STATUTORY INSTRUMENTS

1969 No. 689

INDUSTRIAL TRAINING

The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1969

Made - - -	*13th May* 1969
Laid before Parliament	*27th May* 1969
Coming into Operation	*30th May* 1969

The Secretary of State after consultation with the Ceramics, Glass and Mineral Products Industry Training Board and 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 with a body established for the purpose of carrying on under national ownership an industry in which the said activities are carried on to a substantial extent and in exercise of her powers under section 9 of the Industrial Training Act 1964(**a**) and of all other powers enabling her in that behalf hereby makes the following Order :—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1969 and shall come into operation on 30th May 1969.

(2) In this Order—

(*a*) "the Act" means the Industrial Training Act 1964 ;

(*b*) "the Board" means the Ceramics, Glass and Mineral Products Industry Training Board ;

(*c*) "levy Order" means the Industrial Training Levy (Ceramics, Glass and Mineral Products) Order 1967(**b**), or the Industrial Training Levy (Ceramics, Glass and Mineral Products) Order 1968(**c**) ;

(*d*) "the principal Order" means the Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965(**d**).

(3) The Interpretation Act 1889(**e**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the principal Order were Acts of Parliament.

Activities of the Board

2. The activities in relation to which the Board exercises the functions conferred by the Act upon industrial training boards shall, in lieu of the activities specified in Schedule I to the principal Order, be the activities specified in the Schedule to this Order, and accordingly in the principal Order the latter Schedule shall be substituted for the former Schedule.

(**a**) 1964 c.16.
(**b**) S.I. 1967/841 (1967 II, p.2507).
(**c**) S.I. 1968/342 (1968 I, p.976).
(**d**) S.I. 1965/1391 (1965 II, p.4062).
(**e**) 1889 c. 63.

Transitional provisions

3.—(1) The chairman and other members of the Board on the day upon which this Order comes into operation shall continue to be members of the Board and to hold and vacate their offices in accordance with the terms of the instruments appointing them to be members.

(2) The provisions of this Order shall not—

(*a*) extend the operation of either levy Order;

(*b*) affect the operation of either levy Order in relation to the assessment of an employer within the meaning of that Order in respect of an establishment engaged in the first levy period or the second levy period, as the case may be, wholly or mainly in activities included in the Schedule to this Order;

(*c*) affect the operation of any assessment notice served by the Board under the provisions of either levy Order before the date upon which this Order comes into operation or any appeal or other proceedings arising out of any such notice.

13th May 1969.

Barbara Castle,
First Secretary of State and
Secretary of State for Employment and Productivity.

Article 2

SCHEDULE

The Ceramics, Glass and Mineral Products Industry

1. Subject to the provisions of this Schedule, the activities of the ceramics, glass and mineral products industry are the following activities in so far as they are carried out in Great Britain:—

(*a*) the lifting or extracting of mineral deposits or products of minerals from the earth or of mineral deposits from the bed of a lake or river or of the sea;

(*b*) the crushing, grinding, washing, drying, grading or screening of sand, gravel or fluorspar;

(*c*) the crushing, grinding, washing, drying, foaming, grading, screening, cutting, splitting, dressing, polishing or mixing of mineral deposits (not being sand, gravel or fluorspar) or products of minerals or any similar operation, being activities carried out—

(i) by an employer (or an associated company of the employer, being a company) engaged in any activities specified in sub-paragraph (*a*) of this paragraph; and

(ii) on land in or adjacent to a mine or quarry and in conjunction with the operation thereof;

(*d*) the burning of limestone or the hydration of lime;

(*e*) the production of cement, plaster, or whiting;

(*f*) the production of ready-mixed concrete or ready-mixed mortar or the batching or mixing of ingredients in connection with such production;

(*g*) the exfoliation of vermiculite or any similar material;

(*h*) the production of coated material for the purpose of the construction or repair of roads or footways;

(*i*) the processing of slag, clinker or breeze;

(*j*) the manufacture of—

(i) articles consisting mainly of bonded abrasive material or coated with abrasive material;

(ii) glass;

(iii) calcium silicate bricks;

