STATUTORY INSTRUMENTS

1966 No. 428

INDUSTRIAL TRAINING

The Industrial Training (Wool, Jute and Flax Board) Order 1966

Made - - - 15*th April* 1966
Laid before Parliament 25*th April* 1966
Coming into Operation 27*th April* 1966

The Minister of Labour after consultation with the Wool 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 by virtue of the powers conferred on him by 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 (Wool, Jute and Flax Board) Order 1966 and shall come into operation on 27th April 1966.

(2) In this Order—

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

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

(*c*) "the levy Order" means the Industrial Training Levy (Wool) Order 1965(b);

(*d*) "the principal Order" means the Industrial Training (Wool Industry Board) Order 1964(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.

Re-naming of the Board

2. The Board shall henceforth be known as the Wool, Jute and Flax Industry Training Board and accordingly any reference to the Board in the principal Order shall be taken to be a reference to the Wool, Jute and Flax Industry Training Board, and any reference to the wool industry as a reference to the wool, jute and flax industry.

Activities of the Board

3. 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

4.—(1) The chairman, deputy chairman and other members of the Board on the date upon which this Order comes into operation shall be members of the Wool, Jute and Flax Board, and shall continue 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. 1965/1158 (1965 II, p. 3274).
(c) S.I. 1964/907 (1964 II, p. 1928).
(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 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 issued by the Board under the provisions of the levy Order before the date upon which this Order comes into operation or of any appeal or other proceedings arising out of any such notice;

(*d*) affect any rights or obligations of the Board or of any other person arising otherwise than under the levy Order.

(3) Any appeal or other proceedings that might have been continued or commenced against the Board may be continued or commenced against the Board by its new name.

15th April 1966.

R. J. Gunter,
Minister of Labour.

SCHEDULE

The Wool, Jute and Flax Industry

1. Subject to the provisions of this Schedule, the activities of the wool, jute and flax industry are the carrying out of the following activities in Great Britain:—

(*a*) sorting, treating, dyeing, using or consuming textile fibres, or packing, re-packing or warehousing such fibres;

(*b*) treating or dyeing rags or reducing into a fibrous form rags or yarn or, when carried out by an employer engaged in any such process, the ripping of rags;

(*c*) hackling, carding, combing or re-combing textile fibres;

(*d*) making rovings from textile fibres or spinning yarn;

(*e*) the conversion, for use in making rovings or spinning yarn, of any textile fibres or tow into tops, hank tops, bumps or slivers;

(*f*) twisting, doubling, folding, winding, warping, warp dressing, beaming, reeling, curling, sizing or dyeing yarn or any other process in the preparation of yarn for further processing;

(*g*) making up yarn in the form of hanks, skeins, balls or the like of a kind normally sold by retail;

(*h*) the manufacture of pressed or needle felt;

(*i*) the manufacture of—

(i) woven fabrics containing textile fibres; or

(ii) bonded or laminated fabrics containing textile fibres, but not embodying any knitted fabric, lace, lace net or embroidery;

(*j*) the tufting of fabrics containing textile fibres;

(*k*) the manufacture from woven fabrics containing textile fibres of blankets, bedspreads, scarves or stoles;

(*l*) the manufacture, wholly or mainly from jute, of carpets, carpeting, carpet underlays, mats, matting, rugs or similar floor coverings;

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

(*n*) the making from woven fabrics of sacks or bags (whether or not comprising linings of non-woven material) or the reclamation or repair of such sacks or bags when such making, reclamation or repair is carried out by an employer engaged in the spinning or weaving of jute, flax or hemp or, where that employer is a company, by the company or by an associated company of the company;

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

(*p*) buying, selling or other dealing in any textile fibres (other than jute, flax, hemp or similar fibres) by a merchant or broker, not being a futures broker;

(*q*) any activities, being—

(i) related activities incidental or ancillary to principal activities of the wool, jute and flax industry; or

(ii) activities undertaken in the administration, control or direction of one or more 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 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;

(*r*) any activities of industry or commerce (other than wool, jute and flax activities) carried out at or from an establishment mainly engaged—

(i) in wool, jute and flax activities; or

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

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

(i) mainly in activities not being wool, jute and flax activities or activities described in the Appendix to this Schedule; or

(ii) to a less extent in wool, jute and flax 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) any process mentioned in sub-paragraph (*a*), (*b*) or (*c*) of paragraph 1 of this Schedule when carried out for the purposes of agriculture or of the manufacture of flock, paper or paperboard;

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

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

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

(v) the manufacture (otherwise than wholly or mainly from jute) of carpets, carpeting, carpet underlays, mats, matting, rugs or similar floor coverings;

(vi) any process mentioned in sub-paragraph (*a*), (*c*), (*d*), (*f*) or (*h*) of paragraph 1 of this Schedule when carried out by the manufacturer (otherwise than wholly or mainly from jute) of any products mentioned in head (v) of this sub-paragraph for the purposes of his manufacture of such products;

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

(viii) 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;

(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 products 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 making-up of electric blankets;

(xii) the manufacture of 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;

(xiii) arranging, either directly or through another person, for the carrying out on commission of any process or manufacture mentioned in head (i), (ii) or (iii) of this sub-paragraph;

(*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 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

(**a**) 1944 c. 10. (**b**) 1958 c. 33.

