STATUTORY INSTRUMENTS

1964 No. 662

INDUSTRIAL ORGANISATION AND DEVELOPMENT

The Cotton Industry Development Council (Amendment No. 5) Order 1964

Laid before Parliament in draft

Made - - - -	*7th May* 1964
Coming into Operation	14*th May* 1964

Whereas the Board of Trade have in pursuance of the powers conferred upon them by section 1 of the Industrial Organisation and Development Act 1947(a) made the Cotton Industry Development Council Order 1948(b) (hereinafter referred to as " the principal Order "):

And whereas by virtue of section 8 of the said Act the Board of Trade have previously amended the said Order(c), and may by virtue thereof further amend the said Order:

And whereas by virtue of section 14(2) of the said Act an Order may provide that further activities, designated in such manner as appears to the Board to be requisite for preventing uncertainty, may be treated as included in the industry for which the Council is established:

And whereas the Board of Trade have consulted the Cotton Board and the organisations appearing to them to be representative of substantial numbers of persons carrying on business in the industry and the organisations representative of persons employed in the industry appearing to the Board of Trade to be appropriate:

And whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, the Board of Trade in pursuance of the powers conferred upon them by sections 8 and 14(2) of the Industrial Organisation and Development Act 1947 hereby order as follows:—

1.—(1) For the purposes of the principal Order and subject to the following paragraphs of this Article—

(*a*) the industry shall cease to be divided into the cotton section and the man-made fibre section,

(*b*) the activities of spinning, doubling, weaving, finishing, making-up and packing and converting, so far as carried out in Great Britain in the course of the manufacture of yarn, thread or fabric made of silk or mixtures of silk and other materials, shall to the extent hereinafter provided be treated as included in the industry, and

(a) 10 & 11 Geo. 6. c. 40. (b) S.I. 1948/629 (Rev. V, p. 87: 1948 I, p. 1623).
(c) S.I. 1951/2173, 1953/421, 1957/508, 1961/899 (1951 I, p. 1125; 1953 I, p. 862; 1957 I, p. 1174; 1961 II, p. 1713).

(*c*) the functions hitherto exercisable by the Cotton Board in relation to the cotton section of the industry shall be exercisable in relation to the industry as a whole.

(2) For the purpose of giving effect to and defining the provisions of paragraph (1), the provisions of the principal Order, as amended, specified in column 1 of Schedule I shall have effect subject to the amendments specified in column 2 of that Schedule.

(3) The provisions of the foregoing paragraphs of this Article shall not have effect in relation to the imposition or recovery of any charge imposed by the Cotton Board by virtue of Article 6 of the principal Order, in respect of a period commencing before 1st April 1964.

(4) In accordance with the provisions of paragraphs (1) and (2) of this Article and without prejudice to the provisions of paragraph (3) thereof the principal Order shall have effect as set out in Schedule II hereto.

2.—(1) The Interpretation Act 1889(a) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(2) This Order may be cited as the Cotton Industry Development Council (Amendment No. 5) Order 1964, and shall come into operation seven days after the day on which it is made.

David Price,
Parliamentary Secretary to the Board of Trade.

7th May 1964.

SCHEDULE I

AMENDMENTS TO THE COTTON INDUSTRY DEVELOPMENT COUNCIL ORDER 1948, AS AMENDED

Column 1	Column 2
Provision Amended	*Amendment*
Article 1	In paragraph (1) for sub-paragraphs (*a*) and (*b*) there shall be substituted the following:— "the functions specified in the Second Schedule hereto".
Article 4	After paragraph (1) there shall be added the following paragraph— "(1A) Every person carrying on business in the industry, as extended by the provisions of the Cotton Industry Development Council (Amendment No. 5) Order 1964, on the date of operation of that Order and who was not carrying on business in the industry for the purposes of the principal Order as having effect immediately before that date, shall within one month thereof make an application to the Board to be registered.".
	After the references to paragraph (1) in paragraphs (3) and (7) there shall be added references to paragraph (1A).

(a) 52 & 53 Vict. c. 63.

