 1973, section 10, for "The State Apprenticeship Adviser" (w.e.f. 1-12-1974).
3. Substituted by Act 27 of 1973, section 10, for sub-section (3) (w.e.f. 1-12-1974).
4. Substituted by Act 27 of 1973, section 10, for "the apprentices" (w.e.f. 1-12-1974).
5. Inserted by Act 27 of 1973, section 10 (w.e.f. 1-12-1974).
6. Substituted by Act 27 of 1973, section 10, for "The syllabus of (w.e.f. 1-12-1974).
7. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).
8. Substituted by Act 27 of 1973, section 10, for "practical training imparted to apprentices other than those referred to in clause (a)".
9. Substituted by Act 4 of 1997, section 5, for "practical training, including basic training," (w.e.f. 8-1-1997).
10. Substituted by Act 4 of 1997, section 5, for "five hundred" (w.e.f. 8-1-1997).
11. Substituted by Act 27 of 1973, section 10, for "practical training imparted to apprentices referred to in clause (a)" (w.e.f. 1-12-1974).

Section 10 - Related instruction of apprentices

(1)¹[A trade apprentice] who is undergoing practical training in an establishment shall, during the period of practical training, be given a course of related instruction (which shall be appropriate to the trade) approved by the Central Government in consultation with the Central Apprenticeship Council, with a view to giving ²[the trade apprentice] such theoretical knowledge as he needs in order to become fully qualified as a skilled craftsman.

⁵[(2) Related instruction shall be imparted at the cost of employer and the employer shall, when so required, afford all facilities for imparting such instruction.]

(3) any time spent by ¹[a trade apprentice] in attending classes on related instruction shall be treated as part of his paid period of work.

³[(4) In the case of trade apprentices who, after having undergone a course of institutional training, have passed the trade tests conducted by the National Council or have passed the trade tests and examinations conducted by a Board or State Council of Technical Education or any other authority which the Central Government may, by notification in the Official Gazette, specify in this behalf the related instruction may be given on such reduced or modified scale as may be prescribed.

(5) Where any person has, during his course in a technical institution, become a graduate or technician apprentice ⁴[technician (vocational) apprentice] and during his apprenticeship training he has to receive related instruction, then, the employer shall release such person from practical training to receive the related instruction in such institution, for such period as may be specified by the Central Apprenticeship Adviser or by any other person not below the rank of an Assistant Apprenticeship Adviser authorised by the Central Apprenticeship Adviser in writing in this behalf.]

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1. Substituted by Act 27 of 1973, section 11, for "An apprentice" (w.e.f. 1-12-1974).
 2. Substituted by Act 27 of 1973, section 11, for "the apprentice" (w.e.f. 1-12-1974)
 3. Substituted by Act 27 of 1973, section 11, for sub-section (4) (w.e.f. 1-12-1974).
 4. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).
 5. Substituted for the following by the Apprentices (Amendment) Act, 2007 [Act No 36 of 2007].

"(2) Related instruction shall be imparted at the cost of the appropriate Government but the employer shall, when so required, afford all facilities for imparting such instruction."

Section 11 - Obligations of employers

Without prejudice to the other provisions of this Act every employer shall have the following obligations in relation to an apprentice, namely:--

(a) to provide the apprentice with the training in his trade in accordance with the provisions of this Act, and the rules made thereunder;

(b) if the employer is not himself qualified in the trade, to ensure that a person¹[who possesses the prescribed qualifications] is placed in charge of the training of the apprentice;²[***]

³[(bb) to provide adequate instructional staff, possessing such qualifications as may be prescribed for imparting practical and theoretical training and facilities for trade test of apprentices; and] (c) to carry out his obligations under the contract of apprenticeship.

1. Substituted by Act 27 of 1973, section 12, for "duly qualified" (w.e.f. 1-12-1979).

2. The word "and" omitted by Act 4 of 1997, section 6 (w.e.f. 8-1-1997).

3. Inserted by Act 4 of 1997, section 6 (w.e.f. 8-1-1997).

Section 12 - Obligations of apprentices

¹ [(1)] ² [Every trade apprentice] undergoing apprenticeship training shall have the following obligations, namely:--

(a) to learn his trade conscientiously and diligently and endeavour to qualify himself as a skilled craftsman before the expiry of the period of training;

(b) to attend practical and instructional classes regularly;

(c) to carry out all lawful orders of his employer and superiors in the establishment; and

(d) to carry out his obligations under the contract of apprenticeship.

³ [(2) Every graduate or technician apprentice ⁴ [technician (vocational) apprentice] undergoing apprenticeship training shall have the following obligations, namely :--

(a) to learn his subject field in engineering or technology ⁴ [or vocational course] conscientiously and diligently at his place of training;

(b) to attend the practical and instructional classes regularly;

(c) to carry out all lawful orders of his employer and superiors in the establishment;

(d) to carry out his obligations under the contract of apprenticeship which shall include the maintenance of such records of his work as may be prescribed.]

1. Section 12 re-numbered as sub-section (1) thereof by Act 27 of 1973, section 13 (w.e.f. 1-12-1974).

2. Substituted by Act 27 of 1973, section 13, for "Every apprentice" (w.e.f. 1-12-1974).

3. Inserted by Act 27 of 1973, section 13 (w.e.f. 1-12-1974).

4. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).

Section 13 - Payment to apprentices

(1) The employer shall pay to every apprentice during the period of apprenticeship training such stipend at a rate not less than the¹[prescribed minimum rate, or the rate which was being paid by the employer on 1st January, 1970 to the category of apprentices under which such apprentice falls, whichever is higher,] as may be specified in the contract of apprenticeship and the stipend so specified shall be paid at such intervals and subject to such conditions as may be prescribed.

