STATUTORY INSTRUMENTS

1966 No. 823

INDUSTRIAL TRAINING

The Industrial Training (Cotton and Allied Textiles Board) Order 1966

Made - - - -	*6th July* 1966
Laid before Parliament	18*th July* 1966
Coming into Operation	20*th July* 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 (Cotton and Allied Textiles Board) Order 1966 and shall come into operation on 20th July 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 Cotton and Allied Textiles 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 cotton and allied textiles 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.

Signed by order of the Minister of Labour.

6th July 1966.

Shirley Williams,
Parliamentary Secretary.
Ministry of Labour.

(a) 1964 c. 16. (b) 1889 c. 63.

SCHEDULE 1

THE COTTON AND ALLIED TEXTILES INDUSTRY

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

(*a*) "spinning", that is to say, the production from fibres of single yarns containing not less than 85 per cent. by weight of—

(i) cotton fibres;

(ii) staple man-made fibres (not exceeding 3 inches in length);

(iii) asbestos fibres;

(iv) the waste, howsoever derived, of any such fibres or of silk fibres; or

(v) any mixture of such fibres or waste;

(*b*) the production of core yarns;

(*c*) the covering by yarn of rubber threads or elastomeric threads;

(*d*) "throwing", that is to say, the production of yarns from raw silk, continuous filaments or any combination of such silk or filaments by the process of twisting together two or more threads or of inserting additional twist, or the further subjection of yarns so processed to either or both of those processes;

(*e*) "doubling", that is to say, the subjection of—

(i) yarns produced by spinning or throwing;

(ii) continuous filaments;

(iii) core yarns; or

(iv) threads of rubber or elastomer covered by yarn;

to the process of twisting together two or more yarns or threads, or of inserting additional twist, or the further subjection of any yarns or threads so processed to either or both of those processes;

(*f*) "weaving", that is to say, the production on looms connected with mechanical power of textile fabrics containing not less than 85 per cent. by weight of—

(i) yarns produced by spinning, throwing or doubling;

(ii) core yarns;

(iii) continuous filaments;

(iv) threads of rubber or elastomer covered by yarn;

(v) raw silk; or

(vi) any mixture of such yarns, filaments, threads or silk;

(*g*) the bonding of any fibres of a kind used in spinning, or the bonding or laminating of any fabrics produced by weaving;

(*h*) the cutting of loops of any pile fabrics produced by weaving, or the tufting of any fabrics produced by weaving;

(*i*) the manufacture, stitching or decorating of any of the following products, that is to say—

(i) surgical dressings, towels, napkins, sanitary towels, table napery, sheets, bolster or pillow cases, candlewick bedspreads, counterpanes, mattress covers, tea-cloths, dust sheets, shrouds, dusters or cleaning or polishing cloths;

(ii) blankets, bedspreads, scarves or stoles, being products made from fabrics produced by weaving;

(iii) mats, rugs or toilet sets, being wholly or mainly candlewick or terry towelling products;

(*j*) the manufacture of narrow fabrics, cut-edge ribbons, weftless ribbons, fancy cords, woven tapes, bias bindings, tassels or wicks ;

(*k*) " finishing ", that is to say, the subjection of—

(i) raw cotton ;

(ii) cotton waste ;

(iii) staple man-made fibres (not exceeding 3 inches in length) ;

(iv) asbestos fibres ;

(v) rovings ;

(vi) yarns produced by spinning, throwing or doubling ;

(vii) continuous filaments ;

(viii) core yarns ;

(ix) threads of rubber or elastomer covered by yarn ;

(x) raw silk ;

(xi) any fabrics produced by weaving ; or

(xii) any products mentioned in sub-paragraphs (*i*) and (*j*) of this paragraph ;

to any of the processes of scouring, heat cleaning, bleaching, mercerising, polishing, tinting, dyeing, printing, embossing, schreinering, beetling, calendering, raising, stentering, shrinking, cropping, shearing, singeing, filling, pressing, proofing, impregnation or coating or to any similar process which effects a change in the appearance or characteristics of those products ;

(*l*) making-up and packing undertaken for employers engaged in, or for persons arranging the carrying out on commission of, any of the activities of spinning, throwing, doubling, weaving or finishing ;

(*m*) the collection, sorting, treating or reclamation of cotton waste, cotton linters or the waste of any man-made fibres, or the manufacture of engine cleaning waste ;