Column 1 *Provision Amended*	Column 2 *Amendment*
Article 6	In paragraph (4), sub-paragraph (*a*) and the words "of each section" in sub-paragraph (*b*) shall be omitted. For paragraph (7) there shall be substituted the following:— "(7) The rates of any charge fixed for the purposes of paragraph (5) or paragraph (6) of this Article in respect of any activity shall be the same for all persons carrying on that activity.". Paragraph (16) shall be omitted.
Schedule 1	The words in the heading "and the sections thereof" shall be omitted, and for references to the Wages Council Act 1945(a) there shall be substituted references to the Wages Councils Act 1959(b).
Paragraph 1(2)	After the words "staple rayon fibre" there shall be inserted the words "waste silk fibre" and for the words "a mixture of those fibres" there shall be substituted "a mixture of those fibres or of any two of them".
Paragraph 1(4)	(i) After the word "spinning" wherever it occurs there shall be inserted the word "throwing". (ii) After the words "rayon thread" wherever they occur there shall be inserted the words "or raw silk"; (iii) After the words "a mixture of such yarn and such thread" there shall be inserted the words "or of one or both of those materials and raw silk".
Paragraph 2	This paragraph shall be omitted.
Paragraph 3	There shall be added the following definitions:— "(*f*) 'raw silk' means the combined filaments obtained in the process of reeling from cocoons; (*g*) 'silk' means fibrous matter secreted in the formation of cocoons by silk worms; (*h*) 'waste silk fibre' means waste obtained from cocoons or from any process; (*i*) 'throwing' means the production of yarn by the subjection of raw silk to the process of twisting together two or more

(a) 8 & 9 Geo. 6. c. 17. (b) 7 & 8 Eliz. 2. c. 69.

Column 1 *Provision Amended*	Column 2 *Amendment*
Paragraph 3 (*cont.*)	threads or of inserting additional twist; and the further subjection of raw silk so processed to one or both those processes; and the subjection of yarn produced by any of the foregoing processes to any of the processes commonly known as gassing, reeling, warping, beaming and winding, except insofar as the treatment of yarn by any of the last named processes is performed on machinery which forms a subsidiary part of, and is situated in the same mill as plant operated by workers subject to Wages Regulation Orders made under the Wages Councils Act 1959 pursuant to proposals by the Rope, Twine and Net Wages Council, the Flax and Hemp Wages Council or the Jute Wages Council, and such treatment is ancillary to the main operations conducted on such plant: Provided that throwing shall not include the subjection of yarn to any of the said processes by a person carrying on the business of manufacturing wool textiles for use by him in the course of that business.".
Schedule 2	The Schedule shall cease to be divided into Part I and Part II and paragraphs 2 to 11 in Part II shall be renumbered 12 to 21 respectively. The headings to Part I and Part II shall be omitted and there shall be inserted as a heading to the Schedule the words " Functions of the Cotton Board ". References to " the cotton section of the inindustry " shall be construed as references to " the industry ".

SCHEDULE II

THE COTTON INDUSTRY DEVELOPMENT COUNCIL ORDER 1948, AS AMENDED

Establishment of Development Council

1.—(1) There is hereby established for the industry consisting of the activities specified in Schedule 1 hereto (hereinafter referred to as " the industry ") a development council to be known as the Cotton Board (hereinafter referred to as " the Board ") to which are assigned the functions specified in Schedule 2 hereto.

(2) The Board shall exercise their functions in such manner as appears to them to increase efficiency and productivity in the industry as much as possible, to improve and develop the service that it renders to the community and to enable it to render that service more economically and shall have regard to anything being done by any Government Department or other body with a view to avoiding a duplication of work.

(3) The Board may enter into such agreements, acquire such property and do such things, as may in the opinion of the Board be necessary or desirable for the exercise of any of their functions, and may dispose as they think fit of any property acquired by them.

Constitution of Cotton Board

2. The Board shall consist of the following members appointed by the Board of Trade that is to say :—

(1) four persons capable of representing the interests of persons carrying on business in the industry comprising

(*a*) one person capable of representing the interests of persons carrying on the business of spinning and of persons carrying on the business of doubling,

(*b*) one person capable of representing the interests of persons carrying on the business of weaving,

(*c*) one person capable of representing the interests of persons carrying on the business of finishing, and

(*d*) one person capable of representing the interests of persons carrying on the business of converting ;

(2) four persons capable of representing the interests of persons employed in the industry, comprising:—

(*a*) two persons capable of representing the interests of persons employed in the industry in spinning and of persons employed in the industry in doubling,

(*b*) one person capable of representing the interests of persons employed in the industry in weaving, and

(*c*) one person capable of representing the interests of persons employed in the industry in finishing ; and

(3) three persons as to whom the Board of Trade are satisfied that they have no such financial or industrial interest as is likely to affect them in the discharge of their functions as members of the Board (hereinafter referred to as " independent members ").

Matters relating to membership and proceedings of the Board

3. The provisions of Schedule 3 hereto shall have effect in relation to the membership and proceedings of the Board.

Registration of persons carrying on business in the industry

4.—(1) Every person carrying on business in the industry on the first day of April, 1948, shall within one month thereof make an application in writing to the Board to be registered and every person who, after the first day of April, 1948, commences to carry on business in the industry shall so apply within one month of so commencing.

