STATUTORY INSTRUMENTS

1970 No. 1053

INDUSTRIAL TRAINING

The Industrial Training (Distributive Board) Order 1970

Made - - -	15*th July* 1970
Laid before Parliament	27*th July* 1970
Coming into Operation	29*th July* 1970

The Secretary of State after consultation with the Distributive 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 the bodies established for the purpose of carrying on under national ownership industries in which the said activities are carried on to a substantial extent and in exercise of his powers under section 9 of the Industrial Training Act 1964(**a**) 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 (Distributive Board) Order 1970 and shall come into operation on 29th July 1970.

(2) In this Order—

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

(*b*) "the Board" means the Distributive Industry Training Board ;

(*c*) "the levy Order" means the Industrial Training Levy (Distributive Board) Order 1969(**b**) ;

(*d*) "the principal Order" means the Industrial Training (Distributive Board) Order 1968(**c**).

(3) The Interpretation Act 1889(**d**) 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 1 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. 1969/1240 (1969 III, p. 3747).
(**c**) S.I. 1968/1032 (1968 II, p. 2709).
(**d**) 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 the levy Order;

(*b*) affect the operation of the levy Order in relation to the assessment of an employer within the meaning of that Order in respect of an establishment that was engaged in the first levy period 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 the levy Order before the day upon which this Order comes into operation or any appeal or other proceedings arising out of any such notice.

15th July 1970.

Robert Carr,
Secretary of State for Employment and Productivity.

Article 2 SCHEDULE

THE DISTRIBUTIVE INDUSTRY

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

(*a*) dealing in goods;

(*b*) operating a broadcast relay station;

(*c*) letting out on hire audio or video receiving apparatus;

(*d*) the installation, testing, inspection or repair of audio or video receiving apparatus or of transmission lines connected with such apparatus, being operations carried out in furtherance of an agreement made between a person carrying on the business of selling or hiring out such apparatus or of operating a broadcast relay station and a person to whom such apparatus has been sold or hired or who is a subscriber to the service provided from such a station;

(*e*) operating a trading stamp scheme;

(*f*) operating a business of check trading;

(*g*) any activities (other than those above mentioned), being—

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

(*h*) any activities of industry or commerce (other than distributive activities) carried out at or from an establishment mainly engaged—

(i) in distributive activities ; or

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

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

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

(ii) to a less extent in distributive 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 (not being activities specified in paragraph 3 of this Schedule) where such activities are—

(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 distributive 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—

(i) any activities of a kind specified in an entry (not being item No. 22) in the second column of the next following Table (being activities undertaken in relation to all or any of the goods specified in the corresponding entry in the third column of that Table) or in two or more of such entries ; or

(ii) any activities of a kind specified in item No. 22 in the second column of the said Table, being activities undertaken in relation to any goods comprised in one or two (but not more than two) of the categories specified in the corresponding entry in the third column thereof ;

TABLE

Item No.	*Activity*	*Relevant Goods*
1.	Dealing.	Fleeces, textile fibres and tops.
2.	Dealing (not being selling by retail).	Yarn.
3.	Dealing.	Iron, steel and tinplate.
4.	Dealing (not being selling by retail) with persons engaging in the construction industry.	Building, plumbing, decorating, heating, ventilating or air-conditioning materials or equipment, architectural and builders' ironmongery and cloakroom fittings.
5.	Dealing in the capacity of agent or broker.	Ships.
6.	Dealing.	Wood, battenboard, blockboard, fibre building board, laminboard, particle board, plywood and veneer.
7.	Dealing.	Motor vehicles, trailers, and tyres for motor vehicles or trailers.