(*k*) the manufacture of articles or other products wholly or mainly from—

(i) asbestos cement;

(ii) clay or any mixture of clay and calcined or burnt animal bones;

(iii) concrete, cast stone, or cement, or from any mixture of aggregate together with a cementing or bonding agent;

(iv) glass;

(v) plaster; or

(vi) one or more refractory materials;

(*l*) the manufacture, wholly or mainly from concrete and tiles or from stone set in concrete, of fire-places;

(*m*) the milling, grinding or mixing of any material for the purpose of the manufacture of pottery;

(*n*) the calibrating, graduating or toughening of glass or glass articles;

(*o*) any activities, being—

(i) related activities incidental or ancillary to principal activities of the ceramics, glass and mineral products industry; or

(ii) activities undertaken in the administration, control or direction of one or more establishments, being 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 other 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;

(*p*) any activities of industry or commerce (other than ceramics, glass and mineral products activities) carried out at or from an establishment mainly engaged—

(i) in ceramics, glass and mineral products activities; or

(ii) in ceramics, glass and mineral products activities and in activities described in the Appendix to this Schedule, but to a greater extent in ceramics, glass and mineral products 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 ceramics, glass and mineral products industry:—

(*a*) the activities of any establishment engaged—

(i) mainly in activities not being ceramics, glass and mineral products activities or activities described in the Appendix to this Schedule; or

(ii) to a less extent in ceramics, glass and mineral products 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 related activities, being activities –

(i) incidental or ancillary to the activities of one or more establishments (in this sub-paragraph hereafter referred to as "the principal establishment") engaged wholly or mainly in any activities not being principal activities of the ceramics, glass and mineral products industry ; and

(ii) carried out by the employer carrying on the principal establishment or, where that employer is a company, by the company or by an associated company of the company ;

(*c*) the activities of any establishment engaged wholly or mainly in one or more activities of a kind specified in an entry in the second column of the next following Table (being activities undertaken in relation to all or any of the products comprised in the group specified in the corresponding entry in the third column of that Table) or in two or more of such entries:

TABLE

No.	*Activities*	*Group of Products*
1.	Quarrying, mining or (for the purpose of smelting) treatment or preparation.	Iron ore.
2.	Quarrying, in association with any of the following activities, that is to say, quarrying or mining iron ore, treating or preparing iron ore for smelting, smelting iron ore in a blast furnace with or without other metalliferous materials, producing iron by any other process or producing steel by any process.	Limestone.
3.	Getting, winning, screening or washing.	Coal.
4.	Preparation for building or monumental purposes.	Stone.
5.	Manufacture.	Industrialised building components or sections and prefabricated buildings or sections of buildings, being components, sections or buildings framed in wood.
6.	Construction on the premises on which they are to be installed or prefabrication elsewhere by the employer engaged in the installation.	Shop, office or similar fittings.
7.	Cutting, bevelling, silvering or decorating.	Flat glass.
8.	Manufacture, where the manufacturer is engaged in the installation thereof.	Leaded lights and leaded windows.

No.	*Activities*	*Group of Products*
9.	Manufacture.	(*a*) Ophthalmic lenses and articles embodying a lens or prism. (*b*) Primary cells, batteries and electric accumulators. (*c*) Electric cables, electric filament lamps, electric discharge lamps and photographic flashbulbs. (*d*) Thermionic, cold cathode or photo-cathode valves or tubes, cathode-ray tubes and electric capacitors or resistors. (*e*) Micro-electronic circuits, devices using ferrite or quartz crystals for electrical purposes and semi-conductor or piezo-electric devices.
10.	Machining.	Carbon articles.
11.	Manufacture.	Painters' rollers.
12.	Manufacture.	Woven fabrics.
13.	Searching, boring for or getting.	Petroleum.
14.	Processing.	Plastics material.
15.	Manufacture.	Printers' rollers.
16.	Manufacture.	Buttons.
17.	Manufacture.	(*a*) Natural or synthetic pigments and their intermediates. (*b*) Carbon black, activated carbon and diamonds. (*c*) Paints of any kind, enamels (not being vitreous enamels), lacquers, stains and varnishes. (*d*) Medical or pharmaceutical products. (*e*) Cosmetic or toilet compounds, mixtures and preparations.
18.	Manufacture (not being an activity mentioned in paragraph 1(*c*) or 1(*d*) of this Schedule).	Fertilisers and conditioners of the soil.
19.	Pumping or raising from a shaft, well, spring or mine or from the sea or processing.	Brine.
20.	Mining.	Rock salt.
21.	Processing or manufacture of any derivative therefrom.	Fuller's earth.
22.	Manufacture.	(*a*) Toys. (*b*) Jewellery. (*c*) Artificial teeth or crowns for teeth.