(1A) Every person carrying on business in the industry, as extended by the provisions of the Cotton Industry Development Council (Amendment No. 5) Order 1964, on the date of operation of that Order and who was not carrying on business in the industry for the purposes of the principal Order as having effect immediately before that date, shall within one month thereof make an application to the Board to be registered.

(2) The Board shall enter in a register to be kept by them the name of every person who has made an application to be registered as aforesaid, the business name (if any) under which he carried on business in the industry, the principal place of such business and the activities comprised in the industry carried on by him. No information relating to persons so carrying on business other than that mentioned in this paragraph shall be entered in the register.

(3) Any person required by paragraph (1) or (1A) hereof to make an application to be registered shall, if so requested by the Board, within such time and in such form as they may specify, furnish such information as the Board may require to make or complete the entry in the register relating to him, as the case may be.

(4) Any person whose name is entered in the register shall notify the Board forthwith of any matter rendering the entry in the register relating to him inaccurate or incomplete.

(5) The Board shall, on receipt of any such notification as is referred to in paragraph (4) hereof, amend the register in accordance therewith.

(6) The Board may, if they have reasonable cause to believe that any person whose name is entered in the register no longer carries on business in the industry, by notice in writing inform that person of their intention to remove his name from the register unless within a period of one month from the date of the notice he gives notice in writing to the Board that he is a person so carrying on business, and if no such notice is received by the Board within the said period the Board may on the expiration of that period remove his name from the register.

(7) Any person who fails to comply with any of the requirements of paragraphs (1), (1A), (3) or (4) hereof shall, unless he proves that he had reasonable cause for the failure, be liable on summary conviction to a fine not exceeding fifty pounds.

(8) The register shall be kept at the office of the Board and any person shall, on payment of a fee of one shilling, be entitled to inspect the said register during normal business hours and to take, or be supplied with, a copy of any one entry therein.

Returns and information

5. The Board may require any person carrying on business in the industry to furnish such returns and information relating to activities comprised in the industry carried on by him, including information with respect to the productive capacity, capital assets, staff, output, orders, sales, deliveries, stocks and costs, as appear to the Board to be required for the exercise of any of their functions: so, however, that the Board shall not exercise the powers conferred under this Article generally as regards the industry or any section thereof unless the Board of Trade have consented to such exercise and have approved the form in which the returns or other information will be required to be furnished.

Levies

6.—(1) The Board may with the approval of the Board of Trade impose on all persons who are registered in pursuance of this Order as carrying on business in the industry, a charge of one pound each in respect of each year.

(2) The Board may with the approval of the Board of Trade impose on all persons carrying on any one or more of the activities mentioned in paragraph (5) of this Article, a charge, calculated in relation to each such person in accordance with the provisions of that paragraph, in respect of each period of six months ending on the 30th day of September and the 31st day of March respectively in every year.

(3) The Board may with the approval of the Board of Trade impose on all persons carrying on the activity of converting fabric a charge, calculated in relation to each such person in accordance with the provisions of paragraph (6) of this Article, in respect of each year.

(4) The rates of any charge imposed under paragraph (2) or paragraph (3) of this Article shall be fixed by the Board so as to ensure that the total charges

imposed in any year under those paragraphs in respect of the activities (other than making-up and packing) of the industry are payable as near as possible in the following proportions:—

32 per cent. in respect of the activity of spinning other than waste spinning;

1½ per cent. in respect of the activity of waste spinning;

6½ per cent. in respect of the activity of doubling;

30 per cent. in respect of the activity of weaving;

17½ per cent. in respect of the activity of finishing; and

12½ per cent. in respect of the activity of converting.

(5) Any charge imposed by the Board under the provisions of paragraph (2) of this Article on persons carrying on any one or more of the activities mentioned in this paragraph, shall be calculated, in relation to each such person, by reference to the period in respect of which that charge is imposed, as follows:—

(*a*) in respect of the activity of spinning (other than waste spinning) carried on by him, on the average number of spindles, calculated in accordance with the method specified by the Board in pursuance of head (*b*) of paragraph (9) of this Article, in use by him for that activity during that period, at a rate fixed by the Board in respect of each such spindle so that the rate in respect of a ring spindle shall be one and a half times that of a mule spindle;

(*b*) in respect of the activity of waste spinning carried on by him, on the number of spindles installed for that activity, on premises used by him in the course of carrying on that activity, on such day during that peried as the Board may determine, at a rate fixed by the Board in respect of each such spindle so that the rate in respect of a ring spindle shall be one and a half times that of a mule spindle;

