

L.N. 73 of 1998

**EMPLOYMENT AND TRAINING SERVICES ACT
(CAP. 343)**

Extended Skill Training Scheme Regulations, 1998

IN exercise of the powers conferred by section 37 of the Employment and Training Services Act, the Minister for Social Welfare, after consulting the Employment and Training Corporation, has made the following regulations:—

1. (1) These regulations may be cited as the Extended Skill Training Scheme Regulations, 1998. Citation and commencement.

(2) These regulations shall be deemed to have come into force and shall apply in respect of persons who have entered into an agreement of apprenticeship in any of the trades set out in the Schedule to these regulations as from the Scholastic Year 1997/1998.

2. In these regulations, unless the context otherwise requires: Interpretation.

“Chief Executive” means the chief executive of the Employment and Training Corporation, and includes any officer of the Corporation duly authorised by the said Chief Executive to act on his behalf;

“Corporation” means the Employment and Training Corporation established by section 5 of the Employment and Training Services Act;

“Director General, Education” means the Director General responsible for education and includes any officer of the Department of Education duly authorised by the said Director General to act on his behalf;

“public holidays” means the days declared for the time being to be public holidays under the National Holidays and other Public Holidays Act; Cap. 252.

Cap. 327.

“Trade School” means a school in terms of the Education Act, where one or more trades as approved by the Minister responsible for education are taught during the day and on a full-time basis;

“training phase” means the period of training spent by an apprentice in a training centre or at an establishment approved for the purpose by the Corporation.

Entry requirements.

3. (a) An applicant wishing to follow an apprenticeship in one of the courses listed under the Schedule to these regulations should have completed either:

(i) Two consecutive school years at a Trade School following the Technology Education Course, and passed the set assessments/examinations; or

(ii) The fifth year of Secondary Level Education, and a one year Technology Education Foundation Course, and passed the set assessments/examinations; or

(iii) Four consecutive school year course at a Trade School, and passed with Distinction or Credit the Final Examination;

or is in possession of one of the following City and Guilds Certificates:

(i) General Course in Engineering (not less than three components);

(ii) Electronic Servicing Part I;

(ii) Electrical Installation Part I.

(b) An applicant wishing to follow an apprenticeship in agricultural trades should have completed a two year basic course at the Danny Cremona School of Agriculture, Qormi, or the Kelinu Galea School of Agriculture and Building, Xewkija, Gozo, and passed the set assessments/examinations.

(c) An applicant wishing to follow an apprenticeship in building trades should have completed a two year basic course at Gerolamo Cassar School of Building, Floriana, or the Kelinu Galea School of Agriculture and Building, Xewkija, Gozo, and passed the set assessments/examinations, or should have completed the fifth year of Secondary Level Education.

(d) An applicant wishing to follow an apprenticeship in a handicraft trade should have completed a two year basic course at the Salvatore Dimech School of Craftsman, Mosta, and passed the set assessments/examinations, or should have completed the fifth year of Secondary Level Education and is in possession of S.E.C. in Art or Graphical Communication.

(e) An applicant wishing to follow an apprenticeship in a catering and other hospitality trade should either have completed the fifth year of Secondary Level Education and is in possession of S.E.C. in Home Economics, or have completed a two consecutive year Technology Education Course (B), and passed the set assessments/examinations.

(f) An applicant wishing to follow an apprenticeship in tailoring should either have completed the fifth year of Secondary Level Education and is in possession of S.E.C. in Needlecraft, or have completed a two consecutive year Technology Education Course (B), and passed the set assessments/examinations.

(g) An applicant wishing to follow an apprenticeship in hairdressing or printing should have completed the fifth year of Secondary Level Education, and is in possession of a good School Leaving Certificate.

(h) Applications from students who have already followed an apprenticeship scheme shall not be accepted.

(i) Applicants may be required to sit for a test and/or an interview to determine their level of proficiency prior to being accepted to join the Scheme.

(j) No person may enter into an agreement of apprenticeship in any of the callings mentioned in this Scheme unless he has been exempted by the Director General, Education from the requirements mentioned in paragraphs (a) to (i) of this regulation.

4. (1) The period of apprenticeship shall not be less than two years and more than four years. Period of apprenticeship.

(2) In the case of apprentices wishing to follow an apprenticeship in the Mechanical, Electrical, Woodworking or Handicraft trade, they will be required to attend a one year broad-banded programme.

Undertaking by the employer.

5. An employer engaging an apprentice under this Scheme shall undertake to instruct him and grant him facilities to be instructed in accordance with such Schedules of Work as the Director General, Education or the Chief Executive may from time to time establish in connection with any particular trade.

Apprenticeship years.