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

(i) any operations in building or civil engineering work ;

(ii) any operations in agriculture or horticulture ;

(iii) display writing ; or

(iv) dredging for the primary purpose of maintaining or improving the navigation of a harbour, estuary or water-way or for the benefit of vessels coming to, leaving or using any dock or other premises ;

(*e*) the activities of a harbour authority when acting in that capacity ;

(*f*) the activities of a local authority ;

(*g*) 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 work or training) ;

(*h*) any work, occupation or training that is provided in accordance with arrangements made by a local authority under the Disabled Persons (Employment) Act 1958(**b**) or any other enactment that authorises or requires the provision of arrangements for persons suffering from illness, severe physical defect or disability or from mental disorder, or for persons who have been suffering from illness or whose care is undertaken with a view to preventing them from becoming ill, or for old people ;

(*i*) dock work performed by a registered dock worker ; or

(*j*) the supply of food or drink for immediate consumption.

3. In this Schedule unless the context otherwise requires—

"aggregate" includes clinker, fly-ash, shale, slag, vermiculite and similar materials and wood wool ;

"articles" includes parts and components of articles ;

"asbestos" means any fibrous silicate mineral or any admixture containing any such mineral whether crude, crushed or opened ;

"building or civil engineering work" means—

(*a*) the construction, alteration, repair or demolition of a building or part of a building or of an erection in the nature of a building ;

(*b*) the construction or demolition of a railway-line, siding or monorail ;

(*c*) the construction, structural alteration, repair or demolition of any aerodrome, airport, bridge, road, viaduct, dock, harbour, pier, quay, wharf, coast protection, river or drainage work, aqueduct, canal, inland navigation, reservoir, waterworks, bore-hole, well (other than an oil well), filter bed, sewage works, sewer, cooling tower or pond, tunnel, heading, adit, chimney, furnace, carbonising or gas-making plant, nuclear or thermal power station, hydro-electric station, electric line or any structure designed for its support, cable trench or duct, oil refinery, pipe-line or defence installation ;

(*d*) the sinking of a shaft or bore-hole in a mine of coal, stratified ironstone, shale or fireclay, or the construction of a road below ground in such a mine ;

(*e*) the construction or repair of a swimming pool or other bathing place, or of a playing field or ground for sporting or recreational purposes, or the laying out of a cemetery ;

(**a**) 1944 c. 10. (**b**) 1958 c.33.

(*f*) the preparation of the site or the laying down of a foundation or sub-structure in connection with any operations above mentioned in this definition or with the erection of structural metalwork ;

(*g*) the manufacture, wholly or mainly from concrete or cast stone, on the site, and for the purposes, of any operations above-mentioned in this definition, of any of the following products, that is to say, industrialised building components or sections, prefabricated buildings or sections of buildings, beams, columns, piles, caissons, tunnel segments or other civil engineering sections or structures or parts of structures ;

(*h*) the working of coal by opencast operations or the screening, washing or other preparation of coal on the site of opencast workings ; or

(*i*) the restoration of land affected by the working of coal by opencast operations, or of land which has been excavated in the course of winning or working ironstone by opencast operations ;

"cement" includes Portland cements, high alumina cements and cements of a similar character ;

"ceramics, glass and mineral products activities" means any one or more of the principal activities of the ceramics, glass and mineral products industry and the activities included in that industry by virtue of paragraph 1(*o*) of this Schedule ;

"clay" includes shale, brick earth, China stone and any similar materials ;

"coal" means bituminous coal, cannel coal or anthracite ;