(*c*) in respect of the activity of doubling carried on by him, on the number of spindle units computed, in accordance with the provisions of Part I of Schedule 4 hereto, by reference to the number of spindles installed for that activity, on premises used by him in the course of carrying on that activity, on such day during that period as the Board may determine, at a rate fixed by the Board in respect of each such unit;

(*d*) in respect of the activity of weaving carried on by him, on the number of loom units computed, in accordance with the provisions of Part II of Schedule 4 hereto, by reference to the number of looms gaited up or stopped for immediate gaiting for the purpose of that activity, on premises used by him in the course of carrying on that activity, on such day during that period as the Board may determine, at a rate fixed by the Board in respect of each such unit;

(*e*) in respect of the activity of finishing carried on by him, on the amount of wages paid by him during that period in respect of that activity, at a rate fixed by the Board in respect of each £100 or part thereof; and

(*f*) in respect of the activity of making-up and packing carried on by him, £2 10s. 0d. in respect of that period.

(6) Any charge imposed by the Board under the provisions of paragraph (3) of this Article on persons carrying on the activity of converting fabric shall be calculated, in relation to each such person, by reference to the year in respect of which that charge is imposed, on the quantity of fabric converted by him during that year, at a rate fixed by the Board in respect of each 20,000 square yards:

Provided that no account shall be taken, for the purposes of this paragraph, of any quantity of fabric converted by him during that year in excess of 10,000,000 square yards.

(7) The rates of any charge fixed for the purposes of paragraph (5) or paragraph (6) of this Article in respect of any activity shall be the same for all persons carrying on that activity.

(8) Charges imposed by the Board under paragraphs (1), (2) and (3) of this Article shall be computed so as to yield not more than £525,000 in any year.

(9) As soon as may be after the Board of Trade have approved the imposition of a charge under paragraph (1), paragraph (2) or paragraph (3) of this Article, the Board shall, by notice given in such manner as they think best adapted for informing the persons affected, specify, so far as is relevant as respects that charge—

(*a*) the period in relation to which the charge is imposed;

(*b*) for the purposes of head (*a*) of paragraph (5) of this Article, the method of calculation of the average number of spindles in use during the period in relation to which that charge is to be calculated;

(*c*) the respective days determined by the Board for the purposes of heads (*b*), (*c*) and (*d*) of paragraph (5) of this Article;

(*d*) the respective rates fixed by the Board for the purposes of heads (*a*), (*b*), (*c*), (*d*) and (*e*) of paragraph (5), and of paragraph (6), of this Article; and

(*e*) the date on which the charge becomes payable.

(10) Every person on whom a charge is imposed under paragraph (1) of this Article in respect of any year shall pay to the Board, on or before the date specified in the notice given under paragraph (9) of this Article as the date on which that charge becomes payable, the sum of one pound:

Provided that if such a person is required to pay an amount in respect of any other charge imposed for that year or for a period during that year and the total amount which he is so required to pay is—

(*a*) not less than one pound, he shall not be under any liability in respect of the charge imposed under paragraph (1) of this Article for that year;

(*b*) less than one pound, that liability shall be reduced by that total amount.

(11) Every person on whom a charge is imposed under paragraph (2) or paragraph (3) of this Article shall pay to the Board, on or before the date specified in the notice given under paragraph (9) of this Article as the date on which the charge becomes payable, a sum calculated in relation to him and in respect of that charge in accordance with the relevant provisions of this Article.

(12) The Board may by notice in writing require any person carrying on business in the industry—

(*a*) to furnish such returns and other information;

(*b*) to keep such records; and

(*c*) to produce for examination on behalf of the Board such books and other documents and records in his custody or under his control,

relating to the business carried on by him in the industry as appear to the Board to be necessary for the purposes of the imposition or recovery under this Order of any charge.

(13) Any two or more persons jointly carrying on business in the industry shall, in so far as it is material for the purposes of this Article to ascertain the amount of any sum payable by them to the Board, be treated as constituting together a single person.

(14) Any sum payable under this Order shall be recoverable by the Board as a debt.

(15) In this Article the following expressions have the meanings respectively assigned to them:—

"mule spindles" means spindles designed to be used for spinning single yarn on the intermittent spinning machine commonly known in the industry as the mule;

"ring spindles" means spindles designed or adapted for use in spinning single yarn on a continuous spinning machine with the aid of the mechanism commonly known in the industry as a traveller and ring, or designed or adapted to be so used with the aid of the mechanism commonly known in the industry as a flyer and includes spindles commonly known in the industry as Chapon spindles;

"spinning", "doubling", "weaving", "finishing", "making-up and packing" and "converting" have the meanings respectively assigned to them by Schedule 1 hereto;

"waste spinning" means spinning without the use of the mechanical device commonly known in the industry as a draw-frame;

"wages" means wages of workpeople, before deduction of National Insurance contributions and income tax, and includes overtime, holiday credits and guaranteed week payments, and "workpeople" includes foremen, but does not include managers, managerial staff, laboratory staff or office staff;

"year" means a period of twelve consecutive months beginning on the first day of April.

