

FORM OF CONTRACT OF APPRENTICESHIP

Contract of apprenticeship made the _____ day of _____ (month) two thousand and _____ between _____ of _____ (place) (hereafter called the employee of the first part) and the Company Secretary in Practice/Partner/Employer of M/s _____ Company Secretary in Practice employing the Employer of the first part (hereafter called the second employer), and _____ of the second part (hereafter called the apprenticeship trainee). Witness as follows that is to say :-

1. (a) In consideration of the covenants by the apprenticeship trainee hereafter contained, the Employer agrees to take up the apprenticeship trainee as his apprenticeship trainee for the term of 15 months from the _____ day of _____ two thousand and _____.
- (b) The Second Employer of the first part agrees to permit the employer of the first part to train the apprenticeship trainee in his office/firm (where applicable).
2. The apprenticeship trainee of his own free will binds himself as apprenticeship trainee to the Employer to serve him for and during and upto the full end and term of 15 months.
3. The apprenticeship trainee covenants with the employer as follows :-
 - (a) That he will at all times during the said term diligently and faithfully serve the employer as his apprenticeship trainee in the practice of profession of Company Secretaries.

(1)

- (b) That he will not at any time during the said term, destroy, cancel, obliterate, spoil, embezzle, spend, make away with or take copies of books, papers, plans, documents, moneys, stamps or chattels of the employer, his personal representatives or assignees or of his partner(s) or of any of his clients of employer or allow any of the said goods to be so treated by others, if he can by the exercise of reasonable care prevent it.
- (c) That he will at all times keep the secrets of the employer and his partner or partners and of his and their clients and employers and will not divulge the names and affairs of such clients and employees.
- (d) That he will readily and cheerfully obey and execute the lawful and reasonable commands of the Employer and will not depart or absent himself from the service of employment of the employer at any time during the said term without his consent or that of his partners first obtained but will at all times during the said term conduct himself with all due diligence, honesty, and propriety.
- (e) That he will at all times well and faithfully serve the employer, as an apprenticeship trainee ought to do in all things whatsoever.
- (f) That he will make good and fully indemnify the employer for any loss or damage suffered or sustained by him by his misbehaviour or improper conduct.

4. The employer covenants with the apprenticeship trainee as follows :-

- (a) That he will by the best ways and means in his power and to the utmost of his skill and knowledge instruct or cause to be instructed the apprenticeship trainee and afford him such reasonable opportunities and work as may be required to enable him to acquire the art, science and knowledge of Company Secretaryship.
- (b) That his professional practice [or that of his employer(s) in his or their] main occupation and is suitable for the purpose of enabling him to carry out the obligations referred to in (a) above.
- (c) That he will pay a stipend of Rs. _____ per month for the period of apprenticeship within 10 days after every completed month of apprenticeship training including for period of authorised leave of 45 days.
- (d) That he will at the expiration of the said term use his best means and endeavours to cause the apprenticeship trainee to be admitted as a member of the Institute, provided always that the apprenticeship trainee shall have well and faithfully served his intended apprenticeship and shall have passed the required examinations and in all respect properly qualified himself to be admitted as such.
- (e) (i) That if the employer shall die during the said terms, his legal representative shall grant to the apprenticeship trainee a certificate of service in the appropriate form for the expired period of training.
(ii) That if the employer shall cease to practice as Company Secretary or shall in any way become incapable of continuing the intended employment of the apprenticeship trainee during the said term, he will make the necessary arrangements as far as practicable, for the completion of the residue of the term as apprenticeship trainee with some other member entitled to train the apprenticeship trainee and issue the certificate of service in the appropriate form for the expired period of apprenticeship training.

5. These conditions are subject to the Company Secretaries Act, 1980 and the regulations and guidelines framed thereunder as may be in force from time to time.

In witness whereof the parties have hereinto set their hands and seals the day and year first above written
Signed, Sealed and Delivered by _____ (First Employer)
In the presence of _____ (Witness)

(D)

Signed, Sealed and Delivered by
In the presence of
Signed, Sealed and Delivered by
In the presence of

(Second Employer)
(Witness)
(Apprenticeship Employee)
(Witness)

ANNEXURE-II

**STATEMENT OF PARTICULARS TO BE SUBMITTED (IN
DUPLICATE) FOR REGISTRATION AS A TRAINEE**

(PART-'A')

Particulars of the Apprenticeship Trainee :

- 1 Name (in block letters) :
- 2 Student Registration No. :
- 3 Particulars regarding passing of the Intermediate (where applicable)/Final Examination of the Institute :

Examination	Group(s)	Roll No.	Month	Year
Intermediate	First			
	Second			
Final	First			
	Second			
	Third			