Item No.	*Activity*	*Relevant Goods*
8.	Dealing (not being selling by retail).	Components, replacements, spare parts and accessories (not being tyres) for motor vehicles or trailers.
9.	Dealing.	Transport service equipment.
10.	Dealing.	Agricultural or horticultural machinery and equipment.
11.	Dealing.	Petroleum and any petroleum product.
12.	Dealing (not being selling by retail) when the goods have been manufactured outside Great Britain and the dealing is by the manufacturer thereof or by an associated company of the manufacturer, being a company.	(*a*) Acids, bases, alkalis, salts, esters and their intermediates or derivatives; (*b*) solvents and reagents; (*c*) gases; (*d*) natural or synthetic dyestuffs and their intermediates; (*e*) natural or synthetic pigments and their intermediates; (*f*) detonating or explosive compositions, pyrotechnics, fireworks and chemical firelighters; (*g*) fertilizers and conditioners of the soil; (*h*) plastics material and synthetic rubber; (*i*) any chemical from a feedstock derived from petroleum; (*j*) disinfectants, pesticides, fungicides and herbicides; (*k*) chemical auxiliary agents for use in the manufacture or processing of leather, paper, plastics material, rubber, textile yarn or textile fabric; (*l*) organo-silicon, organo-phosphorus, organo-sulphur or organo-metallic compounds; (*m*) catalysts, catalyst supports or carriers, enzymes, isotopes and similar products; (*n*) detergents and surface active agents.
13.	Dealing (not being selling by retail) by the user of a trade mark specified in the third column hereof.	Any drug or medicine that is either— (*a*) manufactured, for the user of a trade mark in respect of such drug or medicine or of a class of such goods, by another person in pursuance of a contract so to do; or (*b*) imported into Great Britain by such a user in a state in which it is ready for sale in the United Kingdom of Great Britain and Northern Ireland or in which, prior to such sale, it requires no further processing other than final assembly or packaging.
14.	Dealing, where the person carrying on the establishment is engaged in the manufacture of sensitive materials for the purposes of photography or of recording sound or vision.	Photographic materials or equipment.
15.	Dealing.	Wood pulp.
16.	Dealing (not being selling by retail).	Paper.

Item No.	*Activity*	*Relevant Goods*
17.	Publishing.	Any of the following publications or any publications similar thereto— (*a*) books, booklets, calendars, catalogues, diaries, directories and timetables; (*b*) magazines, newspapers, periodicals and professional, technical or trade journals; (*c*) art reproductions, greeting cards and picture postcards; (*d*) charts, globes and maps.
18.	Dealing.	Photographs that have been taken by the person carrying on the establishment.
19.	Dealing (not being selling by retail).	Bread, flour, flour confectionery, yeast, milk, ice cream, any commodity similar to ice cream, meat, fish, horticultural produce, intoxicating liquor, soft drink, tea and raw or green coffee.
20.	Dealing (not being selling by retail).	Shell eggs.
21.	Dealing by an employer engaged substantially in the production of hens' eggs.	Shell eggs.
22.	Selling by retail.	Goods comprised in one or two (but not more than two) of the categories following— (*a*) bread, flour, flour confectionery and yeast; (*b*) milk, ice cream and any commodity similar to ice cream; (*c*) meat; (*d*) bacon; (*e*) fish; (*f*) horticultural produce.
23.	Dealing.	Grain, other cereals, pulse, seeds, vegetable, animal, whale or fish oil (whether crude, refined or processed), oilseeds, feeding stuffs intended for use as food for animals, hay and straw.
24.	Dealing.	Hides, the skins of animals and raw, dressed or dyed furs or fur skins.
25.	Dealing.	Any garments, shapes, plates or shells manufactured from furs or fur skins.
26.	Dealing.	Precious metals and specie.
27.	Dealing as a member (or as a member's nominee) of an international commodity market.	Any goods dealt with in the market.
28.	Dealing.	Artificial teeth, crowns for teeth, dentures and orthodontic appliances.
29.	Dealing.	Glasses and the frames thereof.
30.	Dealing.	Hearing aids.
31.	Dealing for purposes of exhibition.	Cinematograph films.
32.	Dealing.	Waste products or materials of any kind.

