1968 No. 898

INDUSTRIAL TRAINING

The Industrial Training (Wool, Jute and Flax Board) Order 1968

Made - - -	*7th June* 1968
Laid before Parliament	19*th June* 1968
Coming into Operation	3*rd July* 1968

The Secretary of State after consultation with the Wool, Jute and Flax 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 (Wool, Jute and Flax Board) Order 1968 and shall come into operation on 3rd July 1968.

(2) In this Order—

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

(*b*) "the Board" means the Wool, Jute and Flax Industry Training Board ;

(*c*) "Levy Order" includes the Industrial Training Levy (Wool) Order 1965(**b**), the Industrial Training Levy (Wool, Jute and Flax) Order 1966(**c**) and the Industrial Training Levy (Wool, Jute and Flax) Order 1967(**d**) ;

(*d*) "the 1966 Order" means the Industrial Training (Wool, Jute and Flax Board) Order 1966(**e**) ;

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

(3) The Interpretation Act 1889(**g**) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order, the principal Order and the 1966 Order were Acts of Parliament.

Revocation

2. The 1966 Order is hereby revoked.

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 (as amended by the 1966 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. 1965/1158 (1965 II, p.3274).
(**c**) S.I. 1966/954 (1966 II, p. 2301).
(**d**) S.I. 1967/989 (1967 II, p.3016).
(**e**) S.I. 1966/428 (1966 I, p.925).
(**f**) S.I. 1964/907 (1964 II, p.1928).
(**g**) 1889 c.63.

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 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*) affect the title of the Board which shall continue to be known as the Wool, Jute and Flax Industry Training Board ;

(*b*) extend the operation of a levy Order ;

(*c*) affect the operation of a 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 relevant levy period wholly or mainly in activities included in the Schedule to this Order ;

(*d*) affect the operation of any assessment notice issued by the Board under the provisions of a 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.

(3) In the principal Order any reference to the Wool Industry Training Board shall be construed as a reference to the Board, and any reference to the wool industry as a reference to the wool, jute and flax industry.

Signed by order of the Secretary of State.

7th June 1968.

Roy Hattersley,
Joint Parliamentary Under Secretary of State,
Department of Employment and Productivity.

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 following activities in so far as they are carried out in Great Britain :—

(*a*) sorting, packing or warehousing fleeces, not being the property of the British Wool Marketing Board ;

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

(*c*) 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 ;

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

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

(*g*) 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 ;

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

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

(*j*) the manufacture of—

(i) woven fabrics containing textile fibres ;

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

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

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

(*m*) the manufacture, wholly or mainly from jute, of carpets or other floor coverings ;

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

(*o*) 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 (or an associated company of the employer, being a company) engaged in the spinning or weaving of jute, flax or hemp ;

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

(*q*) dealing in—

(i) fleeces ;

(ii) textile fibres not being jute, flax, hemp or similar fibres ;

(iii) tops ;

(iv) yarn not consisting of jute, flax, hemp or similar fibres ;

(*r*) any activities (other than those above-mentioned) 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, 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 ;

(*s*) 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 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 wool, jute and flax 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 the activities following or any of them, that is to say—

(i) the assembly of electric blankets;

(ii) the manufacture, or preparation, of any filling for bolsters, cushions, pillows, quilts, quilting, mattresses, divans, divan bases or furniture or for seating of any kind;

(iii) the drafting, dressing or mixing, for the purpose of the manufacture of brushes or brooms, of animal hair, natural bristle, bass, whisk or similar fibres;

(iv) the processes of twisting, doubling, folding, winding, pirning, warping, warp dressing, beaming, sizing, dyeing, finishing, oiling, combing, recombing or bulking man-made fibres, continuous filaments or tow, being processes ancillary to the production of such products and carried out by an employer engaged in their production;

(v) the manufacture, otherwise than wholly or mainly from jute, of carpets or other floor coverings or, when carried out by an employer (or an associated company of the employer, being a company) engaged in such manufacture and for the purposes thereof, any activities mentioned in sub-paragraph (*b*), (*d*), (*f*) or (*g*) of paragraph 1 of this Schedule;

(vi) the manufacture of pressed or needle felt when carried out by an employer (or an associated company of the employer, being a company) engaged mainly in the manufacture, otherwise than wholly or mainly from jute, of carpets or other floor coverings;

(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 or fabrics;

(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 so engaged, the spinning, throwing, twisting or doubling of any textile fibres;

(ix) the manufacture of narrow fabrics or any process included in sub-paragraph (*j*) or (*k*) of the said paragraph 1 when carried out for the purposes of such manufacture;

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

(xi) selling, by retail, yarn consisting of textile fibres not being jute, flax, hemp or similar fibres;

(xii) any process included in sub-paragraph (*b*), (*c*), (*d*) or (*i*) of the said paragraph 1 when carried out for the purposes of the manufacture of felt hats, felt hat hoods or capelines;

(xiii) arranging, either directly or through another person, for the carrying out on commission of a process or manufacture referred to in head (ix) or (xii) of this sub-paragraph;

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

(i) in banking, finance or insurance; or

(ii) as futures brokers;

(*e*) the activities of the British Wool Marketing Board;

(*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 work or training);

(*g*) any activities undertaken in the provision of work, occupation or training in accordance with arrangements made by a local authority 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; or

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

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

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

"carpets or other floor coverings" means carpets, carpeting, mats, matting, rugs or any similar floor coverings;

"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;

"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;

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

"cord" includes blind or window cord, but does not include fancy cords or tassels;

"dealing" means by way of business and in the capacity of principal, agent or broker—

(i) in relation to products situate in Great Britain, buying or selling such products;

(ii) in relation to products situate elsewhere, importing such products into Great Britain;

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

"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;

"lace, lace net or embroidery" means any article 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;

(a) 1944 c.10.
(b) 1958 c.33.
(c) 1948 c.29.
(d) 1959 c.72.
(e) 1960 c.61.
(f) 1962 c.24.
(g) 1946 c.81.
(h) 1947 c.27.
(i) 1948 c.38.

