



Employment and Training Act 1973

1973 CHAPTER 50

The Manpower Services Commission and the Employment Service and Training Services Agencies

1 Establishment of the Commission and Agencies

- (1) There shall be three bodies corporate, to be called the Manpower Services Commission, the Employment Service Agency and the Training Services Agency, each of which shall have perpetual succession and a common seal and shall be constituted in accordance with the following provisions of this section.
- (2) The said Commission (hereafter in this Act referred to as " the Commission ") shall consist of ten persons appointed by the Secretary of State to be members of the Commission, of whom the members specified in each of the following paragraphs shall be appointed by him after consultation with such of the organisations mentioned in that paragraph as he considers appropriate, that is to say—
 - (a) as to three members, organisations representing employers;
 - (b) as to three other members, organisations representing employees;
 - (c) as to two other members, organisations representing local authorities; and
 - (d) as to one other member, organisations concerned with education (excluding organisations mentioned in the preceding paragraph).
- (3) The Secretary of State shall appoint as the chairman of the Commission the member about whose appointment no consultation is required by virtue of the preceding subsection and may appoint one of the other members as the deputy chairman of the Commission.
- (4) The said Agencies (hereafter in this Act referred to jointly as " the Agencies ") shall each consist of three persons of whom one shall be appointed by the Commission with the approval of the Secretary of State to be the director of the Agency in question and the others shall be appointed by the Commission after consultation with the said director.
- (5) The provisions of Schedule 1 to this Act shall have effect with respect to the Commission and the Agencies.

- (6) The Secretary of State may with the consent of the Treasury, at any time during the period of five years beginning with the day when subsection (1) of this section comes into force, by order transfer to and vest in the Commission or either of the Agencies—
- (a) any interest of the Crown or a government department in land which in the opinion of the Secretary of State is occupied by him or the Commission or either of the Agencies for a purpose connected with the functions of any of those bodies ; and
 - (b) any rights and liabilities to which the Crown or a government department is entitled or subject in connection with such an interest;
- but nothing in section 12 of the Finance Act 1895 (which requires certain Acts and certain instruments relating to the vesting of property by virtue of an Act to be stamped as conveyances on sale) shall apply to this Act or an order made in pursuance of this subsection, and stamp duty shall not be payable on such an order.
- (7) It is hereby declared that the Commission and the Agencies are not to be regarded as servants or, subject to subsection (2)(a) of the following section, as agents of the Crown or as enjoying any status, privilege or immunity of the Crown or, subject to the preceding subsection, as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local, and that their property is not to be regarded as property of or held on behalf of the Crown; but nothing in this Act shall be construed as derogating from any privilege, immunity or exemption of the Crown in relation to any matter as respects which the Commission or either of the Agencies acts as agent of the Crown by virtue of the said subsection (2)(a).

2 Functions of the Commission and Agencies

- (1) In addition to the functions conferred on the Commission by virtue of provisions of this Act other than this section but subject to subsection (3) of this section, it shall be the duty of the Commission to make such arrangements as it considers appropriate for the purpose of assisting persons to select, train for, obtain and retain employment suitable for their ages and capacities and to obtain suitable employees (including partners and other business associates).
- (2) Arrangements in pursuance of this section may—
- (a) include agreements between the Commission and a Minister of the Crown for the Commission to perform, on behalf of the Minister, functions exercisable by the Minister, whether by virtue of an enactment or otherwise, which are connected with employment, unemployment or training for employment (excluding a function of making regulations or other instruments having the force of law);
 - (b) include arrangements for encouraging increases in the opportunities available to women and girls for employment and training;
 - (c) be made in respect of employment or training in the United Kingdom or elsewhere ;
 - (d) include provision for the making of payments by the Commission, by way of grant or loan or otherwise, to persons who provide facilities in pursuance of the arrangements, to persons who use those facilities and to other persons specified in pursuance of the arrangements ;
 - (e) include provision for the making of payments to the Commission by other parties to the arrangements and by persons who use those facilities, including payments for publications issued in pursuance of the arrangements but

excluding other payments by persons in respect of the seeking or obtaining for them of employment under contracts of service or apprenticeship;

- (f) without prejudice to the generality of the preceding provisions of this section, include arrangements for the appointment of persons to advise the Commission in connection with any of its functions;

and it is hereby declared that nothing in the preceding subsection restricts the arrangements which may be made by virtue of this subsection.