(*n*) arranging, either directly or through another person, for the carrying out on commission of any of the foregoing activities ;

(*o*) any activities, being—

(i) related activities incidental or ancillary to principal activities of the cotton and allied textiles 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 cotton and allied textiles activities) carried out at or from an establishment mainly engaged—

(i) in cotton and allied textiles activities ; or

(ii) in cotton and allied textiles activities and in activities described in the Appendix to this Schedule, but to a greater extent in cotton and allied textiles 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 cotton and allied textiles industry :—

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

(i) mainly in activities not being cotton and allied textiles activities or activities described in the Appendix to this Schedule ; or

(ii) to a less extent in cotton and allied textiles 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 carpets, carpeting, carpet underlays or matting, of mats or rugs (not being wholly or mainly candlewick or terry towelling products), or of similar floor coverings;

(ii) the manufacture of knitted articles and, when carried out by an employer engaged in the manufacture of such articles, the manufacture of any articles from knitted fabrics or from shaped pieces of material being knitted articles;

(iii) the dyeing, finishing or printing of knitted articles and, when carried out by an employer engaged in the dyeing, finishing or printing of such articles, the dyeing or finishing of yarns for the purpose of the manufacture of knitted articles;

(iv) the manufacture of bonded or laminated fabrics embodying any knitted fabric, lace, lace net or embroidery;

(v) the manufacture (including the punching of Jacquard or similar cards), dyeing, dressing, printing or finishing of lace, lace net or embroidery;

(vi) when carried out for the purposes of the manufacture, rigging or repair of knotted or spliced netting or nets, by hand or by machine, by an employer engaged as aforesaid, the spinning, throwing, twisting or doubling of any textile fibres;

(vii) the making or re-making of rope, cord, core for wire ropes, lines, twine, string or similar articles not being fancy cords;

(viii) the conversion of man-made fibres into tops for use in any process using textile fibres other than any fibres containing not less than 85 per cent. by weight of the fibres or mixtures mentioned in heads (i) to (v) of paragraph 1(*a*) of this Schedule;

(ix) the processes of twisting, doubling, folding, winding, pirning, warping, warp dressing, beaming, sizing, dyeing, finishing, oiling, combing, re-combing or bulking man-made fibres, continuous filaments or tow, being processes ancillary to the production of such fibres and carried out by employers engaged in their production;

(x) the manufacture, or preparation, of any filling for bolsters, cushions, pillows, quilts, quilting, mattresses, divans or upholstered divan bases;

(xi) the manufacture of paper, paperboard or of any products (not being sanitary towels) from paper or paperboard;

(xii) the manufacture of any products (not being threads covered by yarn) from rubber;

(xiii) the manufacture of products coated with any abrasive or plastics material;

(xiv) the rubberising of any textile fabrics not being asbestos textile fabrics or fabrics used for conveyor belting;

(xv) the manufacture of electric cables;

(xvi) arranging, either directly or through another person, for the carrying out on commission of any process or manufacture mentioned in heads (ii), (iii), (iv), (v) or (viii) of this sub-paragraph, where the person upon or from whose materials the process or manufacture is wholly or mainly to be carried out is engaged in any of the activities therein mentioned;

(*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

(a) 1944 c. 10.

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(a), or under section 29 of the National Assistance Act 1948(b) as extended by section 8(2) of the Mental Health Act 1959(c) and section 8(2) of the Mental Health (Scotland) Act 1960(d), or under section 31 of the National Assistance Act 1948 (as substituted by the National Assistance Act 1948 (Amendment) Act 1962(e)), or under section 28 of the National Health Service Act 1946(f) as extended by section 6 of the Mental Health Act 1959, or under section 27 of the National Health Service (Scotland) Act 1947(g) as extended by section 7 of the Mental Health (Scotland) Act 1960.