"coated material" means any mixture consisting of bitumen, tar or asphalt together with slag or one or more minerals ;

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

"concrete" includes pre-cast, pre-stressed, reinforced or autoclaved aerated concrete ;

"dock work" and "registered dock worker" have the same meanings as in the Docks and Harbours Act 1966(**b**) ;

"fire-places" includes any mantelpiece, curb or other part of the surround ;

"glass" includes glass fibres and laminated glass ;

"harbour authority" means a harbour authority within the meaning of the Harbours Act 1964(**c**) ;

"jewellery" includes any articles of personal adornment, whether or not containing stones ;

"local authority" means—

(*a*) in relation to England and Wales, a local authority within the meaning of the Local Government Act 1933(**d**) or the Common Council of the City of London, and includes a joint board or joint committee of such authorities ;

(*b*) in relation to Scotland, a county council, town council or district council, and includes any joint board or joint committee of such authorities appointed under any enactment, order or scheme ;

(**a**) 1948 c.38.
(**b**) 1966 c. 28.
(**c**) 1964 c.40.
(**d**) 1933 c.51.

"manufacture" includes assembly and any process or operation incidental or appertaining to manufacture or assembly;

"mine" and "quarry" have the same meanings as in the Mines and Quarries Act 1954(a);

"mineral deposits" includes any natural deposits (except peat) capable of being lifted or extracted from the earth or from the bed of a lake or river or of the sea;

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

"petroleum" includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata, but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation;

"plaster" means calcium sulphate, lime plaster or plaster of a similar character;

"plastics material" means any material made wholly or mainly by addition, polyaddition, condensation, polycondensation, polymerisation, copolymerisation, esterification or other similar chemical process, or regenerated or modified cellulose, or hardened proteins, or natural resin modified by fusion or esterification, and includes any such material reinforced by, or bonding, glass fibres;

"principal activities of the ceramics, glass and mineral products industry" means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs (*o*) and (*p*) thereof, as activities of the ceramics, glass and mineral products industry;

"processing" in relation to plastics material means any of the following operations, that is to say, masticating, compounding, mixing, calendering, extruding, moulding, pressing, thermoforming, blowing, casting, dipping, coating, encapsulating, heat sealing, laminating, filament winding, machining, cutting, vulcanising or foaming;

"refractory materials" includes andalusite, bauxite, chromite, dolomite, fireclay, ganister, kyanite, magnesite, mica, silica and sillimanite;

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

(*a*) research, development, design or drawing;

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

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

(*d*) cleaning, washing or garaging vehicles, or carrying out running repairs or minor adjustments thereto;

(*e*) training of employees or apprentices;

"site" in relation to any operations mentioned in heads (*a*) to (*f*) of the definition of "building or civil engineering work" contained in this paragraph, includes any place other than the site of such operations if that place is occupied temporarily by the person carrying out such operations for the manufacture, wholly or mainly from concrete or cast stone and solely for the purposes of the said operations, of any products specified in head (*g*) of the said definition.

4.—(1) References in this Schedule to the provisions of any enactment shall be construed as references to those provisions as amended by or under any subsequent enactment.

(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.

(a) 1954 c. 70. (b) 1963 c. 41.

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, jute and flax industry	The Industrial Training (Wool Industry Board) Order 1964 as amended by the Industrial Training (Wool, Jute and Flax Board) Order 1968(a)	Schedule 1 Paragraph 1(*s*)
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 as amended by the Industrial Training (Construction Board) Order 1967(c)	Schedule 1 Paragraph 1(*l*)
The engineering industry	The Industrial Training (Engineering Board) Order 1964 as amended by the Industrial Training (Engineering Board) Order 1968(d)	Schedule 1 Paragraph 1(*m*)
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964 as amended by the Industrial Training (Shipbuilding Board) Order 1968(e)	Schedule 1 Paragraph 1(*g*)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(f)	Schedule 1 Paragraph 1(*r*)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(g)	Schedule 1 Paragraph 1(*d*)
The carpet industry	The Industrial Training (Carpet Board) Order 1966 as amended by The Industrial Training (Carpet Board) Order 1968(h)	Schedule 1 Paragraph 1(*f*)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(i)	Schedule 1 Paragraph 1(*j*)
The cotton and allied textiles industry	The Industrial Training (Cotton and Allied Textiles Board) Order 1966(j)	Schedule 1 Paragraph 1(*p*)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966(k)	Schedule 1 Paragraph 1(*m*)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966(l)	Schedule 1 Paragraph 1(*o*)

