STATUTORY INSTRUMENTS

1966 No. 245

INDUSTRIAL TRAINING

The Industrial Training (Carpet Board) Order 1966

Made - - -	*7th March* 1966
Laid before Parliament	*9th March* 1966
Coming into Operation	*18th March* 1966

The Minister of Labour (hereinafter referred to as " the Minister ") after consultation with organisations and associations of organisations appearing to be representative respectively of substantial numbers of employers engaging in the activities hereinafter mentioned and of substantial numbers of persons employed in those activities and by virtue of the powers conferred on him by section 1 of, and paragraphs 1 and 7 of the Schedule to, the Industrial Training Act 1964(a) (hereinafter referred to as " the Act ") and of all other powers enabling him in that behalf hereby makes the following Order:—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Industrial Training (Carpet Board) Order 1966 and shall come into operation on 18th March 1966.

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

Establishment of Industrial Training Board

2. An industrial training board to be known as the Carpet Industry Training Board (hereinafter referred to as " the Board ") is hereby established to exercise in relation to the activities specified in Schedule 1 to this Order as the activities of the carpet industry the functions conferred on industrial training boards by the Act.

Membership and proceedings of the Board

3. The provisions of Schedule 2 to this Order shall have effect in relation to the Board.

7th March 1966.

R. J. Gunter,
Minister of Labour.

SCHEDULE 1

THE CARPET INDUSTRY

1. Subject to the provisions of this Schedule, the activities of the carpet industry are the carrying out of the following activities in Great Britain:—

(a) the manufacture of carpets, carpeting, carpet underlays, mats, matting, rugs or similar floor coverings;

(a) 1964 c. 16. (b) 52 & 53 Vict. c. 63.

(b) any of the following operations when carried out by the manufacturer of any of the foregoing products for the purposes of his manufacture thereof—

(i) the manufacture of pressed or needle felt;

(ii) sorting, treating, dyeing, using or consuming textile fibres, or packing, re-packing or warehousing such fibres;

(iii) carding, combing or re-combing textile fibres;

(iv) making rovings from textile fibres or spinning yarn; or

(v) twisting, doubling, folding, winding, warping, warp dressing, beaming, reeling, curling, sizing or dyeing yarn or any other process in the preparation of yarn for further processing;

(c) any activities, being—

(i) related activities incidental or ancillary to principal activities of the carpet industry; or

(ii) activities undertaken in the administration, control or direction of one or more establishments engaged wholly or mainly in principal activities of that industry, in related activities incidental or ancillary thereto, or in the administration, control or direction of one or more establishments engaged in such principal or related activities;

and carried out, in either case, by the employer engaged in those principal activities or, where that employer is a company, by the company or by an associated company of the company;

(d) any activities of industry or commerce (other than carpet activities) carried out at or from an establishment mainly engaged—

(i) in carpet activities; or

(ii) in carpet activities and in activities described in the Appendix to this Schedule, but to a greater extent in carpet activities than in activities described in that Appendix in relation to any one industry.

2. Notwithstanding anything contained in this Schedule, there shall not be included in the activities of the carpet industry:—

(a) the activities of any establishment engaged—

(i) mainly in activities not being carpet activities or activities described in the Appendix to this Schedule; or

(ii) to a less extent in carpet activities than in activities described in that Appendix in relation to any one industry;

(b) the activities of any establishment engaged wholly or mainly in the activities following or any of them, that is to say—

(i) the manufacture of any products (not being needle felt products) wholly or mainly from jute or cork, or wholly from rubber;

(ii) the manufacture wholly or mainly from candlewick or terry towelling of mats, rugs or toilet sets;

(iii) the manufacture of any products (not being woven) wholly or mainly from plastics material;

(iv) the manufacture of linoleum or similar floor coverings; or

(v) the repair of mechanically propelled vehicles used on roads;

(c) the supply of food or drink for immediate consumption;

(d) the activities of any company, association or body that is required by its constitution to apply its profits, if any, or other income in promoting its objects and is prohibited thereby from paying any dividend to its members, and that has for its sole or principal object or among its principal objects the provision of facilities for any of the purposes mentioned in section 15(1) of the Disabled Persons (Employment) Act 1944(**a**) (which relates to the provision for registered persons who are seriously disabled of employment or work on their own account under special conditions and of training for such employment or work); or