(*d*) the activities of any establishment engaged wholly or mainly in business as follows—

(i) in banking, insurance or finance not being activities specified in sub-paragraph (*e*) or (*f*) of paragraph 1 of this Schedule;

(ii) as an export house;

(iii) as a freight forwarder; or

(iv) as a travel agent;

(*e*) the activities of—

(i) an Air Corporation or the British Airports Authority;

(ii) the British Broadcasting Corporation;

(iii) the Electricity Council, the Central Electricity Generating Board, an Area Electricity Board, the North of Scotland Hydro-Electric Board or the South of Scotland Electricity Board;

(iv) the Gas Council or an Area Gas Board;

(v) the Home-Grown Cereals Authority;

(vi) the Independent Television Authority;

(vii) a local authority;

(viii) a marketing board;

(ix) statutory water undertakers within the meaning of the Water Act 1945**(a)** or regional water boards or water development boards within the meaning of the Water (Scotland) Act 1967**(b)**, being the activities of such undertakers or boards in the exercise of their powers or duties as such;

(x) the Sugar Board;

(xi) the United Kingdom Atomic Energy Authority; or

(xii) a charity;

(*f*) 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**(c)** (which relates to the provision for registered persons who are seriously disabled of work or training);

(*g*) any work, occupation or training that is provided in accordance with arrangements made by a local authority under the Disabled Persons (Employment) Act 1958**(d)** 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;

(*h*) the activities following—

(i) any activities undertaken personally in the exercise of his profession as such by an individual who is a registered pharmacist or a registered optician;

(ii) any activities in agriculture;

(iii) any operations when carried out by a member of the crew of an aircraft, by the master or a member of the crew of a ship or by a person ordinarily employed as a seaman who is employed in or about a ship in port by the owner or charterer thereof on work of a kind ordinarily done by a seaman on a ship while it is in port; or

(iv) dock work performed by a registered dock worker; or

(a) 1945 c. 42.
(b) 1967 c. 78.
(c) 1944 c. 10.
(d) 1958 c. 33.

(*i*) the supply of food or drink to persons being a supply—

(i) for immediate consumption;

(ii) of hot fried fish or hot chipped potatoes; or

(iii) by means of an automatic vending machine at or in connection with an hotel, restaurant, café, snack bar, canteen, mess room or similar place of refreshment.

3. The related activities which are excepted from the operation of paragraph 2(*b*) of this Schedule are the selling by retail of all or any of the following goods, that is to say—

(*a*) yarn;

(*b*) furniture;

(*c*) disinfectants, pesticides, fungicides, herbicides, cosmetic or toilet compounds, mixtures or preparations and perfumery;

(*d*) any drug or medicine;

(*e*) footwear;

(*f*) clothing, not being garments manufactured from furs or fur skins.

4. In this Schedule unless the context otherwise requires—

"agricultural or horticultural machinery and equipment" means any machinery, plant, equipment or appliance designed primarily or adapted for use in agriculture;

"agriculture" has the same meaning as in section 109(3) of the Agriculture Act 1947(**a**) or, in relation to Scotland, as in section 86(3) of the Agriculture (Scotland) Act 1948(**b**);

"Air Corporation" means the British Overseas Airways Corporation or the British European Airways Corporation, and includes B.O.A.C. Associated Companies Limited, British Engine Overhaul Limited and BEA Helicopters Limited;

"animals" includes birds, fishes and reptiles;

"architectural and builders' ironmongery" means fittings or attachments to doors or windows or the frames thereof, being fittings or attachments constructed wholly or mainly of metal or of metal and plastics material;

"audio or video receiving apparatus" does not include apparatus used or intended for use on a ship;

"bread" includes rolls, baps, fancy loaves, milk loaves, malt loaves and fruit loaves;

"broadcast relay station" means a station for the re-transmission by cable or wire, to the customers of the persons operating the station, of broadcast radio or television programmes which those persons receive either by cable or wire or by wireless from the persons who broadcast the programmes;

"business" means a trade or business carried on for the purposes of gain;

"business of check trading" means a business carried on by any person in the course whereof financial facilities are provided in relation to the acquisition of goods from that or any other person and, in connection with the provision of those facilities, there are supplied, for a consideration payable in a lump sum or by instalments or in some other manner, any checks, orders, vouchers, tallies or similar documents or things issued to facilitate the acquisition of goods;

"charity" has the same meaning as in section 360 of the Income and Corporation Taxes Act 1970(**c**);

(**a**) 1947 c. 48. (**b**) 1948 c. 45.
(**c**) 1970 c. 10.