- (3) It shall be the duty of the Commission—

- (a) to submit to the Secretary of State from time to time particulars of what it proposes to do for the purpose of performing its functions ; and
(b) subject to the following paragraph, to ensure that its activities are in accordance with proposals approved by the Secretary of State ; and
(c) to give effect to any directions given to it by the Secretary of State;

and the Commission may give to either of the Agencies at any time such directions as the Commission thinks fit with respect to the performance by the Agency of its functions.

- (4) In addition to any other functions conferred on either of the Agencies by virtue of this Act, it shall be the duty of each of the Agencies—

- (a) to exercise on behalf of the Commission such of the Commission's functions as the Commission directs the Agency to exercise; and
(b) to give effect to any directions given to it by the Commission otherwise than in pursuance of the preceding paragraph.

- (5) The Commission and each of the Agencies shall, subject to any directions given to it in pursuance of this Act, have power to do anything (except borrow money) which is calculated to facilitate, or is conducive or incidental to, the performance of any function of the Commission or, as the case may be, the Agency (including a function conferred on it by virtue of this subsection).

3 Control of the Commission by Secretary of State

- (1) Subject to the following subsection, the Secretary of State may—

- (a) approve, with or without modifications, any proposals submitted to him in pursuance of the preceding section;
(b) give to the Commission at any time such directions as he thinks fit with respect to its functions (including directions modifying its functions or any arrangements made in pursuance of the preceding section except directions conferring on it functions other than any of which it was deprived by previous directions given by virtue of this paragraph).

- (2) The Secretary of State shall not approve proposals submitted to him in pursuance of the preceding section for arrangements which include such provision as is mentioned in subsection (2)(d) of that section and shall not modify any such provision unless the amounts of the payments mentioned in the provision, or in the provision as proposed to be modified, and the terms on which the payments are to be made are approved by the Treasury in the case of payments otherwise than by way of subsistence or travelling allowances payable to advisers appointed in pursuance of subsection (2)(f) of the preceding section or compensation for loss of remunerative time so payable and by the Minister for the Civil Service in the case of payments by way of such allowances or compensation.

- (3) Subject to the following subsection, it shall be the duty of the Secretary of State to exercise the powers of approving proposals and giving directions which are conferred on him by this section so as to ensure that the arrangements made by the Commission in pursuance of the preceding section are in his opinion appropriate for the purpose mentioned in subsection (1) of that section.
- (4) If the Secretary of State considers that any action for the purpose so mentioned should be taken in pursuance of this Act otherwise than by or only by the Commission he may, after consulting the Commission about the matter, make arrangements for the action to be taken or taken also by himself or some other person, and paragraphs (c) to (e) of subsection (2) of the preceding section shall apply to arrangements in pursuance of this subsection as they apply to arrangements in pursuance of that section but with the substitution for references to the Commission of references to the Secretary of State.
- (5) The Secretary of State shall not make any arrangements in pursuance of the preceding subsection which include provision for the making of payments by him otherwise than in pursuance of section 5(2)(b) of this Act unless the amounts of the payments and the terms on which the payments are to be made are approved by the Treasury.

