

[AS PASSED BY THE NATIONAL ASSEMBLY]

A

Bill

to make provisions for promoting, developing and regulating systematic apprenticeship programmes in the establishments for securing certain minimum standards of skill

WHEREAS it is expedient to make provisions for promoting, developing and regulating systematic apprenticeship programmes in the establishments and for securing certain minimum standards of skill and for matters connected therewith or incidental thereto;

It is hereby enacted as under:--

1. **Short title, extent and commencement.**—(1) This Act may be called The Apprenticeship Act, 2017.

(2) It extends to such areas in the Federation as are not included in any province.

(3) It shall come into force at once.

2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context,—

(a) “**apprentice**” means a person who is undergoing into a trade, graduate or technician apprenticeship training, hold a technical vocational qualification, diploma or a degree from a recognized institution, in pursuance of a contract of apprenticeship including those in informal sector but shall not be treated as worker or any class of workers other than trainee;

(b) “**apprenticeship**” means a system of training which combines practical training in an establishment and theoretical training in a registered institute in pursuance of a contract of apprenticeship;

- (c) **“apprenticeship fund”** means the fund established under section 6;
- (d) **“authority”** means the National Vocational and Technical Training Commission established under the National Vocational and Technical Training Commission Act, 2011 (XV of 2011);
- (e) **“Board”** means a Trade Testing Board or Board of Technical Education or any other body set up by the Federal Government for conducting assessment, testing and certification in respect of apprentices;
- (f) **“competent authority”** means such officer not below the rank of BPS-20 of the Federal Government as the authority may, by notification in official Gazette, appoint to be a competent authority for the purposes of this Act;
- (g) **“designated trade”** means any trade or occupation or any subject, field in engineering, technology, service, vocation or management;
- (h) **“employer”** means any person who employs another person in an establishment, including an employer who has an ultimate control over the affairs of an establishment or is responsible to its owner for those affairs;
- (i) **“establishment”** means an industrial, commercial, business, mining, exploration, services or any other organization including those in informal sector as the competent authority may, by notification in the official Gazette, specify;
- (j) **“informal apprenticeship”** means an informal system of training in which apprentices or workers are being trained and gaining skills for a designated trade at an establishment;
- (k) **“National Vocational Qualification Framework”** or **“NVQF”** means the National Vocational Qualification Framework set up by the authority to determine, define and manage technical and vocational qualifications including those for apprenticeship;
- (l) **“prescribed”** means prescribed by rules;
- (m) **“rules”** means rules made under this Act; and
- (n) **“stipend”** means a monthly emolument paid by an employer to apprentices during entire period of training at a rate of minimum of fifty percent of minimum wages prescribed by the Federal Government.

3. **Apprenticeship contract.**— (1) No person shall be engaged as an apprentice

to undergo apprenticeship in a designated trade unless such person enters into an apprenticeship contract with the employer as may be prescribed by the authority.

(2) Every apprenticeship contract entered into under sub-section (1) shall be sent by employer within prescribed period to the competent authority for registration.

(3) The competent authority shall not register an apprenticeship contract unless it is satisfied that the person described as an apprentice in contract possesses prescribed minimum eligibility requirement.

4. Termination of apprenticeship contract.—(1) The apprenticeship contract shall terminate on completion of the period of apprenticeship.

(2) Either party to the apprenticeship contract may in writing inform the other party for termination of the contract during its pendency. Such application shall be sent by post to the other party of the contract. If both parties agreed, the contract shall be terminated accordingly.

(3) If a party is aggrieved of such termination it shall submit its grievance to the authority and decision of the authority thereon shall be final:

Provided that where a contract is terminated in case of failure on the part of the —

(a) employer to carry out the terms and conditions of the contract, the employer shall pay to the apprentice an amount equal to double the amount of stipend for the remaining period;

(b) apprentice, he shall refund to the employer cost of training which shall not exceed the amount of three months stipend paid, however, this condition shall be waived of by the competent authority on genuine grounds or unavoidable circumstances which compel an apprentice to terminate the apprenticeship contract.

5. Apprenticeship committees.—The authority may, by notification in official Gazette, constitute such apprenticeship committees under the chairmanship of an employer with forty percent representation from employers, forty percent from the Federal Government and twenty percent from elected workers to monitor and advise the competent authority on matters relating to apprenticeship as may be prescribed.

6. Apprenticeship fund.—(1) The authority may establish a fund to be called the apprenticeship fund for carrying out its functions. The apprenticeship fund may also be used for—

- (a) promotion of apprenticeship training;
- (b) reimbursement of partial cost of training not exceeding fifty percent to employers as may be prescribed; and
- (c) welfare schemes for apprentices.