"clothing" means any article of wearing apparel and, without prejudice to the generality of the foregoing definition, includes—

(*a*) headgear;

(*b*) neckwear;

(*c*) gloves and other handwear;

(*d*) surgical belts, trusses and other similar articles;

(*e*) braces, garters and suspenders;

(*f*) anklets, gaiters, leggings and spats;

(*g*) protective clothing of any kind;

(*h*) handkerchiefs;

(*i*) made-up accessories for articles of wearing apparel such as dress shields, shoulder or other pads, belts, muffs, sleeve protectors and pockets;

(*j*) trimmings and adornment for wearing apparel;

(*k*) badges;

"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;

"dealing" means by way of business and in the capacity of principal, or (except in item 13 of the Table to paragraph 2(*c*) of this Schedule) agent or broker—

(*a*) in relation to goods situate in Great Britain, buying or selling such goods;

(*b*) in relation to goods situate elsewhere, importing such goods into Great Britain;

but does not include any transaction in the nature of an auction;

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

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

"drug or medicine" means any substance or article which is used wholly or mainly by being administered to human beings or animals for one or more of the purposes following, that is to say—

(*a*) treating or preventing disease;

(*b*) diagnosing disease or ascertaining the existence, degree or extent of a physiological condition;

(*c*) contraception;

(*d*) inducing anaesthesia;

(*e*) otherwise preventing or interfering with the normal operation of a physiological function, whether permanently or temporarily and whether by way of terminating, reducing or postponing, or increasing or accelerating, the operation of that function or in any other way;

and for the purposes of this definition "disease" includes any injury, ailment or adverse condition, whether of body or mind;

(a) 1948 c. 38. **(b)** 1966 c. 28.

"export house" means the undertaking of a person who is engaged wholly or mainly in the export of goods from Great Britain in one or more of the capacities following, that is to say—

(*a*) a merchant;

(*b*) a manufacturer's agent;

(*c*) an export manager;

(*d*) a factor;

(*e*) a buying agent for an overseas buyer;

(*f*) an indent agent;

(*g*) a confirming house;

(*h*) an export finance house;

"fish" includes freshwater fish, sea fish, shellfish, crustaceans and molluscs of any kind and any parts of fish as so defined, but does not include any product that is bottled or canned or that is frozen and packed in printed cartons or in printed wrappers;

"flour confectionery" includes cakes, oatcakes, shortbread, biscuits and articles of food made wholly or partly of pastry, but does not include any product that is frozen and packed in printed cartons or in printed wrappers;

"footwear" means footwear of any kind and includes footwear designed for industrial or surgical purposes, but does not include anklets, gaiters, leggings or spats;

"furniture" means furniture of a type commonly used for bank, church, domestic, educational, garden, hospital, laboratory or office purposes, whether or not supplied for those purposes and whether designed to be free-standing or to be fixed to a building, but does not include—

(*a*) awnings or inside or outside window blinds;

(*b*) clocks or any instruments for recording atmospheric pressure or temperature;

(*c*) household textiles whether or not containing filling;

(*d*) pictures;

(*e*) netting;

(*f*) tapestries;

"glasses" means any appliances designed to correct, remedy or relieve any defect of sight, and includes spectacles of the kind known as sunglasses;

"goods" includes all chattels personal other than things in action and money, and in Scotland all corporeal moveables except money, but does not include emblements, industrial growing crops or things attached to or forming part of the land;