²[(2) An apprentice shall not be paid by his employer on the basis of piece work nor shall he be required to take part in any output bonus or other incentive scheme.]

1. Substituted by Act 27 of 1973, section 14, for "prescribed minimum rate" (w.e.f. 1-12-1974).

2. Substituted by Act 27 of 1973, section 14, for sub-section (2) (w.e.f. 1-12-1974).

Section 14 - Health, safety and welfare of apprentices

Where any apprentices are undergoing training in a factory, the provisions of Chapter III, IV and V of the Factories Act, 1948 (63 of 1948), shall apply in relation to the health, safety and welfare of the apprentices as if they were workers within

the meaning of that Act and when any apprentices are undergoing training in a mine, the provisions of Chapter V of the Mines Act, 1952 (35 of 1952), shall apply in relation to the health and safety of the apprentices as if they were persons employed in the mine.

Section 15 - Hours of work, overtime, leave and holidays

(1) The weekly and daily hours of work of an apprentice while undergoing practical training in a workshop shall be such as may be prescribed.

(2) No apprentice shall be required or allowed to work overtime except with the approval of the Apprenticeship Adviser who shall not grant such approval unless he is satisfied that such overtime is in the interest of the training of the apprentice or in the public interest.

(3) An apprentice shall be entitled to such leave as may be prescribed and to such holidays as are observed in the establishment in which he is undergoing training.

Section 16 - Employer's liability for compensation for injury

If personal injury is caused to an apprentice by accident arising out of and in the course of his training as an apprentice, his employer shall be liable to pay compensation which shall be determined and paid, so far as may be, in accordance with the provisions of the Workmen's Compensation Act, 1923 (8 of 1923), subject to the modification specified in the Schedule.

Section 17 - Conduct and discipline

In all matters of conduct and discipline, the apprentice shall be governed by the rules and regulations¹[applicable to employees of the corresponding category] in the establishment in which the apprentice is undergoing training.

1. Substituted by Act 27 of 1973, section 15, for "applicable to workers in the trade" (w.e.f. 1-12-1974).

Section 18 - Apprentices are trainees and not workers

Save as otherwise provided in this Act,—

(a) every apprentice undergoing apprenticeship training in a designated trade in an establishment shall be a trainee and not a worker; and

(b) the provisions of any law with respect to labour shall not apply to or in relation to such apprentice.

Section 19 - Records and returns

(1) Every employer shall maintain records of the progress of training of each apprentice undergoing apprenticeship training in his establishment in such form as may be prescribed.

(2) Every such employer shall also furnish such information and returns in such form, to such authorities and at such intervals as may be prescribed.

Section 20 - Settlement of disputes

(1) Any disagreement or dispute between an employer and an apprentice arising out of the contract of apprenticeship shall be referred to the Apprenticeship Adviser for decision.

(2) Any person aggrieved by the decision of the Apprenticeship Adviser under subsection (1) may, within thirty days from the date of communication to him of such decision, prefer an appeal against the decision to the Apprenticeship Council and such appeal shall be heard and determined by a Committee of that Council appointed for the purpose.

(3) The decision of the Committee under sub-section (2) and subject only to such decision, the decision of the Apprenticeship Adviser under sub-section (1) shall be final.

Section 21 - Holding of test and grant of certificate and conclusion of training

(1) Every¹[trade apprentice] who has completed the period of training shall appear for a test to be conducted by the National Council to determine his proficiency in the designated trade in which he has²[undergone his apprenticeship training].

(2) Every¹[trade apprentice] who passes the test referred to in sub-section (1) shall be granted a certificate of proficiency in the trade by the National Council.³(3) The progress in apprenticeship training of every graduate or technician apprentice⁴[technician (vocational) apprentice] shall be assessed by the employer from time to time.]

⁵(4) Every graduate or technician apprentice or technician (vocational) apprentice, who completes his apprenticeship training

to the satisfaction of the concerned Regional Board, shall be granted a certificate of proficiency by the Board.]

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1. Substituted by Act 27 of 1973, section 16, for "apprentice" (w.e.f. 1-12-1974).
 2. Substituted by Act 27 of 1973, section 16, for "served his apprenticeship" (w.e.f. 1-12-1974).
 3. Inserted by Act 27 of 1973, section 16 (w.e.f. 1-12-1974).
 4. Inserted by Act 41 of 1986, section 3 (w.e.f. 16-12-1987).
 5. Inserted by Act 27 of 1973, section 16 (w.e.f. 1-12-1974) and substituted by Act 41 of 1986, section 6 (w.e.f. 16-12-1987).

Section 22 - Offer and acceptance of employment

(1) It shall not be obligatory on the part of the employer to offer any employment to any apprentice who has completed the period of his apprenticeship training in his establishment, nor shall it be obligatory on the part of the apprentice to accept an employment under the employer.

(2) Notwithstanding anything in sub-section (1), where there is a condition in a contract of apprenticeship that the apprentice shall, after the successful completion of the apprenticeship training, serve the employer, the employer shall, on such completion, be bound to offer suitable employment to the apprentice, and the apprentice shall be bound to serve the employer in that capacity for such period and on such remuneration as may be specified in the contract:

Provided that where such period or remuneration is not, in the opinion of the Apprenticeship Adviser, reasonable, he may revise such period or remuneration so as to make it reasonable, and the period or remuneration so revised shall be deemed to be the period or remuneration agreed to between the apprentice and the employer.