(e) the activities of any local authority in the provision of sheltered employment carried on in accordance with arrangements under section 3 of the Disabled Persons (Employment) Act 1958(**b**), or under section 29 of the National Assistance Act 1948(**c**) as extended by section 8(2) of the Mental Health Act 1959(**d**) and section 8(2) of the Mental Health (Scotland) Act 1960(**e**), or under section 31 of the National Assistance Act 1948 (as substituted by the National Assistance Act 1948 (Amendment) Act 1962(**f**)), or under section 28 of the National Health Service Act 1946(**g**) as extended by section 6 of the Mental Health Act 1959, or under section 27 of the National Health Service (Scotland) Act 1947(**h**) as extended by section 7 of the Mental Health (Scotland) Act 1960.

3.—(1)In this Schedule:—

(a) " carpet activities " means any one or more of the principal activities of the carpet industry or of the activities included in that industry by virtue of paragraph 1*(c)* of this Schedule;

(b) " company " includes any body corporate, and " subsidiary " has the same meaning as by virtue of section 154 of the Companies Act 1948(**i**) it has for the purposes of that Act;

(c) " manufacture " includes any process or operation incidental to manufacture;

(d) " office premises " has the same meaning as in section 1(2) of the Offices, Shops and Railway Premises Act 1963(**j**);

(e) " principal activities of the carpet industry " means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs *(c)* and *(d)* thereof, as activities of the carpet industry;

(f) " related activities " means any of the following activities, that is to say—

(i) research, development, design or drawing;

(ii) buying, selling, letting out on hire, testing, advertising, packing, distribution, delivery, transport or any similar operations;

(iii) operations of a kind performed at office premises or laboratories, at stores, warehouses or similar places or at garages;

(iv) training of employees or apprentices;

(g) " rubber " means the following products, whether or not vulcanised or hardened, that is to say, natural rubber, balata, gutta percha, and similar natural gums, synthetic rubber and factice derived from oils and such substances reclaimed;

(**a**) 7 & 8 Geo. 6. c. 10. (**b**) 6 & 7 Eliz. 2. c. 33. (**c**) 11 & 12 Geo. 6. c. 29.
(**d**) 7 & 8 Eliz. 2. c. 72. (**e**) 8 & 9 Eliz. 2. c. 61. (**f**) 10 & 11 Eliz. 2. c. 24.
(**g**) 9 & 10 Geo. 6. c. 81. (**h**) 10 & 11 Geo. 6. c. 27. (**i**) 11 & 12 Geo. 6. c. 38.
(**j**) 1963 c. 41.

(h) " rugs " does not include articles consisting mainly of skins with their wool on, or of furskins;

(i) " textile fibres " means fibres consisting of, or including, more than 15 per cent. by weight of—

(i) animal fibres of any kind or mixture;

(ii) the waste of any such fibres; or

(iii) any mixture of such fibres or waste;

and includes any other fibres or continuous filaments when used or intended for use in a textile factory for the production of yarn or fabric by a system of manufacture commonly employed in the production of woollen or worsted yarn or fabric;

(j) " yarn " means yarn consisting of textile fibres.

(2) For the purposes of this Schedule two companies shall be taken to be associated companies if one is a subsidiary of the other, or both are subsidiaries of a third company, and " associated company " shall be construed accordingly.

APPENDIX

The activities that would be included in an industry specified in Column 1 hereof by virtue of the industrial training order specified in the corresponding entry in Column 2, if the provisions specified in Column 3 were omitted from that order.

