STATUTORY INSTRUMENTS

1969 No. 1210

INDUSTRIAL TRAINING

The Industrial Training (Man-made Fibres Producing Industry Board) Order 1969

Made - - -	*22nd August* 1969
Laid before Parliament	*4th September* 1969
Coming into Operation	*8th September* 1969

The Secretary of State after consultation with the Man-made Fibres Producing 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 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 (Man-made Fibres Producing Industry Board) Order 1969 and shall come into operation on 8th September 1969.

(2) In this Order—

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

(*b*) "the Board" means the Man-made Fibres Producing Industry Training Board ;

(*c*) "the levy Order" means the Industrial Training Levy (Man-made Fibres) Order 1967(**b**) ;

(*d*) "the principal Order" means the Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(**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.

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.

(**a**) 1964 c. 16.
(**b**) S.I. 1967/747 (1967 II, p.2220).
(**c**) S.I. 1966/143 (1966 I, p.257).
(**d**) 1889 c. 63.

(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 engaged in the first levy period in the production of textile fibres from polyethylene terephthalate or, wholly or mainly, in any other 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 date upon which this Order comes into operation or any appeal or other proceedings arising out of any such notice.

Signed by order of the Secretary of State.
22nd August 1969.

E. Fernyhough,
Joint Parliamentary Under Secretary of State,
Department of Employment and Productivity.

Article 2

SCHEDULE

The Man-made Fibres Producing Industry

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

(*a*) the production of man-made fibres;

(*b*) the production of regenerated or modified cellulose and the processing thereof into film or sheets when the employer engaged in such production and processing (or an associated company of the employer, being a company) is engaged in the production of man-made fibres;

(*c*) any process of twisting, doubling, folding, winding, pirning, warping, warp dressing, beaming, sizing, dyeing, finishing, oiling, combing, re-combing or bulking man-made fibres, when the employer engaged in the process is engaged in the production of the fibres;

(*d*) any activities being—

(i) related activities incidental or ancillary to principal activities of the man-made fibres producing 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;

(*e*) any activities of industry or commerce (other than man-made fibres producing activities) carried out at or from an establishment mainly engaged—

(i) in man-made fibres producing activities; or

(ii) in man-made fibres producing activities and in activities described in the Appendix to this Schedule, but to a greater extent in man-made fibres producing 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 man-made fibres producing industry:—

(*a*) the activities (other than the production of textile fibres from polyethylene terephthalate) of any establishment engaged—

(i) mainly in activities not being man-made fibres producing activities or activities described in the Appendix to this Schedule; or

(ii) to a less extent in man-made fibres producing 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 man-made fibres producing 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; or

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

3. In this Schedule:—

(*a*) "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;

(*b*) "man-made fibres" means any textile fibres except—

(i) the natural growth of a plant, the hair or fleece of an animal, human hair or silk;

(ii) asbestos, metal or glass fibres; or

(iii) rubber threads;

(*c*) "man-made fibres producing activities" means any one or more of the principal activities of the man-made fibres producing industry and the activities included in that industry by virtue of paragraph 1(*d*) of this Schedule;

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

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

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

(i) research, development, design or drawing;

(ii) buying, selling, testing, advertising, packing, distribution, 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;

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

(*h*) "textile fibres" means continuous filaments, staple fibres or tow.

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) 1948 c. 38. (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 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(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(g)	Schedule 1 Paragraph 1(*r*)
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*)

(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 (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. 1965/1391, 1969/689 (1965 II, p. 4062; 1969 II, p. 1860).
(g) S.I. 1965/2028 (1965 III, p. 5998).
(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).

APPENDIX (*cont.*)

Column 1	Column 2	Column 3
The road transport industry	The Industrial Training (Road Transport Board) Order 1966 as amended by the Industrial Training (Road Transport Board) Order 1969(a)	Schedule 1 Paragraph 1(*p*)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966(b)	Schedule 1 Paragraph 1(*e*)
The civil air transport industry	The Industrial Training (Civil Air Transport Board) Order 1967(c)	Schedule 1 Paragraph 1(*h*)
The petroleum industry	The Industrial Training (Petroleum Board) Order 1967(d)	Schedule 1 Paragraph 1(*h*)
The rubber and plastics processing industry	The Industrial Training (Rubber and Plastics Processing Board) Order 1967(e)	Schedule 1 Paragraph 1(*k*)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(f)	Schedule 1 Paragraph 1(*s*)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(g)	Schedule 1 Paragraph 1(*j*)
The printing and publishing industry	The Industrial Training (Printing and Publishing Board) Order 1968(h)	Schedule 1 Paragraph 1(*n*)
The distributive industry	The Industrial Training (Distributive Board) Order 1968(i)	Schedule 1 Paragraph 1(*h*)
The food, drink and tobacco industry	The Industrial Training (Food, Drink and Tobacco Board) Order 1968(j)	Schedule 1 Paragraph 1(*q*)
The footwear, leather and fur skin industry	The Industrial Training (Footwear, Leather and Fur Skin Board) Order 1968(k)	Schedule 1 Paragraph 1(*v*)

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order re-defines the activities in relation to which the Man-made Fibres Producing Industry Training Board exercises its functions. The Board was established on 23rd February 1966 by the Industrial Training (Man-made Fibres Producing Industry Board) Order 1966.

Amongst the activities henceforth to be included in the activities of the man-made fibres producing industry is the production of regenerated or modified cellulose and the processing thereof into film or sheets when carried out by an employer engaged in the production of man-made fibres.

(a) S.I. 1966/1112, 1969/879 (1966 III, p. 2712; 1969 II, p. 2495).
(b) S.I. 1966/1347 (1966 III, p. 3669).
(c) S.I. 1967/263 (1967 I, p. 968).
(d) S.I. 1967/648 (1967 I, p. 2032).
(e) S.I. 1967/1062 (1967 II, p. 3151).
(f) S.I. 1967/1386 (1967 III, p. 4049).
(g) S.I. 1968/787 (1968 II, p. 2194).
(h) S.I. 1968/786 (1968 II, p. 2185).
(i) S.I. 1968/1032 (1968 II, p. 2709).
(j) S.I. 1968/1033 (1968 II, p. 2721).
(k) S.I. 1968/1763 (1968 III, p. 4785).