"hearing aids" means appliances designed to correct, remedy or relieve any defect of hearing;

"horticultural produce" includes fruit, nuts, hops, potatoes, vegetables, watercress, fungi, bulbs, corms, rhizomes, tubers, flowers, pot, bedding or herbaceous plants, decorative foliage, herbs, shrubs and trees, but does not include fruits or vegetables that are bottled or canned or that are frozen and packed in printed cartons or in printed wrappers;

"international commodity market" means a market organised by members of the Baltic Exchange, the London Commodity Exchange, London Metal Exchange or the London Wool Terminal Market Association;

"intoxicating liquor" has the same meaning as in section 307(1) of the Customs and Excise Act 1952**(a)**;

(a) 1952 c. 44.

"iron" and "steel" include respectively alloy iron and alloy steel containing in each case more than 55 per cent. of pure iron by weight;

"local authority" means—

(*a*) in relation to England and Wales, a local authority within the meaning of the Local Government Act 1933(**a**) 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;

"marketing board" means an agricultural marketing board constituted, or having effect, under the Agricultural Marketing Act 1958(**b**);

"meat" means the flesh (including edible offal and fat) of animals or birds that is intended for human or animal consumption and includes sausages and sausage meat, but does not include bacon, ham, meat paste, poultry paste, sausage casings or any products that are canned or that are frozen and packed in printed cartons or in printed wrappers;

"milk" includes cream and separated milk, but does not include condensed, evaporated or dried milk or canned cream;

"motor vehicles" means mechanically propelled vehicles intended or adapted for use on roads, and includes tram-cars and trolley vehicles but does not include implements for cutting grass that are not capable of being used or adapted for any other purpose, or contractors' plant; and for the purposes of this definition "contractors' plant" means machinery, plant or equipment of a kind intended for use in operations on the site of any building work or civil engineering work, but does not include lorries, ready-mixed concrete vehicles or other mechanically propelled vehicles mainly used for the carriage of goods on roads;

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

"paper" means any sheet or continuous web of material (including paperboard and fibreboard) made by the deposition of fibres of any kind from a suspension in a liquid or gas, with or without the addition of any other substance, but does not include fibre building board or any product manufactured from paper;

"particle board" includes wood chipboard, flaxboard and bagasse board;

"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;

"petroleum product" means crude oil, bitumen obtained therefrom, liquefied petroleum gas, aviation fuel, motor spirit, kerosene, white spirit, diesel fuel, fuel oil, gas oil, lubricating oil or any similar product;

"plastics material" means any material (other than synthetic rubber of any kind) 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;

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

(**a**) 1933 c. 51. (**b**) 1958 c. 47.
(**c**) 1963 c. 41.

"publishing" in relation to any publication of a kind referred to in item No. 17 of the Table in paragraph 2(*c*) of this Schedule means, by way of business, issuing the same for sale or distribution to the public;

"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;

(*d*) operations of a kind performed at stores, warehouses or similar places;

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

(*f*) training of employees or apprentices;

"seeds" includes agricultural or horticultural seeds, cereal seeds, vegetable seeds, flower seeds, seeds of grasses whether used for horticultural or other purposes, seeds of trees and seed potatoes, but does not include oilseeds;

"selling by retail" in relation to—

(*a*) any goods (other than goods specified in sub-paragraph (*c*) of this definition that are sold in the circumstances mentioned in that sub-paragraph), means selling the goods by way of business to a person buying otherwise than for the purpose of re-sale, use in manufacture or processing;

(*b*) any article of food or drink, includes selling the same to a person for use in connection with an establishment carried on by him in the hotel and catering industry or for use in connection with the supply to persons in his employment of food or drink for immediate consumption when such selling takes place at or in connection with a shop engaged in the sale by retail of articles of food or drink to the general public;

(*c*) any goods specified in the third column of item 12 or 13 of the Table in paragraph 2(*c*) of this Schedule, does not include selling those goods in bulk on wholesale terms where such goods are sold by a person specified in the corresponding entry in the second column of that Table for use in the buyer's business or for the purposes of the national health service;