3. In this Schedule:—

(*a*) "carrying out on commission" means the carrying out by a person in pursuance of a contract of work or labour (with or without the provision of materials) of any process or manufacture wholly or mainly upon or from materials owned in the course of his business by another person;

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

(*c*) "continuous filaments" means any yarn composed of one or more man-made fibres running the whole length of the yarn, but does not include any yarn used or intended for use in a textile factory for the production of yarns or fabrics by a system of manufacture similar to one commonly employed in the production of woollen, worsted, jute, flax or hemp, yarns or fabrics;

(*d*) "core yarns" means yarns produced at the spinning frame, by the feeding of continuous filaments through the delivery rollers only, simultaneously with the spinning of any fibres mentioned in paragraph 1(*a*) of this Schedule;

(*e*) "cotton and allied textiles activities" means any one or more of the principal activities of the cotton and allied textiles industry or of the activities included in that industry by virtue of paragraph 1(*o*) of this Schedule;

(*f*) "doubling" has the meaning assigned to that expression in paragraph 1(*e*) of this Schedule, and includes the subjection of the yarns to any of the processes of gassing, reeling, warping, beaming, winding, bulking or texturising;

(*g*) "finishing" has the meaning assigned to that expression in paragraph 1(*k*) of this Schedule;

(*h*) "knitted articles" means articles manufactured on warp knitting, weft knitting or crotcheting machines, and includes any knitted fabrics, shaped pieces of material or wearing apparel so manufactured;

(*i*) "lace, lace net or embroidery" means any articles in the manufacture of which a process has been carried out on one or more of the following machines—

Schiffli or other multi-needle shuttle embroidery machine, not being a single needle embroidery machine operated singly or in a battery;

Barmen lace machine;

Leavers lace machine;

Nottingham lace curtain machine;

Plain net machine;

Raschel or other warp lace machine;

(a) 1958 c. 33. (b) 1948 c. 29. (c) 1959 c. 72.
(d) 1960 c. 61. (e) 1962 c. 24. (f) 1946 c. 81.
(g) 1947 c. 27. (h) 1948 c. 38.

(*j*) " making-up and packing " includes the operations of—

(i) cutting, rolling or manipulation into different lengths, folds or shapes of articles produced by spinning, throwing, doubling, weaving or finishing ;

(ii) the ticketing, tying. parcelling, stamping or marking of articles so produced ; or

(iii) the packing or making-up of such articles into suitable packages for exportation or for despatch ;

(*k*) " man-made fibres " means any textile fibres except the natural growth of a plant, the hair or fleece of an animal, human hair, silk or asbestos ;

(*l*) " manufacture " includes any process or operation incidental or appertaining to manufacture ;

(*m*) " narrow fabrics " means any of the following products not exceeding 18 inches in width, that is to say, textile fabrics with two selvedges, braided textile fabrics or products of a Sander and Graff machine or of a similar machine ;

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

(*o*) " principal activities of the cotton and allied textiles 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 cotton and allied textiles industry ;

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

(*q*) " 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, or at stores, warehouses or similar places ;

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

(v) training of employees or apprentices ;

(*r*) " rubber " means the following products, whether or not vulcanized 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, and " rubberising " has a corresponding meaning ;

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

(*t*) " spinning " has the meaning assigned to that expression in paragraph 1(*a*) of this Schedule, and includes the subjection of yarns so produced to any of the processes of gassing, reeling, warping, beaming or winding ;

(*u*) " throwing " has the meaning assigned to that expression in paragraph 1(*d*) of this Schedule, and includes the subjection of yarns so produced to any of the processes of reeling, warping, beaming or winding ;

(*v*) " tufting " means the insertion of a yarn of tufts or loops by a tufting machine into a pre-woven backing ;

(*w*) " the waste of silk fibres " means waste obtained from cocoons or remaining after throwing ;

(*x*) " weaving " has the meaning assigned to that expression in paragraph 1(*f*) of this Schedule, and includes the preparation of warp and weft.

4. 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) 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 1966(a)	Schedule 1 Paragraph 1(*r*)
The iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964(b)	Schedule 1 Paragraph1 (*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*)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(g)	Schedule 1 Paragraph 1(*r*)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(h)	Schedule 1 Paragraph 1(*d*)
The carpet industry ...	The Industrial Training (Carpet Board) Order 1966(i)	Schedule 1 Paragraph 1(*d*)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(j)	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.

(a) S.I. 1964/907, 1966/428 (1964 II, p.1928; 1966 I, p.925). (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).
(g) S.I. 1965/2028 (1965 III, p. 5998). (h) S.I. 1966/143 (1966 I, p. 257).
(i) S.I. 1966/245 (1966 I, p. 499). (j) S.I. 1966/246 (1966 I, p. 506).

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.

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 Cotton and Allied Textiles 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 ...

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 Cotton and Allied Textiles 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.