Column 1	Column 2	Column 3
The wool industry	The Industrial Training (Wool Industry Board) Order 1964(**a**)	Schedule 1 Paragraph 1*(k)*
The iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964(**b**)	Schedule 1 Paragraph 1*(j)*
The construction industry	The Industrial Training (Construction Board) Order 1964(**c**)	Schedule 1 Paragraph 1*(h)*
The engineering industry	The Industrial Training (Engineering Board) Order 1964(**d**)	Schedule 1 Paragraph 1*(i)*
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964(**e**)	Schedule 1 Paragraph 1*(d)*
The ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965(**f**)	Schedule 1 Paragraph 1*(n)*

(**a**) S.I. 1964/907 (1964 II, p. 1928).
(**b**) S.I. 1964/949 (1964 II, p. 2127).
(**c**) S.I. 1964/1079 (1964 II, p. 2384).
(**d**) S.I. 1964/1086 (1964 II, p. 2402).
(**e**) S.I. 1964/1782 (1964 III, p. 3928).
(**f**) S.I. 1965/1391 (1965 II, p. 4062).

APPENDIX (*continued*)

Column 1	Column 2	Column 3
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(**a**)	Schedule 1 Paragraph 1*(r)*
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(**b**)	Schedule 1 Paragraph 1*(d)*
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(**c**)	Schedule 1 Paragraph 1*(j)*

SCHEDULE 2

MEMBERSHIP

1. The appointment of a member of the Board shall be for such term as the Minister may determine 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.

2. A person who has held office as a member of the Board shall be eligible for reappointment.

3. A member of the Board may resign his office by notice in writing to the Minister and the resignation shall have effect on such date as the Minister shall appoint.

4. If a member of the Board—

(a) is absent from meetings of the Board for more than six months consecutively, unless his absence is due to illness or some other reason approved by the Minister; or

(b) becomes in the opinion of the Minister unfit to continue in office or incapable of performing his duties;

the Minister may declare the office of that member to be vacant and shall notify the fact in such manner as he shall think fit, and thereupon the office of the member shall become vacant.

PROCEEDINGS AND MEETINGS

5. At a meeting of the Board one-third of the members shall be the quorum, or if the number so ascertained includes a fraction the nearest higher whole number of members.

6. The chairman or if absent the deputy chairman (if any) shall preside at all meetings of the Board at which he shall be present, but if at any meeting the said chairman and any deputy chairman be not present within 10 minutes of the time appointed for holding the meeting the members present shall choose some one of their number to be chairman of the meeting.

(**a**) S.I. 1965/2028 (1965 III, p. 5998). (**b**) S.I. 1966/143.
(**c**) S.I. 1966/246.

7. At a meeting of the Board a resolution put to the vote on any matter not relating to the imposition of a levy shall be decided on a show of hands of the members present and voting; each member shall have one vote and if the votes are equally divided the chairman of the meeting shall have a second or casting vote.

8.—(1) If at a meeting of the Board a resolution relating to the imposition of a levy is put to the vote of the members appointed as mentioned in paragraph 3*(a)* of the Schedule to the Act, each such member shall have one vote, and the resolution shall be decided on a show of hands of those members present and voting unless a poll is demanded by any such member (before or on the declaration of the result of the show of hands) in which case the poll shall be taken forthwith and the votes may be given either personally or by proxy.

(2) The instrument appointing a proxy shall be in writing under the hand of the appointor, and the proxy shall be a member of the Board appointed as mentioned in paragraph 3*(a)* of the Schedule to the Act.

(3) An instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:—

> I..... of.....in the county of..... being a member of the Carpet Industry Training Board appointed as mentioned in paragraph 3*(a)* of the Schedule to the Industrial Training Act 1964, hereby appoint .....of ..... or failing him ..... of ..... as my proxy to vote for me on my behalf on any matter relating to the imposition of a levy at the meeting of the said Board to be held on the ..... day of ..... 19..... and at any adjournment thereof.
>
> Signed this ..... day of ..... 19.....

(4) A vote given in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy, provided that no intimation in writing of any such death, insanity or revocation shall have been received by the Board at its office before the commencement of the meeting or adjourned meeting at which the proxy is used.

9. 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.

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

Execution and Issue of Instruments

11. 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.

12. 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 other person, being a member, officer or servant of the Board 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.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made under the Industrial Training Act 1964, establishes an industrial training board to be known as the Carpet Industry Training Board, and defines the industry to which it relates. Provision is made as to the membership of the Board and its meetings and proceedings.

(821084/5/3) (C88) K80 3/66 McC.

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