1964 No. 907

INDUSTRIAL TRAINING

The Industrial Training (Wool Industry Board) Order 1964

Made - - - -	*22nd June* 1964
Laid before Parliament	*26th June* 1964
Coming into Operation	*29th June* 1964

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 (Wool Industry Board) Order 1964 and shall come into operation on 29th June 1964.

(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 Wool 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 wool 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 22nd June 1964.

Joseph Godber,
Minister of Labour.

SCHEDULE 1

THE WOOL INDUSTRY

1. Subject to the provisions of this Schedule, the activities of the wool industry are carrying out, or procuring the carrying out on commission, of any of the following activities in Great Britain:—

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

(*a*) any process—

(i) of sorting, treating, dyeing, using or consuming fibre containing animal fibre ; or

(ii) of treating or dyeing rags ;

(*b*) the process of reducing into a fibrous form rags or yarn containing in either case processed animal fibre ;

(*c*) the process of carding, combing or re-combing fibre containing animal fibre ;

(*d*) the process of making rovings or of spinning yarn containing in either case processed animal fibre ;

(*e*) any of the processes of twisting, doubling, folding, winding, warping, warp dressing, beaming, sizing or dyeing yarn which after such processing contains processed animal fibre, or any other process in the preparation of such yarn for further processing ;

(*f*) any process in the making up of yarn containing processed animal fibre in the form of hanks, skeins, balls or the like of a kind normally sold by retail ;

(*g*) any process in the manufacture of pressed or needle felt containing processed animal fibre ;

(*h*) any process in the manufacture of—

(i) a woven fabric containing processed animal fibre ; or

(ii) a bonded fabric containing processed animal fibre but not embodying any knitted fabric ;

(*i*) the process of the tufting of pile fabric containing processed animal fibre ;

(*j*) when carried out in conjunction with any of the foregoing activities, any of the following activities, 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 ;

(*k*) 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 wool industry—

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

(i) any process mentioned in sub-paragraph (*a*) or (*b*) of paragraph 1 of this Schedule when carried out for the purposes of agriculture or of the manufacture of flock or paper ; or

(ii) any process mentioned in sub-paragraph (*a*), (*b*), (*c*) or (*g*) of the said paragraph when carried out for the purposes of the manufacture of felt hats, felt hat hoods, capelines or manchions ; or

(iii) any process mentioned in sub-paragraph (*h*) or (*i*) of the said paragraph when carried out for the purposes of the manufacture of narrow fabric ; or

(iv) the manufacture of carpets or other floor coverings or any process mentioned in any of the sub-paragraphs (*a*) to (*g*) of the said paragraph when carried out in conjunction with such manufacture ; or

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

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

(*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 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(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.—(1) In this Schedule—

(*a*) "animal fibre" means fibre (other than hatters' fur) from the coat or fleece of alpaca, camel, cow, goat, guanaco, hare, lamb, llama, rabbit, reindeer, sheep or vicuna, which fibre has not been subjected to any process other than a process of a kind carried out in the preparation of such fibre for manufacture into rovings, yarn, pressed or needle felt; and includes fibre which has been recovered but which has not been so subjected subsequent to recovery and also human hair;

(*b*) "carrying out on commission" means the carrying out by any person in pursuance of a contract of work or labour (with or without the provision of materials) of any process mentioned in paragraph 1 of this Schedule wholly or mainly upon or from materials owned in the course of his business by the person procuring the performance of the service;

(*c*) "combing or re-combing" includes gilling, finishing or other processes involved in the production of tops or slubbings delivered in any form other than tops, and the dyeing of tops or slubbing dyeing;

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

(*e*) "fabric" means any material woven on woollen or worsted machinery;

(*f*) "manufacture" includes any process of weaving, dyeing, flame-proofing, moth-proofing, printing, finishing, milling, tentering, raising, whipping, binding, tabbing, burling, mending in the greasy or loom state, finished mending, perching, assessing, or cloth examination;

(*g*) "narrow fabric" means fabric (other than scarves or stoles) not exceeding 18 inches in width with two selvedges;

(*h*) "processed animal fibre" means animal fibre which has been subjected to any process of manufacture or recovery, but does not include fibre which has been recovered and subsequent to recovery has not been subjected to any process of manufacture;

(i) "rags" means any discarded or waste material containing animal fibre being—

(i) a garment or part of a garment; or

(ii) woven, knitted, netted, crochetted or felted material, other than a thrum or a hosiery clip or overlock; or

(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.

(iii) tailors' clippings or other material suitable for processing for the purposes of any process mentioned in paragraph 1 of this Schedule;

(*j*) "sorting" includes taking off, blending, packing and warehousing;

(*k*) "the process of making rovings" includes any process in worsted drawing in either an extended or shortened form in a worsted process or, in a woollen process, carding or scribbling, and any other process resulting in the production of rovings or slubbings ready for spinning;

(*l*) "treating" includes scouring or carbonising;

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

(*n*) "woollen or worsted machinery" means machinery that is designed primarily for the production of woollen or worsted yarn or fabric, and is installed in a textile factory.

(2) For the purposes of this Schedule—

(*a*) a fibre or any discarded or waste material shall be deemed not to contain animal fibre unless it contains more than 15 per cent. by weight of animal fibre; and any fibre, yarn, felt or fabric shall be deemed not to contain processed animal fibre unless it contains more than 15 per cent. by weight of processed animal fibre:

Provided that any fibre used in a process carried out on woollen or worsted machinery shall, notwithstanding anything hereinbefore contained in this Schedule, be deemed to contain animal fibre or processed animal fibre as the case may be;

(*b*) 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 a 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.

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 Wool 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, but is intended to indicate its general purport.)

This Order, which is made under the Industrial Training Act 1964, establishes an industrial training board to be known as the Wool 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.