4 Obtaining and disclosure of information by the Commission and Agencies etc.

- (1) The Commission shall be a competent authority for the purposes of the Statistics of Trade Act 1947, and the reference in section 1(1) of that Act to the discharge by government departments of their functions shall include a reference to the discharge by the Commission of its functions.
- (2) Without prejudice to the generality of subsection (1)(b) of the preceding section, the Secretary of State may give directions to the Commission requiring it to furnish to a government department, in a form specified in the directions, any information so specified which has been obtained by the Commission by virtue of the preceding subsection or otherwise.
- (3) Nothing in section 9 of the said Act of 1947 (which restricts the disclosure of information obtained under that Act) shall prevent or penalise—
 - (a) the disclosure by the Secretary of State of relevant information to the Commission or either of the Agencies;
 - (b) the disclosure by the Commission or either of the Agencies of relevant information to a government department;
 - (c) the disclosure by the Commission to either of the Agencies or a board of relevant information which is of a kind specified in a notice in writing given to the Commission and the recipient of the information by the Secretary of State in pursuance of this paragraph;
 - (d) the disclosure by either of the Agencies to the Commission or the other Agency or a board of relevant information which is of a kind specified in a notice in writing given to the disclosing Agency and the recipient of the information by the Secretary of State in pursuance of this paragraph ;
 - (e) the disclosure by the Secretary of State, the Commission or either of the Agencies of relevant information, consisting of the name and address of any establishment, the numbers of persons of different descriptions employed there and the nature of the activities carried on there, to an officer of any of the following bodies who is authorised by that body to receive the information, namely, a local education authority, a local planning authority within the

meaning of the Town and Country Planning Act 1971 or the Town and Country Planning (Scotland) Act 1972 and a development corporation within the meaning of the New Towns Act 1965 or the New Towns (Scotland) Act 1968;

- (f) the disclosure by the Secretary of State, to a person to whom a notice in writing is given in pursuance of this paragraph by the Secretary of State and the Commission acting jointly, of statistics compiled wholly or partly from relevant information about the numbers of persons employed in any activity or area.

- (4) In the preceding subsection—

" a board " means an industrial training board within the meaning of the Industrial Training Act 1964; and

" relevant information " means information obtained under the said Act of 1947 ;

and any reference in that subsection to the Secretary of State, a government department, the Commission, either of the Agencies or such a board includes respectively a reference to an officer of his or of that body and also, in the case of a reference to such a board, a reference to any committee appointed by the board, to any officer of such a committee and to any person entitled to take part in proceedings of the board.

- (5) A person to whom information is disclosed in pursuance of subsection (3) of this section shall not use the information for a purpose other than—

- (a) in a case falling within paragraph (a) of that subsection, a purpose of the Commission or, as the case may be, of the Agency in question ;
- (b) in a case falling within paragraph (b) of that subsection, a purpose of the government department in question ;
- (c) in a case falling within paragraph (c), (d) or (f) of that subsection, a purpose specified in the notice given with respect to the information in pursuance of that paragraph;
- (d) in the case of information given to an officer of a local education authority or a local planning authority, the purposes of the functions conferred on the authority by section 8 of this Act or, as the case may be, by Part II of the said Act of 1971 or 1972 (which relate to development plans);
- (e) in the case of information given to an officer of a development corporation, the purposes of functions conferred on the corporation by section 3 of the said Act of 1965 or 1968 (which relate to the laying out and development of new towns);

and a person who contravenes the provisions of this subsection shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding £400.

- (6) Any reference to an officer of the Department of Employment in section 58 of the Finance Act 1969 (which provides for the disclosure by the Board of Inland Revenue, subject to the safeguards provided by that section, of names and addresses and other information in connection with the statistical surveys there mentioned) shall include a reference to an officer of the Commission and an officer of either of the Agencies ; and in subsection (4)(a) of that section for the word " another" there shall be substituted the word " an ".

*Additional powers of Secretary of State***5 Additional powers of Secretary of State**

- (1) The Secretary of State may make such arrangements as he considers appropriate for the purpose of providing temporary employment for persons in Great Britain who are without employment; any such arrangements may include arrangements for the making by the Secretary of State of payments by way of grant or loan to persons who provide employment in pursuance of the arrangements.
- (2) The Secretary of State may—
 - (a) appoint such persons as he thinks fit for the purpose of advising him with respect to the performance of any of the functions conferred on him by virtue of this Act, excluding the following section ; and
 - (b) pay to any person appointed in pursuance of the preceding paragraph such subsistence and travelling allowances and such compensation for loss of remunerative time as the Secretary of State may determine with the approval of the Minister for the Civil Service.
- (3) The Secretary of State may arrange for or make payments in respect of—
 - (a) research into any matter connected with any of his functions relating to employment, unemployment or training for employment or with a function conferred by virtue of this Act on the Commission or either of the Agencies;
 - (b) the dissemination of information derived from such research.
- (4) The Secretary of State shall not make any payments in pursuance of subsection (1) or (3) of this section unless the amounts of the payments and the terms on which they are made are approved by the Treasury.