(a) S.I. 1964/907, 1968/898 (1964 II, p. 1928; 1968 II, p. 2376).
(b) S.I. 1964/949 (1964 II, p. 2127).
(c) S.I. 1964/1079, 1967/924 (1964 II, p. 2384; 1967 II, p. 2757)
(d) S.I. 1964/1086, 1968/1333 (1964 II, p. 2402; 1968 II, p. 3694).
(e) S.I. 1964/1782, 1968/1614 (1964 III, p. 3928; 1968 III, p. 4432).
(f) S.I. 1965/2028 (1965 III, p. 5998).
(g) S.I. 1966/143 (1966 I, p. 257).
(h) S.I. 1966/245, 1968/1882 (1966 I, p. 499; 1968 III, p. 5017).
(i) S.I. 1966/246 (1966 I, p. 506).
(j) S.I. 1966/823 (1966 II, p. 1907).
(k) S.I. 1966/969 (1966 II, p. 2333).
(l) S.I. 1966/1112 (1966 III, p. 2712).

APPENDIX (contd.)

Column 1	Column 2	Column 3
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966(a)	Schedule 1 Paragraph 1(*e*)
The civil air transport industry	The Industrial Training (Civil Air Transport Board)Order 1967(b)	Schedule 1 Paragraph 1(*h*)
The petroleum industry	The Industrial Training (Petroleum Board) Order 1967(c)	Schedule 1 Paragraph 1(*h*)
The rubber and plastics processing industry	The Industrial Training (Rubber and Plastics Processing Board) Order 1967(d)	Schedule 1 Paragraph 1(*k*)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(e)	Schedule 1 Paragraph 1(*s*)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(f)	Schedule 1 Paragraph 1(*j*)
The printing and publishing industry	The Industrial Training (Printing and Publishing Board) Order 1968(g)	Schedule 1 Paragraph 1(*n*)
The distributive industry	The Industrial Training (Distributive Board) Order 1968(h)	Schedule 1 Paragraph 1(*h*)
The food, drink and tobacco industry	The Industrial Training (Food, Drink and Tobacco Board) Order 1968(i)	Schedule 1 Paragraph 1(*q*)
The footwear, leather and fur skin industry	The Industrial Training (Footwear, Leather and Fur Skin Board) Order 1968(j).	Schedule 1 Paragraph 1(*v*)

(a) S.I. 1966/1347 (1966 III, p. 3669).
(b) S.I. 1967/263 (1967 I, p. 968).
(c) S.I. 1967/648 (1967 I, p. 2032).
(d) S.I. 1967/1062 (1967 II, p. 3151).
(e) S.I. 1967/1386 (1967 III, p. 4049).
(f) S.I. 1968/787 (1968 II, p. 2194).
(g) S.I. 1968/786 (1968 II, p. 2185).
(h) S.I. 1968/1032 (1968 II, p. 2709).
(i) S.I. 1968/1033 (1968 II, p. 2721).
(j) S.I. 1968/1763 (1968 III, p. 4785).

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Ceramics, Glass and Mineral Products Industry Training Board was established on 23rd July 1965 by the Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965, which defined the ceramics, glass and mineral products industry in relation to which the Board exercises its functions. This Order re-defines that industry. The principal changes in the definition are set out below.

Among the activities henceforth to be included in the industry are :

(*a*) the crushing, grinding, washing, drying, grading or screening of sand, gravel or fluorspar whether or not carried out on land adjacent to a mine or quarry ;

(*b*) the processing of clinker or breeze ;

(*c*) the manufacture of articles from any mixture of clay and calcined or burnt animal bones.

The manufacture of prefabricated buildings or sections of buildings will henceforth be excluded from the industry only where they are framed in wood or are constructed on a building or civil engineering site wholly or mainly from concrete or cast stone.