"ship" includes any description of a ship, vessel, boat or other floating craft, but does not include a hovercraft or any article that is inflatable by air, gas or liquid;

"soft drink" has the same meaning as in Regulation 2(1) of the Soft Drinks Regulations 1964(**a**);

"synthetic rubber" means any elastomeric polymer other than natural rubber, and includes butadiene/styrene copolymers, butadiene/acrylonitrile copolymers, butadiene/methyl methacrylate copolymers, polybutadiene, polyisoprene, isobutylene-isoprene copolymers, ethylene/propylene copolymers, polyacrylic polychloroprene, chlorosulphonated polyethylene, polyurethane, fluoro-silicone and polysulphide rubbers and their modifications;

"textile fibres" means any fibres consisting, or including more than 15 per cent. by weight, of animal fibres of any kind or mixture, and includes any other fibres or continuous filaments when 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 or worsted yarns or fabrics;

"trade mark" includes a registered trade mark and an unregistered trade mark but does not include a certification trade mark, and for the purposes of this definition "certification trade mark" has the same meaning as in section 37 of the Trade Marks Act 1938(**b**);

(**a**) S.I. 1964/760 (1964 II, p. 1605). (**b**) 1938 c. 22.

"trading stamp scheme" has the meaning assigned to that expression by section 10(1) of the Trading Stamps Act 1964**(a)**;

"trailers" means vehicles drawn by motor vehicles;

"transport service equipment" means plant or equipment of a kind used in the testing or analysis of performance of motor vehicles or trailers, in their repair or in their recovery when damaged;

"travel agent" means a person who sells travel tickets or packaged tours;

"wood" means wood of any kind (other than firewood or kindling wood) whether it is in the rough or has undergone any conversion or preparation but does not include—

(*a*) bark;

(*b*) cork;

(*c*) paper or paperboard;

(*d*) wood pulp;

(*e*) sawdust, wood chips, wood flour, wood shavings, wood wool or other ligneous waste;

(*f*) charcoal;

"yarn" means yarn consisting of textile fibres.

5.—(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) 1964 c. 71.

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 as amended by the Industrial Training (Iron and Steel Board) Order 1969(b)	Schedule 1 Paragraph 1(*k*)
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 and the Industrial Training (Engineering Board) Order 1968 (Amendment) Order 1969(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 ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965 as amended by the Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1969(f)	Schedule 1 Paragraph 1(*p*)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965 as amended by the Industrial Training (Furniture and Timber Industry Board) Order 1969(g)	Schedule 1 Paragraph 1(*x*)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966 as amended by the Industrial Training (Man-made Fibres Producing Industry Board) Order 1969(h)	Schedule 1 Paragraph 1(*e*)
The carpet industry	The Industrial Training (Carpet Board) Order 1966 as amended by the Industrial Training (Carpet Board) Order 1968(i)	Schedule 1 Paragraph 1(*f*)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(j)	Schedule 1 Paragraph 1(*j*)

(a) S.I. 1964/907, 1968/898 (1964 II, p. 1928; 1968 II, p. 2376).
(b) S.I. 1964/949, 1969/884 (1964 II, p. 2127; 1969 II, p. 2517).
(c) S.I. 1964/1079, 1967/924 (1964 II, p. 2384; 1967 II, p. 2757).
(d) S.I. 1964/1086, 1968/1333, 1969/1376 (1964 II, p. 2402; 1968 II, p. 3694; 1969 III, p. 4103).
(e) S.I. 1964/1782, 1968/1614 (1964 III, p. 3928; 1968 III, p. 4432).
(f) S.I. 1965/1391, 1969/689 (1965 II, p. 4062; 1969 II, p. 1860).
(g) S.I. 1965/2028, 1969/1290 (1965 III, p. 5998; 1969 III, p. 3820).
(h) S.I. 1966/143, 1969/1210 (1966 I, p. 257; 1969 II, p. 3545).
(i) S.I. 1966/245, 1968/1882 (1966 I, p. 499; 1968 III, p. 5017).
(j) S.I. 1966/246 (1966 I, p. 506).