*Modification of Industrial Training Act 1964 and other enactments***6 Modification of Act of 1964**

- (1) The Industrial Training Act 1964 shall have effect subject to the provisions of Part I of Schedule 2 to this Act.
- (2) In accordance with the preceding subsection, sections 1 to 7, 9, 9A, 12 and 14(1) of the Industrial Training Act 1964 are to have effect, after the coming into force of that subsection and Part I of Schedule 2 to this Act, as set out in Part II of that Schedule.
- (3) The preceding provisions of this section shall not have effect in relation to the Agricultural, Horticultural and Forestry Industry Training Board, and—
 - (a) the Industrial Training Act 1964 shall have effect in relation to that Board subject to the provisions of Part III of Schedule 2 to this Act; and
 - (b) that Board shall be called the Agricultural Training Board;
 and, without prejudice to the powers conferred by the said Act of 1964 to amend or revoke any order in respect of that Board which was made under that Act before this subsection comes into force, nothing in the preceding provisions of this subsection or in the said Part III shall affect the validity of such an order.
- (4) In accordance with the preceding subsection, sections 1 to 3, 5 and 9 of the said Act of 1964 are to have effect in relation to the Agricultural Training Board, after the coming

into force of that subsection and Part III of Schedule 2 to this Act, as set out in Part IV of that Schedule.

- (5) In Parts I and III of the said Schedule 2 " the Act " means the Industrial Training Act 1964.

7 Modification and exclusion of other enactments in relation to the Commission and Agencies

- (1) Section 1 of the Redundancy Payments Act 1965 (which provides for the making of redundancy payments to employees) shall not apply to any person in respect of his employment by the Commission or either of the Agencies, but section 41 of that Act (which provides for the payment out of the Redundancy Fund of sums related to compensation paid for the loss of such employments as are specified in subsection (1) of that section) shall have effect as if employment by the Commission and by each of the Agencies were so specified.
- (2) The Employers' Liability (Compulsory Insurance) Act 1969 shall not require insurance to be effected by the Commission or either of the Agencies.
- (3) For the purposes of sections 1 and 2 of the Contracts of Employment Act 1972 and sections 27(1)(a) and 28(a) of the Industrial Relations Act 1971, a person's period of continuous employment by a relevant body shall be treated as increased by the period or the aggregate of the periods for which he was previously continuously employed by that or another relevant body or in the civil service of the State if the period or each of the periods for which he was so employed was immediately followed by a period for which he was employed by a relevant body or in the said service; and for the purposes of the said section 28(a) a person's period of continuous employment in the said service shall be treated as increased by the period or the aggregate of the periods for which he was previously continuously employed by any relevant body or in the said service if the period or each of the periods for which he was so employed was immediately followed as aforesaid.
- (4) For the purposes of the preceding subsection—
- (a) the Commission and each of the Agencies is a relevant body;
 - (b) periods of continuous employment shall be determined in pursuance of Schedule 1 to the said Act of 1972, and " employed " has the same meaning as in that Act; and
 - (c) employment in the civil service of the State shall be treated as employment under a contract of service but shall be disregarded unless in the course of it the person in question gives personal service of at least twenty-one hours a week, or of such number of hours less than twenty-one as the Secretary of State may by order specify, and the remuneration for the employment is defrayed entirely out of money provided by Parliament.
- (5) The Secretary of State may by order provide that any enactment which is specified in the order and relates to the carrying on of an employment agency shall not apply in relation to the Commission and the Agencies or shall apply in relation to any of them with such modifications as are specified in the order; and in this subsection " employment agency " means any agency or other business for the introduction or supply to persons requiring them of persons available to do work or perform services.

