STATUTORY INSTRUMENTS

1965 No. 2028

INDUSTRIAL TRAINING

The Industrial Training (Furniture and Timber Industry Board) Order 1965

Made - - - -	*29th November* 1965
Laid before Parliament	*8th December* 1965
Coming into Operation	*9th December* 1965

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 (Furniture and Timber Industry Board) Order 1965 and shall come into operation on 9th December 1965.

(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 Furniture and Timber 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 furniture and timber industry the functions conferred on industrial training boards by the Act.

The membership and proceedings of the Board

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

Dated 29th November 1965.

R. J. Gunter,
Minister of Labour.

SCHEDULE 1

THE FURNITURE AND TIMBER INDUSTRY

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

(*a*) the felling of trees;

(*b*) the preparation of timber;

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

(*c*) the conversion of logs or prepared timber into baulks, deals, battens, boards, planks, poles, props, sleepers or other sawn sections or the drying of sawn sections;

(*d*) the storage of wood of any description above-mentioned or of battenboard, blockboard, chipboard, fibre building board, flaxboard, laminboard, plywood or veneer or, otherwise than in the capacity of an agent, broker or factor, any importing or sale of, or other dealing in, such wood or materials;

(*e*) any operations whereby wood is planed, dressed, tongued, grooved, matched, beaded, V-jointed, moulded, dried, seasoned, soaked, steamed or treated with any preservative;

(*f*) the manufacture of battenboard, blockboard, laminboard, plywood, veneer or wood-wool;

(*g*) the manufacture of matches or matchboxes;

(*h*) the manufacture or repair of any articles (including parts or components) wholly or mainly from wood, battenboard, blockboard, chipboard, fibre building board, flaxboard, laminboard, plywood, veneer, cane, osier, willow, wicker, straw, rushes, reeds or cork or any combination of those materials;

(*i*) the manufacture or repair of articles of furniture, cabinets, billiard-tables or containers or cases for, or forming part of, musical instruments;

(*j*) the manufacture, repair or tuning of pianofortes, harpsichords, spinets, clavichords or pipe-organs;

(*k*) the upholstering or re-upholstering of furniture;

(*l*) the manufacture, re-making, or repair of bolsters, cushions, pillows, mattresses, divans or upholstered divan bases;

(*m*) the manufacture or preparation of any filling (including feathers and down) for bolsters, cushions, pillows, quilts, quilting, mattresses, divans or upholstered divan bases;

(*n*) the making or fixing of curtains or of loose covers for furniture;

(*o*) the planning, making-up or laying of carpets, carpet underlays, linoleum or similar floor coverings;

(*p*) the manufacture of brushes (not being carbon brushes) or brooms or, for the purpose of such manufacture, the drafting, dressing or mixing of animal hair, natural bristle, bass, whisk or similar fibres;

(*q*) when carried out in conjunction with any of the foregoing activities, any of the following activities being incidental or ancillary thereto, that is to say—

(i) research, development, design or drawing;

(ii) operations in connection with sale, packing, warehousing, distribution or transport;

(iii) work done at any office or laboratory, at any store, warehouse or similar place or at a garage;

(*r*) any other activity of industry or commerce carried out at or from an establishment engaged mainly in one or more of the foregoing activities.

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

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

(i) the pulping or grinding of wood, not being cork;

(ii) any operations in the course of agriculture;

(iii) the production of firewood blocks or kindling wood;

(iv) the manufacture of charcoal;

(v) the manufacture of paper, paperboard, fibre building board, chipboard or reconstituted wood;

(vi) the manufacture of any articles or products wholly or mainly from paper, paperboard or rubber;

(vii) the manufacture of barrels, casks, kegs, tubs, vats, wearing apparel, headgear, footwear or parts of footwear, lasts, tools or, not being sports requisites, toys and games;

(viii) the manufacture of articles or products from a mixture of woodwool together with a cementing or bonding agent;

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

(x) the processing of plastics material otherwise than in conjunction with the manufacture of brushes or brooms or with the drafting, dressing or mixing of animal hair, natural bristle, bass, whisk or similar fibres for the purpose of such manufacture;

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

(xii) any operations in a building work or in a civil engineering work;

(xiii) any operations in the manufacture of prefabricated buildings or sections of buildings, doors, window frames, built-in storage units, stairs, curtain walling, or bank, church, laboratory or other joinery;

(xiv) the construction of shop, office, or similar fittings on the premises on which they are to be installed or, when carried out in conjunction therewith, the prefabrication elsewhere of such fittings;

(xv) the erection or dismantling of exhibition stands or of fencing, hoarding or scaffolding;