Borrowing Powers

7.—(1) The Board may for the purpose of defraying any of their expenses borrow money temporarily from bankers or otherwise:

Provided that the aggregate of the amounts outstanding in respect of sums so borrowed shall not at any time, except after consultation with the prescribed organisations and with the approval of the Board of Trade, exceed twenty thousand pounds.

(2) In this Article the expression "prescribed organisations" means such organisations representative of persons carrying on business in the industry and such organisations representative of persons employed in the industry as the Board of Trade may prescribe.

Returns and information and production of books

8.—(1) Any person carrying on business in the industry who is required by notice in writing by the Board to furnish returns or other information relating to activities comprised in the industry or to produce for examination books or other documents or records relating to such activities shall furnish in such form and manner and within such time such returns or information relating to such activities, as may be specified in the notice or, as the case may be, produce at such time such books or other documents or records relating to such activities as may be so specified; so however that a person who uses in his business what he claims to be a secret process that ought not to be disclosed on the ground of risk of prejudice to his business shall not be required by anything in this Article to disclose particulars relating to the process unless the requirement and the form thereof have been approved by the Board of Trade after consideration of his claim.

(2) Where a requirement is imposed by the Board under the provisions of this Order to furnish returns or other information relating to an individual business or to produce for examination books or other documents or records, the Board shall ensure that the returns or other information shall be furnished to, or the examination done by, independent members of the Board designated by the Board of Trade or to or by officers of the Board specially authorised in that behalf by the Board.

Penalties

9.—(1) If any person required to furnish returns or information or to produce for examination books or other documents or records under this Order fails to furnish or produce them in accordance with the requirement he shall, unless he proved that he had reasonable excuse for the failure, be liable on summary conviction to a fine not exceeding fifty pounds.

(2) If the failure in respect of which a person is convicted under the last foregoing paragraph is continued after the conviction he shall be guilty of a further and continuing offence and liable on summary conviction to a fine not exceeding five pounds in respect of each day during which the failure continues.

(3) If any person in purporting to fulfil the requirement to furnish returns or information knowingly or recklessly makes any statement which is false in a material particular he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding one hundred pounds or, in either case, to both such imprisonment and such fine.

Interpretation and short title

10.—(1) The Interpretation Act 1889 shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

SCHEDULE 1

Definition of the Industry

1.—(1) The industry shall consist of the activities, so far as carried on in Great Britain, of spinning, doubling, weaving, finishing, making-up and packing and converting as hereinafter defined.

(2) "Spinning" means the production from fibre of single yarn containing not less than 95 per cent. by weight of cotton fibre (including waste from whatever process arising), staple rayon fibre, waste silk fibre or a mixture of those fibres or of any two of them; and the subjection of yarn so produced to any of the processes commonly known as gassing, reeling, warping, beaming and winding, except in so far as the treatment of yarn by that process is performed on machinery which forms a subsidiary part of and is situated in the same mill as

(*a*) plant operated by workers subject to Wages Regulation Orders made under the Wages Councils Act 1959 pursuant to proposals by the Jute Wages Council, or

(*b*) plant used for the production of lace, lace net, lace curtains, embroidery, hosiery or narrow fabrics,

and such treatment is ancillary to the main operations conducted on such plant:

Provided that spinning shall not include the production of such yarn or the subjection of such yarn to any such process by a person carrying on the business of manufacturing wool textiles for use by him in the course of that business.

(3) "Doubling" means the subjection of yarn produced by spinning to the process of twisting together two or more threads or of inserting additional twist; and the further subjection of yarn produced by spinning and so processed to one or both of those processes; and the subjection of yarn produced by any of the foregoing processes to any of the processes commonly known as gassing, reeling, warping, beaming or winding, except in so far as the treatment of yarn by any of the last named processes is performed on machinery which forms a subsidiary part of, and is situated in the same mill as—

(*a*) plant operated by workers subject to Wages Regulation Orders made under the Wages Councils Act 1959 pursuant to proposals by the Rope, Twine and Net Wages Council, the Flax and Hemp Wages Council or the Jute Wages Council, or

(*b*) plant used for the production of lace, lace net, lace curtains, embroidery, hosiery or narrow fabrics,

and such treatment is ancillary to the main operations conducted on such plant:

Provided that doubling shall not include the subjection of yarn to any of the said processes—

(i) by a person carrying on the business of manufacturing wool textiles for use by him in the course of that business; or

(ii) for the purpose only of producing wicks for candles.