Column 1	Column 2	Column 3
The cotton and allied textiles industry	The Industrial Training (Cotton and Allied Textiles Board) Order 1966(a)	Schedule 1 Paragraph 1(*p*)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966(b)	Schedule 1 Paragraph 1(*m*)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966 as amended by the Industrial Training (Road Transport Board) Order 1969 and the Industrial Training (Road Transport Board) Order 1969 (Amendment) Order 1969(c)	Schedule 1 Paragraph 1(*p*)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966 as amended by the Industrial Training (Hotel and Catering Board) Order 1969(d)	Schedule 1 Paragraph 1(*e*)
The air transport and travel industry	The Industrial Training (Civil Air Transport Board) Order 1967 as amended by the Industrial Training (Air Transport and Travel Industry Board) Order 1970(e)	Schedule 1 Paragraph 1(*i*)
The petroleum industry	The Industrial Training (Petroleum Board) Order 1967 as amended by the Industrial Training (Petroleum Board) Order 1970(f)	Schedule 1 Paragraph 1(*i*)
The rubber and plastics processing industry	The Industrial Training (Rubber and Plastics Processing Board) Order 1967(g)	Schedule 1 Paragraph 1(*k*)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(h)	Schedule 1 Paragraph 1(*s*)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(i)	Schedule 1 Paragraph 1(*j*)
The printing and publishing industry	The Industrial Training (Printing and Publishing Board) Order 1968(j)	Schedule 1 Paragraph 1(*n*)
The food, drink and tobacco industry	The Industrial Training (Food, Drink and Tobacco Board) Order 1968(k)	Schedule 1 Paragraph 1(*q*)
The footwear, leather and fur skin industry	The Industrial Training (Footwear, Leather and Fur Skin Board) Order 1968(l)	Schedule 1 Paragraph 1(*v*)
The clothing and allied products industry	The Industrial Training (Clothing and Allied Products Board) Order 1969(m)	Schedule 1 Paragraph 1(*j*)
The hairdressing and allied services industry	The Industrial Training (Hairdressing and Allied Services Board) Order 1969(n)	Schedule 1 Paragraph 1(*g*)

(a) S.I. 1966/823 (1966 II, p. 1907).
(b) S.I. 1966/969 (1966 II, p. 2333).
(c) S.I. 1966/1112, 1969/879, 1871 (1966 III, p. 2712; 1969 II, p. 2495; 1969 III, p. 5815).
(d) S.I. 1966/1347, 1969/1405 (1966 III, p. 3669; 1969 III, p. 4132).
(e) S.I. 1967/263, 1970/252 (1967 I, p. 968; 1970 I, p. 983).
(f) S.I. 1967/648, 1970/205 (1967 I, p. 2032).
(g) S.I. 1967/1062 (1967 II, p. 3151).
(h) S.I. 1967/1386 (1967 III, p. 4049).
(i) S.I. 1968/787 (1968 II, p. 2194).
(j) S.I. 1968/786 (1968 II, p. 2185).
(k) S.I. 1968/1033 (1968 II, p. 2721).
(l) S.I. 1968/1763 (1968 III, p. 4785).
(m) S.I. 1969/1375 (1969 III, p. 4094).
(n) S.I. 1969/1634 (1969 III, p. 5133).

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Distributive Industry Training Board was established on 25th July 1968 by the Industrial Training (Distributive Board) Order 1968, which defined the distributive industry in relation to which the Board exercises its functions. This Order re-defines that industry.

The principal changes in the definition of the industry are the exclusion therefrom of—

(*a*) the sale, by the manufacturer, of certain chemical products manufactured outside Great Britain and sold by wholesale ;

(*b*) the activities of a charity.

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