*Careers services of education authorities***8 Provision of services by education authorities**

(1) Subject to subsections (3) to (5) of this section, it shall be the duty of each local education authority—

- (a) to make arrangements for the purpose of assisting persons who are attending, either full-time or part-time, educational institutions in Great Britain other than universities—
 - (i) to determine what employments will, having regard to their capabilities, be suitable for them and available to them when they leave the institutions, and
 - (ii) to determine what training will then be required by them and available to them in order to fit them for those employments ;
- (b) to make arrangements for the purpose of assisting persons leaving institutions mentioned in the preceding paragraph to obtain such employments and training as are so mentioned ; and
- (c) to make the arrangements made in pursuance of the preceding paragraphs available to persons who seek to make use of them and are either such persons as are mentioned in those paragraphs or persons attending or leaving universities in Great Britain ;

and it shall also be the duty of each local education authority to arrange for officers of the authority to be appointed to administer the arrangements made by the authority in pursuance of this subsection.

(2) A local education authority may, and shall so far as the Secretary of State directs it to do so, make arrangements in accordance with the following subsection—

- (a) for the purpose of assisting persons (other than those mentioned in paragraphs (a) and (b) of the preceding subsection) who are seeking employment or different employment to determine—
 - (i) what employments are suitable for persons having their capabilities, and
 - (ii) what training they require and is available to them in order to fit them for those employments ; and
- (b) for the purpose of assisting those persons to obtain such employments and training as are mentioned in the preceding paragraph.

(3) The arrangements made in pursuance of subsection (1) or (2) of this section shall be arrangements—

- (a) for the giving of assistance by collecting and furnishing information about persons seeking and offering employment and persons providing facilities for training; and
- (b) for providing advice and guidance for the purposes mentioned in that subsection,

and may include arrangements for the provision of services calculated to facilitate the carrying out of arrangements made in pursuance of paragraph (a) or (b) of this subsection.

(4) Subject to the following subsection, it shall be the duty of local education authorities to consult and co-operate with one another to the extent appropriate for the purpose of securing that the functions conferred on them by subsections (1) and (2) of this

section are performed efficiently; and, without prejudice to the powers exercisable by an authority for the purpose of performing that duty, any two or more local education authorities may make arrangements on such terms as they think fit (which may include terms as to the making of payments by one authority to another)—

- (a) for any of the authorities to perform any of those functions on behalf of another of the authorities as respects the whole or part of the other authority's area;
 - (b) for the authorities to act jointly in performing any of those functions as respects the whole or parts of their areas.
- (5) The Commission and any local education authority may make arrangements for the performance by the Commission on behalf of the authority of any function conferred on the authority by virtue of subsection (1) of this section or the preceding subsection so far as it relates to subsection (1), and any such arrangements—
- (a) may be made in respect of the whole or part of the area of the authority; and
 - (b) except in a case in which the Secretary of State has authorised the Commission to disregard this paragraph, must include provision for the making by the authority to the Commission of payments intended to defray the expenditure incurred by the Commission by virtue of the arrangements;

and the preceding provisions of this subsection shall have effect during any period when this subsection is in force before the establishment of the Employment Service Agency as if paragraph (b) were omitted and for any reference to the Commission there were substituted a reference to the Secretary of State.

- (6) The Secretary of State may by order provide that the preceding subsection, subsection (5) of the following section, this subsection and any arrangements in force by virtue of the preceding subsection or the said subsection (5) shall cease to have effect on a day specified in the order; and different days may be specified in pursuance of this subsection in relation to Scotland and the rest of Great Britain.
- (7) The reference to part-time attendance in paragraph (a) of subsection (1) of this section does not include—
- (a) part-time attendance where none of the relevant classes begins on any day before five o'clock in the evening; and
 - (b) any other part-time attendance as to which the Secretary of State directs that it shall be disregarded for the purposes of that paragraph ;

except that the said reference does include part-time attendance by persons who satisfy the local education authority in question that their attendance is with a view to employment.

9 Records of vocational advice

- (1) It shall be the duty of each local education authority to keep records of the vocational advice given on behalf of the authority to such persons as are mentioned in subsection (1)(a) of the preceding section.
- (2) Where a person ceases to attend an educational institution (other than a university) in the area of an authority and begins to attend such an institution in the area of another authority it shall be the duty of the first-mentioned authority, on the request of the other authority, to furnish to the other authority any records relating to that person which have been kept by the first-mentioned authority in pursuance of the preceding subsection or transmitted to that authority in pursuance of this subsection and any

records of vocational advice given to that person by the Secretary of State which have been transmitted to the first-mentioned authority by the Secretary of State.