(4) " Weaving " means—

(*a*) the production on looms connected with mechanical power of fabrics containing not less than 85 per cent. by weight of yarn produced by spinning, throwing or doubling or continuous filament rayon thread or raw silk or a mixture of such yarn and such thread or of one or both of those materials and raw silk ; and

(*b*) the preparation of warp and weft for looms—

(i) from yarn produced by spinning, throwing or doubling ; and

(ii) from continuous filament rayon thread or raw silk by any person carrying on the business of weaving as defined in sub-paragraph (*a*) hereof for use by him in the course of that business:

Provided that weaving shall not include the production of—

(*a*) lace, lace net, lace curtains, fishing net, embroidery or narrow fabrics or the preparation of warp and weft by a person carrying on the business of manufacturing narrow fabrics for use by him in the course of that business ;

(*b*) fabrics containing more than 15 per cent. by weight of processed animal fibre.

(5) " Finishing " means—

(*a*) the subjection of the following articles namely raw cotton, cotton waste, rovings, yarn produced by spinning or doubling or fabrics produced by weaving to any of the processes commonly known as scouring, bleaching, mercerising, tinting, dyeing, printing, embossing, schreinering, beetling, calendering, raising, stentering, shrinking, cropping, shearing, singeing, filling, pressing and proofing, or to any other similar process which effects a change in the appearance or characteristics of those articles ; and

(*b*) the cutting of loops of pile fabrics produced by weaving:

Provided that finishing shall not include—

(i) the subjection of cotton waste or yarn produced by spinning or doubling to any such process by a person carrying on the business of manufacturing wool textiles for use by him in the course of that business ; or

(ii) the subjection to any such process of any raw cotton or cotton waste which is not subsequently subjected to spinning ; or

(iii) the subjection of raw cotton or cotton waste to any such process by a person carrying on the business of manufacturing staple rayon fibre or continuous filament rayon thread for use by him in the course of that business ; or

(iv) the subjection of yarn produced by spinning or doubling to any such process in the course of a business of manufacturing sewing thread ; or

(v) the coating or impregnation of cloth for the production of oil baize, other oil cloth or leather cloth ; or

(vi) rubber proofing, or the proofing of articles by means of plant operated by workers subject to Wages Regulation Orders made under the Wages Councils Act 1959 pursuant to proposals by the Made-up Textiles Wages Council.

(6) " Making-up and packing " means doing on behalf of other persons being persons who carry on business in the industry by way of spinning, doubling, weaving, finishing or converting the following things—

(*a*) making-up, that is to say, the cutting, rolling or manipulation, into different lengths, folds or shapes, of articles produced by spinning, doubling, weaving or finishing, or the ticketing, tying, parcelling, stamping or marking of such articles for dispatch to a wholesale or retail distributor or to a person carrying on business by way of spinning, doubling, weaving, finishing or converting, or for exportation, and

(*b*) packing, that is to say, the packing of any such articles as aforesaid, or any articles produced by making-up, into packages suitable for such dispatch as aforesaid or suitable for exportation.

(7) "Converting" means causing, by the owner thereof, yarn produced by spinning or doubling or fabric produced by weaving to be subjected (whether by persons employed by him or by other persons for him on commission) to any of the processes of finishing.

2. In this Schedule—

(*a*) "narrow fabrics" means fabrics not exceeding eighteen inches in width with two self edges;

(*b*) "processed animal fibre" means fibre (other than hatters' fur) from the coat or fleece of alpaca, camel, goat, hare, lamb, llama, rabbit, sheep or vicuna which has been subjected to any process of manufacture or recovery;

(*c*) "rayon yarn" means continuous filament rayon thread or yarn spun from staple rayon fibre;

(*d*) "staple rayon fibre" means staple rayon fibre not exceeding three inches in length and includes waste rayon fibre;

(*e*) any reference to rayon fibre, thread or yarn shall include a reference to any other manufactured textile fibre, that is to say fibre which is not the natural growth of a plant or the hair or fleece of an animal or to thread or yarn manufactured otherwise than from such natural fibre, as the case may be, but does not include a reference to asbestos or silk fibre, thread or yarn;

(*f*) "raw silk" means the combined filaments obtained in the process of reeling from cocoons;

(*g*) 'silk" means fibrous matter secreted in the formation of cocoons by silk-worms;

(*h*) "waste silk fibre" means waste obtained from cocoons or from any process;