4. Particulars of previous training, if any :

- (a) Name & Address of the employer Company Secretary in Practice :
- (b) C.P. Registration Number:
- (c) Date of commencement of training :
- (d) Date of termination of training:
- (e) Duration of leave taken, if any:

5. Date of commencement of training under the present employer Company Secretary in Practice :

6. Date on which the Contract of Company secretaries Apprenticeship has been executed:

7. Period for which the Contract of Apprenticeship entered into :

8. Whether the Contract has been executed :

- (a) In the printed form without any modifications:
- (b) In duplicate and one copy kept by either party :

9. (a) Whether the apprenticeship trainee is engaged in any other business or occupation :

- (b) If so, whether permission of the Council has been obtained (Quote letter no. & date) :
- (c) If permission is not sought, please give full details of engagement and the date since when so engaged.

10. (a) Whether the apprenticeship trainee has taken up any other course of study, academic or professional;

- (b) If so, whether permission of the Council has been obtained (Quote letter No. & date) :
- (c) If permission is not sought, give full particulars of the course, timing of the classes held, working hours of the employer, etc.

I declare that the particulars given above are true and correct to the best of my knowledge and belief and I undertake to intimate to the Institute and the employer within sixty days, any change that may occur in the information furnished above during the period of my training for the purpose of Company Secretaries Regulations, 1982.

I undertake to abide by all the rules as may be in force from time-to-time during the period I am undergoing training. I further agree not to pass on, sell or gift away my study paper or any other material provided to me by the Institute.

Signature of the Apprentice

I declare that the particulars given above are true and correct to the best of my knowledge and belief .

Place :

Date :

Countersigned by the Employer

(PART-'B')

Particulars of the Employer Company Secretary in Practice

1. Name : _____
2. Membership No. ACS/FCS _____ CP No. : _____
3. Name of the firm of which the member is proprietor/partner : _____
4. If working as a paid Assistant with a Company Secretary/firm of Company Secretaries, name of his employer: _____
5. Whether the member is engaged in any other business or occupation at present, if so, please give details : _____
6. Names of other trainees, if any, already undergoing training with the member, and their student registration number : _____
7. Name of additional apprenticeship trainees, if any, already undergoing training with the member and their registration number : _____

I declare that the particulars given in Part 'B' above are true and correct to the best of my knowledge and belief and I undertake to intimate the Institute within sixty days any change that may occur in the information furnished in Part 'B' during the period of training of the apprenticeship trainee.

I further declare that :

- (i) I have fully satisfied myself that the apprenticeship trainee is eligible to receive training, as such, under the Company Secretaries Regulations, 1982, having passed the Intermediate/Final examination conducted by the Institute.
- (ii) The Contract of Apprenticeship has been executed in duplicate.
- (iii) I have fully; satisfied myself that the Contract has been executed correctly in all respects.
- (iv) One copy of the Contract of Apprenticeship has been retained by me and the other has been given to the apprenticeship trainee.
- (v) I shall be paying a stipend of Rs. _____ per month to the trainee.

8. Address for communication

Tel. No. (R) _____ (O) _____

Place :

Date :

Signature of the Employer

ANNEXURE-III

**CERTIFICATE OF TRAINING OF DISCONTINUANCE/
TERMINATION OF TRAINING**

I _____ of _____ do hereby certify that Shri _____ served as a company secretaryship apprenticeship trainee under me in accordance with the Company Secretaries Regulations, 1982, for a period of _____ month and _____ days from _____ to _____ on whole time basis and his progress was satisfactory and that to the best of my knowledge, he bears a good moral character.

The training is terminated by mutual consent with effect from _____. I further certify that during the above mentioned period the apprenticeship trainee was given leave for _____ days.

The contract of apprenticeship was registered with the Institute of Company Secretaries of India vide Registration No. _____ dated _____.

Place :

Date :

Signature : _____

Name : _____

ACS/FCS No. _____ CP No. _____

I _____ have agreed for termination of my training under Shri _____ with effect from _____ at my own free will and endorse the contents of his certificate :

Place :

Date :

Signature of Apprenticeship Trainee

Regn. No. _____

ANNEXURE-IV

COMPLETION CERTIFICATE OF 15 MONTHS TRAINING

I, _____ Company Secretary of _____

do hereby certify that Mr./Ms. _____ Student Registration No. _____ has completed the prescribed training as sponsored by the Institute of Company Secretaries of India, vide their letter No. _____ dated _____ under our organisation for a period of _____ Months from _____ to _____ and his/her progress was satisfactory.

I, further certify that during the above mentioned period he/she was not given any leave/given leave for _____ days.

Place :

Date :

Company Secretary

(5)