



THE APPRENTICESHIP ORDINANCE, 1962



CONTENTS

PREAMBLE.

1	Short title, extent and commencement
2	Definitions
3	Tripartite Advisory Committees
4	Obligation of employers
5	Relief from income-tax etc
6	Advice and guidance to employers
7	Obligation of apprentices
8	Powers of entry, inspection, etc
9	Delegation of powers
10	Offences penalties and procedure
11	Power to exempt
12	Saving
13	Powers to make rules
14	Repeal

THE APPRENTICESHIP ORDINANCE, 1962

¹ORDINANCE No. LVI OF 1962

[6th June, 1962]

An Ordinance to make provision for promoting, developing and regulating systematic apprenticeship programmes in the industries and for securing certain minimum standards of skill.

WHEREAS it is expedient to make provision for promoting, developing and regulating systematic apprenticeship programmes in the industries and for securing certain minimum standards of skill;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

1. Short title, extent and commencement.-(1) This Ordinance may be called the Apprenticeship Ordinance, 1962.

(2) It extends to the whole of Pakistan.

(3) It shall come into force on such date or dates and in respect of such undertakings as the ²[Provincial Government] may, by notification in the official Gazette, appoint in this behalf.

2. Definitions. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “apprentice” means a person undergoing training through the system of apprenticeship;

(b) “apprenticeable trade” means such trade or occupation as the competent authority may, from time to time, keeping in view-

¹This Ordinance has been applied to the Provincially Administered Tribal Area or to the parts of those areas to which it does not already apply, see, Regulation No. 1 of 1972, s. 2 and Sch.

²Subs. by A.O., 1964, Art. 2 and Sch., for “Central Government”.

- (i) the nature of the trade and the degree of skill involved therein; and
- (ii) the amount of practical training and related theoretical instruction necessary for attaining the laid down standards of skill and proficiency in the trade, declare, by notification in the official Gazette, to be an apprenticeable trade for the purposes of this Ordinance;
- (c) “apprenticeship” means a system of training in which an employer undertakes to employ a person and to train him or have him trained systematically in an apprenticeable trade for a period the duration of which has been fixed in advance and in the course of which the apprentice is bound to work in the employer’s service;
- ¹[(d) “competent authority” means such officer as the Provincial Government may, by notification in the official Gazette, appoint to be a competent authority for the purposes of this Ordinance;]
- (e) “employer” means any person who employs five or more persons in an apprenticeable trade in an under taking, either directly or through another person, whether on behalf of himself or any other person, and includes any person who has ultimate control over, or is responsible to the owner thereof for, the affairs of an undertaking;
- (f) “industrial establishment” shall have the same meaning as assigned to it in the ²[West Pakistan Industrial and Commercial Employment (Standing Orders) Ordinance, 1968 (W.P. Ord. No. VI of 1968)];
- (g) “prescribed” means prescribed by rules;
- (h) “rules” means rules made under this Ordinance;
- (i) “undertaking” means any industrial establishment wherein fifty or more persons are employed, or were employed on any day of the preceding twelve months.

3. Tripartite Advisory Committees. The ³[Provincial Government] may, by notification in the official Gazette, constitute in the prescribed manner such ⁴[Provincial and Regional Tripartite Advisory Committees] to advise the ³[Provincial Government] and the competent authority on matters relating to apprenticeship as it may consider necessary.

¹Subs. by A.O., 1964, Art. 2 and Sch., for original cl. (d)

²Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch., II, for certain words.

³Subs. by A.O., 1964, Art. 2 and Sch., for “Central Government”.

⁴Subs. *ibid.*, for “National and Regional Tripartite Advisory Committees”.

4. Obligations of employers. Subject to the other provisions of this Ordinance and the rules, an employer-

- (1) shall be bound to ensure proper compliance with the provisions of this Ordinance and the rules in his undertaking;
- (2) shall, in accordance with the rules, introduce and operate an apprenticeship programme in his undertaking and get the programme registered with the competent authority within such time as may be prescribed;
- (3) shall train apprentices in the proportion of a minimum of twenty per cent of the total number of persons employed in apprenticeable trades, on an average in his undertaking, or in such other proportion as the competent authority may, by order in writing, determine in respect of his undertaking;
- (4) who had already introduced an apprenticeship programme in his undertaking prior to the commencement of this Ordinance shall modify the programme so as to bring it in conformity with the provisions of this Ordinance and the rules and register such modified programme with the competent authority within such time as may be prescribed;
- (5) shall be responsible to ensure that an apprentice receives within the normal working hours related theoretical instruction to the extent of at least twenty percent of the total working hours;
- (6) shall initiate and operate an apprenticeship programme entirely at his own cost; and
- (7) shall not, without the approval in writing of the competent authority, engage as an apprentice any person who has been an apprentice with another employer and has left his apprenticeship or been discharged by such other employer on disciplinary grounds.

5. Relief from income-tax etc.-(1) Notwithstanding anything to the contrary contained in the ¹[Income Tax Ordinance, 1979 (XXXI of 1979)] income-tax shall not be payable by an employer in respect of any expenditure incurred by him on the operation of an apprenticeship programme in accordance with the provisions of this Ordinance and the rules.

(2) Notwithstanding anything to the contrary contained in the Imports and Exports (Control) Act, 1950 (XXXIX of 1950), or any rule or order made thereunder, the ²[Federal Government] may, by order, make provision for the grant to the employers of licences for the import of such goods or articles as may in its opinion be required by the employers for operating apprenticeship programmes under this Ordinance.

¹ Subs. by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch., II, for certain words.

² Subs. by F.A.O., 1975, Art. 2 and Table, for "Central Government".