(*i*) "throwing" means the production of yarn by the subjection of raw silk to the process of twisting together two or more threads or of inserting additional twist; and the further subjection of raw silk so processed to one or both those processes; and the subjection of yarn produced by any of the foregoing processes to any of the processes commonly known as gassing, reeling, warping, beaming and winding, except insofar as the treatment of yarn by any of the last named processes is performed on machinery which forms a subsidiary part of, and is situated in the same mill as plant operated by workers subject to Wages Regulation Orders made under the Wages Councils Act 1959 pursuant to proposals by the Rope, Twine and Net Wages Council, the Flax and Hemp Wages Council or the Jute Wages Council, and such treatment is ancillary to the main operations conducted on such plant:

Provided that throwing shall not include the subjection of yarn to any of the said processes by a person carrying on the business of manufacturing wool textiles for use by him in the course of that business.

SCHEDULE 2

Functions of the Cotton Board

1. Promoting or undertaking inquiry as to equipment, methods of production, management and labour utilisation including the discovery and development of new equipment and methods and of improvements in those already in use, the assessment of the advantages of different alternatives and the conduct of experimental establishments and of tests on a commercial scale.

2. Promoting or undertaking research into matters affecting industrial psychology.

3. Promoting the training of persons engaged or proposing engagement in the industry and their education in technical or artistic subjects relevant thereto.

4. Promoting the adoption of measures for securing safer and better working conditions, and the provision and improvement of amenities for persons employed, and promoting or undertaking inquiry as to such measures.

5. Promoting or undertaking research into the incidence, prevention and cure of industrial diseases.

6. Promoting or undertaking arrangements for encouraging the entry of persons into the industry.

7. Promoting the improvement of accounting and costing practice and uniformity therein, including the formulation of standard costings.

8. Promoting or undertaking the collection and formulation of statistics.

9. Advising on any matters relating to the industry (other than remuneration or conditions of employment) as to which the Board of Trade may request the Board to advise and undertaking inquiry for the purpose of enabling the Board so to advise.

10. Undertaking arrangements for making available information obtained, and for advising, on matters with which the Board are concerned in the exercise of any of their functions.

11. Promoting or undertaking scientific research.

12. Promoting or undertaking inquiry as to materials including the discovery and development of new materials, and of improvements in those already in use, the assessment of the advantages of different alternatives and the conduct of experimental establishments and of tests on a commercial scale.

13. Promoting or undertaking measures for the improvement of design, including promoting or undertaking the establishment and operation of a design centre.

14. Promoting the production and marketing of standard products.

15. Promoting the better definition of trade descriptions and consistency in the use thereof.

16. Undertaking the certification of products, the registration of certification trade marks and the functions of the proprietors of such marks.

17. Promoting or undertaking research for improving arrangements for marketing and distributing products.

18. Promoting or undertaking research into matters relating to the consumption or use of goods supplied by the industry.

19. Promoting arrangements for co-operative organisations for supplying materials and equipment, for co-ordinating production, and for marketing and distributing products.

20. Promoting the development of export trade, including promoting or undertaking arrangements for publicity overseas.

21. Promoting or undertaking arrangements for better acquainting the public in the United Kingdom with the goods supplied by the industry and methods of using them.

SCHEDULE 3

Membership

1. The appointment of a member of the Board shall be for such term as may be determined by the Board of Trade, and, subject to the provisions of this Schedule, a member shall hold and vacate office in accordance with the terms of the instrument appointing him to be a member, as varied with his consent at any time thereafter.

2. A person shall be disqualified for being appointed or being a member of the Board so long as he is a member of the Commons House of Parliament.

3. If a member appointed as an independent member—

(*a*) commences or resumes carrying on business in the industry, or acts in the management of any undertaking the owner of which as such carries on business in the industry, or

(*b*) refuses to sell or dispose of any interest or security held directly or indirectly for his benefit and the retention of which he has been informed by the Board of Trade to be in their opinion likely to affect him in the discharge of his functions, or fails to sell or dispose of any such interest or security within one month after having been requested by the Board of Trade so to do,

the Board of Trade may declare the office of such member to be vacant.

4. There shall be paid by the Board—

(*a*) to the independent members of the Board, or to any of them, such remuneration (whether by way of salaries or by way of fees) as may be determined by the Board of Trade, and on the retirement or death of the Chairman of the Board, such pension or gratuity to him or to others by reference to his service as may be so determined; and

(*b*) to all members of the Board such allowances for expenses as may be so determined.

Proceedings

5. The Board may act notwithstanding a vacancy among the members thereof and at any meeting of the Board three or such greater number as the Board shall determine shall be the quorum.