(xvi) the manufacture or repair of any articles (not being brushes or brooms) wholly or mainly of metal or of any combination of metal and plastics material, any vehicle bodies, aircraft, helicopters, gliders, hover vehicles or guided missiles, any articles embodying a lens or prism or any patterns for the purpose of engineering;

(xvii) any operations carried out at or from a yard or dry dock (including the precincts thereof) or a harbour or wet dock in the construction, reconstruction, repair, refitting, painting or finishing of ships or vessels or other floating constructions;

(xviii) the manufacture of any articles or products wholly or mainly from asbestos cement, clay, china stone, concrete, cast stone, glass, glass fibres, laminated glass, plaster or one or more refractory materials; or

(xix) the cutting, bevelling, silvering or decorating of glass or glass articles;

(*b*) the activities of any establishment engaged mainly in one or more activities not included in paragraph 1 of this Schedule;

(*c*) the activities of—

(i) the Electricity Council, the Central Electricity Generating Board or an Area Electricity Board;

(ii) the North of Scotland Hydro-Electric Board or the South of Scotland Electricity Board;

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

(iv) a harbour authority within the meaning of the Harbours Act 1964(a) when acting in that capacity; or

(v) statutory water undertakers within the meaning of the Water Act 1945(b) or a local water authority within the meaning of the Water (Scotland) Act 1946(c), being the activities of such undertakers or authority in the exercise of their powers or duties as such;

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

(a) 1964 c. 40. (b) 8 & 9 Geo. 6. c. 42. (c) 9 & 10 Geo. 6. c. 42.

(*e*) dock work performed by a registered dock worker;

(*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(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

(*g*) 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. In this Schedule:—

(*a*) "agriculture" includes horticulture, but does not include the use of land as osier land, woodland or woodland nurseries;

(*b*) "building" includes any structure or erection or any part of a building as so defined;

(*c*) "building work" means the construction, alteration, repair or demolition of a building;

(*d*) "cabinets" includes cabinets for radio or television sets or radiograms;

(*e*) "civil engineering work" means—

(i) the construction or demolition of a railway-line, siding or monorail,

(ii) 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;

(iii) the preparation of the site or the laying down of a foundation or substructure in connection with a building work or with any of the operations above-mentioned in this sub-paragraph or with the erection of structural metalwork; or

(iv) the construction 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;

(*f*) "company", "holding company" and "subsidiary" have the same meanings as in section 154 of the Companies Act 1948(i);

(*g*) "dock work" and "registered dock worker" have the same meanings as in the Scheme contained in the Second Schedule to the Dock Workers (Regulation of Employment) (Amendment) Order 1961(j);

(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) S.I. 1961/2107 (1961 III, p. 3837).

(*h*) " 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 awnings, inside or outside blinds, netting, tapestries, pictures or clocks ;

(*i*) " hover vehicles " means vessels designed to be supported on a cushion of air ;

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

(*k*) " paper " includes any description of paper, but does not include paperboard, pulpboard, fibre building board or chipboard ;

(*l*) " pipe-organs " means musical instruments in which sound is produced by wind passing through pipes operated by a player seated at a keyboard ;

(*m*) " plaster " means calcium sulphate, lime plaster or plaster of a similar character ;

(*n*) " 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 ;

(*o*) " preparation " in relation to timber means any operations whereby felled or fallen timber is barked, peeled, cleft, sliced, hewn, sawn, cross-cut, linear machined, dried, seasoned, soaked, steamed or treated with preservative, and " prepared timber " means timber that has undergone any such preparation ;

(*p*) " processing of plastics material " means any of the following operations when carried out on plastics material, that is to say, moulding, calendering, casting, thermoforming, encapsulation, extrusion, fabric coating, filament winding, heat sealing or laminate pressing ;

(*q*) " repair " includes re-polishing, re-conditioning, modification, alteration and conversion ;

(*r*) " 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 ;

(*s*) " sections of buildings " includes composite framed or laminated woodwork absorbing calculated stresses applied direct or from attached non-loadbearing portions of a structure ;

(*t*) " ships ", " vessels " and " harbour " have the same meanings as in the Merchant Shipping Act 1894(a) ;

(*u*) " timber " means trees of any kind, either felled or fallen ;

(*v*) " vehicle bodies " includes motor cycle sidecars, perambulators, invalid carriages, folding push-cars and bodies for caravans.

4. For the purposes of this Schedule, an activity shall not be deemed to be carried out in conjunction with any other activity unless such activities are carried out by the same employer, or by a holding company and another company which is the subsidiary of the holding company, or by companies which are subsidiaries of the same holding company.

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.

(a) 57 & 58 Vict. c. 60.

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.

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 Furniture and Timber 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 Furniture and Timber 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.