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

3. In this Schedule unless the context otherwise requires:—

(*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*) "combing or re-combing" includes the processes following, that is to say, gilling, finishing, any process involved in the production of tops or of slubbings delivered in any form other than tops, the dyeing of tops or slubbing dyeing, and for the purposes of this definition "tops" includes jute or flax slivers;

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

(*d*) "cord" includes blind or window cord, but does not include fancy cords or tassels;

(*e*) "fabrics containing textile fibres" means fabrics containing more than 15 per cent. by weight of textile fibres;

(*f*) "knitted articles" and "knitted fabrics" mean respectively articles and fabrics manufactured on a warp-knitting, weft-knitting or crocheting machine, and "knitted articles" includes shaped pieces of material or wearing apparel so manufactured;

(*g*) "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;

(*h*) "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;

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

(*i*) "manufacture" means any process of weaving, dyeing, flame-proofing, moth-proofing, rot proofing, waterproofing, tarring, bleaching, shrinking, printing, calendering, finishing, milling, tentering, raising, whipping, binding, tabbing, burling, mending in the greasy or loom state, finished mending, perching, assessing, or cloth examination;

(*j*) "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;

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

(*l*) "principal activities of the wool, jute and flax industry" means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs (*q*) and (*r*) thereof, as activities of the wool, jute and flax industry;

(*m*) "rags" means any discarded or waste material containing textile fibres;

(*n*) "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;

(*o*) "rope" includes cable, strand, driving rope or banding, but does not include electric cable, steel wire rope, or any rope being a combination of textile fibres and steel wire;

(*p*) "sacks or bags" means corn sacks, flour sacks, coal sacks, sugar sacks, cement bags, sand bags, mail bags, potato bags, seed bags or similar sacks or bags;

(*q*) "sorting" includes any process of opening, taking off or blending;

(*r*) "textile fibres" means any fibres consisting of or including more than 15 per cent. by weight of—

(i) animal fibres of any kind or mixture;

(ii) human hair;

(iii) jute;

(iv) flax;

(v) hemp;

(vi) any fibres similar to jute, flax or hemp;

(vii) the waste of any of the foregoing fibres; or

(viii) any mixture of the foregoing fibres, hair or waste;

and includes any other fibres or continuous filaments where 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;

(*s*) "treating" includes any process of scouring or carbonising;

(**a**) 1963 c. 41.

(*t*) "tufting" means the insertion of a yarn of tufts or loops by a tufting machine into a pre-woven backing;
(*u*) "twine" includes agricultural or fishing twine;
(*v*) "wool, jute and flax activities" means any one or more of the principal activities of the wool, jute and flax industry or of the activities included in that industry by virtue of paragraph 1 (*q*) of this Schedule;
(*w*) "yarn" means yarn consisting of textile fibres.

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.

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 iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964(a)	Schedule 1 Paragraph 1(*j*)
The construction industry	The Industrial Training (Construction Board) Order 1964(b)	Schedule 1 Paragraph 1(*h*)
The engineering industry	The Industrial Training (Engineering Board) Order 1964(c)	Schedule 1 Paragraph 1(*i*)
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964(d)	Schedule 1 Paragraph 1(*d*)
The ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965(e)	Schedule 1 Paragraph 1(*n*)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965 (f)	Schedule 1 Paragraph 1(*r*)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(g)	Schedule 1 Paragraph 1(*d*)
The carpet industry	The Industrial Training (Carpet Board) Order 1966(h)	Schedule 1 Paragraph 1(*d*)

(a) S.I. 1964/949 (1964 II, p. 2127).
(b) S.I. 1964/1079 (1964 II, p. 2384).
(c) S.I. 1964/1086 (1964 II, p. 2402).
(d) S.I. 1964/1782 (1964 III, p. 3928).
(e) S.I. 1965/1391 (1965 II, p. 4062).
(f) S.I. 1965/2028 (1965 III, p. 5998).
(g) S.I. 1966/143 (1966 I, p. 257).
(h) S.I. 1966/245 (1966 I, p. 499).

APPENDIX—*continued*

Column 1	Column 2	Column 3
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(a)	Schedule 1 Paragraph 1(*j*)

EXPLANATORY NOTE

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

The Wool Industry Training Board was established on 29th June, 1964 by the Industrial Training (Wool Industry Board) Order 1964 to exercise the functions of an industrial training board in relation to the activities of the wool industry as specified in Schedule 1 to that Order.

This Order, which is made under section 9 of the Industrial Training Act 1964, redefines the activities in relation to which the Board exercises functions. These are specified in the Schedule to this Order and now include activities in connection with jute, flax, hemp and cordage. The Board is re-named the Wool, Jute and Flax Industry Training Board.

(a) S.I. 1966/246 (1966 I, p. 506).