6. During the apprenticeship all apprentices shall be required to attend an Educational Establishment approved by the Director General, Education for the acquisition of theoretical knowledge on such days or for such periods as the Director General, Education and the Chief Executive of the Corporation may determine, and the employer shall release the apprentice for such attendance.

Training in the calling.

7. The employer shall provide the apprentice with training in accordance with the calling for which the apprentice has been engaged. The Chief Executive of the Corporation or the Director General, Education may require the employer to furnish reports of the apprentice's progress from time to time and may require the apprentice to be submitted to such tests as may be necessary to ascertain that he has achieved adequate progress.

Hours of work.
Cap. 135.

8. The hours of work of apprentices shall not exceed the ordinary hours applicable to the employer's establishment in accordance with the provisions of the Conditions of Employment (Regulation) Act:

Provided that an employer may engage an apprentice on overtime with the prior approval in writing of the Chief Executive who may, in granting such approval, impose such conditions as he may deem fit. The rates of remuneration for overtime work shall be those specified in the Wage Regulation Order applicable to the establishment.

Remuneration.

9. An apprentice under this Scheme shall be entitled to an annual remuneration as follows:—

(a) during the board-banded year of apprenticeship – one fourth of the minimum pay of a Government employee in the grade of a Tradesman;

(b) during the First Year of specialisation of apprenticeship – one-half of the minimum pay of a Government employee in the grade of a Tradesman from which an increment has already been deducted;

(c) during the Second Year of specialisation of apprenticeship – one-half of the minimum pay of a Government employee in the grade of a Tradesman;

(d) during the Third Year of specialisation of apprenticeship – one-half of the minimum pay of a Government employee in the grade of a Tradesman from which an increment has already been added;

10. An apprentice shall be entitled to –

Holidays.

(a) all public holidays with full pay; and

(b) annual vacation leave with full pay during the whole month of August; however, alternative arrangements for vacation leave may be made with the approval of the Director General, Education.

11. An apprentice shall be entitled to fifteen working days sick leave on full pay and to a further fifteen working days on half pay in every calendar year less any sickness benefit to which he may be entitled under the Social Security Act, so however that a medical certificate certifying incapacity for work covering the period of absence is produced to the employer, who may require his medical practitioner to examine the apprentice.

Sick leave.

Cap. 315.

12. An apprentice shall be allowed two days paid leave on the occasion of the death of any of the following:– the wife, husband, mother, father (or the person who at the time was in fact acting as mother or father, as the case may be), son, daughter, brother or sister of the apprentice.

Bereavement leave.

13. Apprentices shall be allowed three working days paid leave on the occasion of their marriage.

Marriage leave.

14. An apprentice shall be entitled to one year injury leave on full pay less the full amount of any injury benefit to which the apprentice may be entitled under the Social Security Act, if he is injured during the actual discharge of his duties at a work place and the injury is not due to any contributory negligence or to any contravention of safety rules laid down by management.

Injury leave.

15. (1) Apprentices shall follow such study courses and sit for such examinations as laid down in the Course Schedule.

Termination of apprenticeship.

(2) Apprentices who fail one of either the annual examinations or the annual practical tests for two consecutive years shall have their apprenticeship terminated.

Revokes L.N. 125
of 1981 and saving.

16. The regulations entitled Extended Skill Training Scheme, 1981, are hereby revoked, but the provisions thereof shall still apply in respect of persons who have entered into an agreement of apprenticeship thereunder.

SCHEDULE

(Regulation 3)

1. Mechanical Engineering and Allied Trades

Mechanical Fitter, Plant Maintenance Fitter, Plumber, Vehicle Body Repairer (including spray finishing), Motor Vehicle Mechanic, Motor Vehicle Electrician, Welder/Burner, Sheetmetal Worker

2. Woodworking Trades

Woodworker (including spray finishing and upholstery)

3. Electrical Engineering Trades

Electrical Maintenance Fitter, Electrical Installer, Electronic Servicing Fitter, Power Cable Jointer, Linesman

4. Handicraft

Ceramist, Jeweller, Woodcarver, Stonecarver, Metalcraftsman, Graphic Designer, Stained Glass Manufacturer.

5. Agricultural Trades

Horticulturist, Stockman

6. Building Trades

Stone Mason, Stone Dresser, Wall Builder, Tile Layer, Plasterer

7. Printing Trades

Pre-Press Printer, Offset Printer, Letterpress Printer, Print Finisher

8. Personal Services Trades

Hairdresser

9. Hospitality Trades

Assistant Cook/Kitchen Porter, Assistant Waiter, Room Attendant, House Porter/Telephone Operator, Assistant Store Keeper

10. Tailoring Trade

Tailor.