Barmen lace machine;

Leavers lace machine;

Nottingham lace curtain machine;

Plain net machine;

Raschel or other warp lace machine;

"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;

"manufacture" includes 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;

"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;

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

"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 (*r*) and (*s*) thereof, as activities of the wool, jute and flax industry;

"rags" means any discarded or waste material containing textile fibres;

"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;

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

"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;

"selling, by retail" in relation to yarn means selling such yarn by way of business to a person buying otherwise than for the purpose of re-sale, use in manufacture or processing, and "sold by retail" has a corresponding meaning;

"sorting" includes any process of opening, taking off or blending;

(a). 1963 c.41.

"textile fibres" means any fibres consisting, 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, 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, worsted, jute, flax or hemp yarns or fabrics;

"treating" includes any process of scouring or carbonising;

"tufting" means the insertion of a yarn of tufts or loops by a tufting machine into a pre-woven backing;

"twine" includes agricultural twine and fishing twine;

"wool, jute and flax activities" means any one or more of the principal activities of the wool, jute and flax industry and the activities included in that industry by virtue of paragraph 1(*r*) of this Schedule;

"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 Paragrah 1(*j*)
The construction industry	The Industrial Training (Construction Board) Order 1964 as amended by the Industrial Training (Construction Board) Order 1967(b)	Schedule 1 Paragraph 1(*l*)
The engineering industry	The Industrial Training (Engineering Board) Order 1964 as amended by the Industrial Training (Engineering Board) Order 1967(c)	Schedule 1 Paragraph 1(*l*)
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*)

(a) S.I. 1964/949 (1964 II, p.2127).

(b) S.I. 1964/1079, 1967/924 (1964 II, p.2384; 1967 II, p.2757).

(c) S.I. 1964/1086, 1967/279 (1964 II, p.2402; 1967 I, p.999).

(d) S.I. 1964/1782 (1964 III, p.3928).

(e) S.I. 1965/1391 (1965 II, p.4062).

APPENDIX—*contd.*

Column 1	Column 2	Column 3
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(a)	Schedule 1 Paragraph 1(*r*)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(b)	Schedule 1 Paragraph 1(*d*)
The carpet industry	The Industrial Training (Carpet Board) Order 1966(c)	Schedule 1 Paragraph 1(*d*)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(d)	Schedule 1 Paragraph 1(*j*)
The cotton and allied textiles industry	The Industrial Training (Cotton and Allied Textiles Board) Order 1966(e)	Schedule 1 Paragraph 1(*p*)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966(f)	Schedule 1 Paragraph 1(*m*)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966(g)	Schedule 1 Paragraph 1(*o*)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board Order 1966(h)	Schedule 1 Paragraph 1(*e*)
The civil air transport industry	The Industrial Training (Civil Air Transport Board) Order 1967(i)	Schedule 1 Paragraph 1(*h*)
The petroleum industry	The Industrial Training (Petroleum Board) Order 1967(j)	Schedule 1 Paragraph 1(*h*)
The rubber and plastics processing industry	The Industrial Training (Rubber and Plastics Processing Board) Order 1967(k)	Schedule 1 Paragraph 1(*k*)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(l)	Schedule 1 Paragraph 1(*s*)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(m)	Schedule 1 Paragraph 1(*j*)
The printing and publishing industry	The Industrial Training (Printing and and Publishing Board) Order 1968(n)	Schedule 1 Paragraph 1(*n*)

(a) S.I. 1965/2028 (1965 III, p.5998).
(b) S.I. 1966/143 (1966 I, p.257).
(c) S.I. 1966/245 (1966 I, p.499).
(d) S.I. 1966/246 (1966 I, p.506).
(e) S.I. 1966/823 (1966 II, p.1907).
(f) S.I. 1966/969 (1966 II, p.2333).
(g) S.I. 1966/1112 (1966 III, p.2712).
(h) S.I. 1966/1347 (1966 III, p.3669).
(i) S.I. 1967/263 (1967 I, p.968).
(j) S.I. 1967/648 (1967 I, p.2032).
(k) S.I. 1967/1062 (1967 II, p.3151).
(l) S.I. 1967/1386 (1967 III, p.4049).
(m) S.I. 1968/787 (1968 II, p. 2194).
(n) S.I. 1968/786 (1968 II, p. 2185).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order re-defines the activities in relation to which the Wool, Jute and Flax Industry Training Board exercises its functions. The Board was established as the Wool Industry Training Board on 29th June 1964 by the Industrial Training (Wool Industry Board) Order 1964. It was re-named and its activities re-defined, by the Industrial Training (Wool, Jute and Flax Board) Order 1966, which Order is now revoked.

Amongst the activities henceforth to be included in the wool, jute and flax industry are—

(*a*) sorting, packing or warehousing fleeces;

(*b*) arranging for the carrying out on commission of activities in the industry for another person, whether or not he is himself engaged in the industry;

(*c*) dealing (with certain exceptions) in fleeces, textile fibres, tops and yarn.

The activities of the British Wool Marketing Board are excluded from the wool, jute and flax industry.