6. If at any meeting of the Board the votes are equally divided on any question, the person acting as chairman of the meeting shall have a second or casting vote.

7. Minutes shall be kept of the proceedings of the Board and any such minutes shall, if signed by any person purporting to have acted as chairman of the meeting or at a meeting at which they were read be evidence of the proceedings at the first mentioned meeting, and a meeting to which any such minutes relate shall, unless the contrary is proved, be taken to have been regularly convened and constituted.

8. The Board shall have an office at which communications and notices will at all times be received and shall notify to the Board of Trade the address of that office and any change of that address.

Execution and Issue of Instruments

9. The seal of the Board shall be authenticated by the signature of the chairman of the Board or some other member of the Board authorised by the Board to act in that behalf and of the secretary or some other person authorised by the Board so to act.

10. Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Board by any person generally or specially authorised by them for the purpose.

11. Every document purporting to be a document duly executed or issued either under the seal of the Board authenticated in the manner provided by this Schedule or on behalf of the Board, or purporting to be signed by the secretary or any person authorised to act in that behalf, shall until the contrary be proved, be deemed to be a document so executed or issued or so signed as the case may be.

SCHEDULE 4

PART I

For the purposes of head (*c*) of paragraph (5) of Article 6 hereof spindle units shall be calculated as follows:—

(1) a ring spindle or a flyer spindle—

Of a diameter of not more than 1½ inches shall be 1·77 units.

Of a diameter of more than 1½ inches but not more than 2 inches shall be 1·96 units.

Of a diameter of more than 2 inches but not more that 2½ inches shall be 2·25 units.

Of a diameter of more than 2½ inches but not more than 3 inches shall be 2·90 units.

Of a diameter of more than 3 inches but not more than 3½ inches shall be 3·56 units.

Of a diameter of more than 3½ inches but not more than 4 inches shall be 3·89 units.

Of a diameter of more than 4 inches but not more than 4½ inches shall be 4·22 units.

Of a diameter of more than 4½ inches but not more than 5 inches shall be 4·61 units.

Of a diameter of more than 5 inches but not more than 5½ inches shall be 5·04 units.

Of a diameter of more than 5½ inches but not more than 6 inches shall be 5·54 units.

Of a diameter of more than 6 inches but not more than 6½ inches shall be 6·11 units.

Of a diameter of more than 6½ inches but not more than 7 inches shall be 6·48 units.

Of a diameter of more than 7 inches but not more than 7½ inches shall be 7·05 units.

Of a diameter of more than 7½ inches but not more than 8 inches shall be 7·43 units.

Of a diameter of more than 8 inches but not more than 8½ inches shall be 7·80 units.

Of a diameter of more than 8½ inches but not more than 9 inches shall be 8·18 units.

Of a diameter of more than 9 inches but not more than 9½ inches shall be 8·56 units.

Of a diameter of more than 9½ inches shall be 8·94 units.

(2) a twiner spindle shall be 1·29 units.

For the purposes of this Part the diameter of a ring spindle means the diameter of the ring and the diameter of a flyer spindle means the distance between the legs of the flyer.

PART II

For the purposes of head (*d*) of paragraph (5) of Article 6 hereof loom units shall be calculated in relation to any charge as follows:—

(1) in the case of looms working on single shift on the day determined by the Board under that head for the purposes of that charge—

A loom of a width of not more than 42 inches shall be 3 units.

A loom of a width of more than 42 inches but not more than 72 inches shall be 4 units.

A loom of a width of more than 72 inches shall be 5 units.

(2) in the case of looms working on more than one shift on that day—

A loom of a width of not more than 42 inches shall be 5 units.

A loom of a width of more than 42 inches but not more than 72 inches shall be 6¾ units.

A loom of a width of more than 72 inches shall be 8¼ units.

For the purposes of this Part the width of any loom means the maximum space available for the passage of warp threads through that loom.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order amends the Cotton Industry Development Council Order 1948, as amended.

The principal changes are that the industry ceases to be divided into the cotton section and the man-made fibre section, and that it is enlarged by the addition of certain activities carried on in the manufacture of yarn, thread and fabric made of silk or mixture of silk and other materials.

As a consequence—

(*a*) the functions hitherto exercisable in relation to the cotton section only may now be exercised in relation to the industry as a whole;

(*b*) charges imposed by the Cotton Board in respect of any period beginning after 31st March 1964 are to be calculated at the same rates in respect of similar activities throughout the industry. Hitherto charges imposed on the man-made fibre section of the industry have been limited to 11 per cent. of the total charges imposed on the industry.

The principal Order as amended by this Order and previous amending Orders is set out in Schedule II.