- (3) Where to the knowledge of an authority a person ceases to attend a school in the area of the authority otherwise than with a view to attending another school in the area of that or another authority, then, subject to the following subsection, it shall be the duty of the authority—

- (a) to give him a written summary of any vocational advice already given to him on behalf of the authority and of any vocational advice relating to him of which records were transmitted to the authority in pursuance of the preceding subsection or by the Secretary of State ; and
- (b) to keep a copy of the summary for two years beginning with the date on which he ceased to attend the school in question; and
- (c) to comply with a request for a copy of the summary which during that period is made to the authority by him; and
- (d) to comply with a request for a copy of the summary which, during that period and at a time when the person to whom it relates is under the age of eighteen, is made to the authority by his parent or guardian ;

but an authority shall not be required by virtue of paragraph (c) or (d) of this subsection to furnish more than one copy of the summary to the person to whom it relates or more than one copy of it to a parent or guardian of his.

- (4) An authority shall not be required by virtue of paragraph (a) of the preceding subsection to furnish a person with the summary mentioned in that paragraph in a case where the authority has, or the authority and other authorities and the Secretary of State between them have, already furnished him with written statements which together contain the information which apart from this subsection would fall to be included in the summary; and that subsection shall have effect in such a case as if paragraph (a) were omitted and any reference to the summary in any other provision of that subsection were a reference to the statements.
- (5) Subsection (5) of the preceding section shall have effect in relation to any function conferred on an authority by virtue of the preceding provisions of this section as it has effect in relation to any function mentioned in that subsection.

- (6) In this section—

" authority " means local education authority;

" parent ", in relation to Scotland, has the meaning assigned to it by section 145(33) of the Education (Scotland) Act 1962;

" school ", in relation to England and Wales, has the meaning assigned to it by section 114(1) of the Education Act 1944 and, in relation to Scotland, has the meaning assigned to it by section 145(42) of the said Act of 1962 ; and

" vocational advice " means advice and guidance given in pursuance of arrangements made for the purposes of subsection (1)(a) of the preceding section or in pursuance of the Employment and Training Act 1948.

10 Control of education authorities by Secretary of State

- (1) It shall be the duty of each local education authority—

- (a) to perform the functions conferred on the authority by sections 8 and 9 of this Act in accordance with such guidance of a general character as the Secretary of State may give to the authority ; and

- (b) to provide the Secretary of State, in such manner and at such times as he may specify, with such information and facilities for obtaining information as he may specify with respect to the performance by the authority of those functions.
- (2) The Secretary of State may make arrangements with one or more other Ministers of the Crown—
- (a) for constituting a body consisting of officers of his and of the other Ministers and of such other persons, if any, as may be determined in pursuance of the arrangements ; and
 - (b) for the performance by that body on behalf of the Secretary of State of functions conferred on him by the preceding subsection.

Supplemental

11 Financial provisions

- (1) It shall be the duty of the Secretary of State to pay to the Commission such sums as are approved by the Treasury and as he considers appropriate for the purpose of enabling the Commission to perform its functions; and it shall be the duty of the Commission to pay to each of the Agencies such sums as the Commission considers appropriate for the purpose of enabling the Agency to perform its functions.
- (2) There shall be paid out of money provided by Parliament—
- (a) any expenses incurred by the Secretary of State for the purposes of this Act; and
 - (b) any increase attributable to the provisions of this Act in the sums payable under any other Act out of money so provided;
- and any sums received by the Secretary of State by virtue of this Act shall be paid into the Consolidated Fund.
- (3) Where it appears to the Commission or an industrial training board within the meaning of the Industrial Training Act 1964 that any person would have been entitled, by reference to an injury or disease developed by him or another person in consequence of attendance at a course provided or approved by the Commission or the board or in consequence of the use of facilities so provided or approved, to receive any benefit or increase in benefit in pursuance of the National Insurance (Industrial Injuries) Act 1965 but for the fact that he or the other person was not at a relevant time an insured person within the meaning of that Act, the Commission or the board may make to him payments equal to the whole or part of the benefit or increase in question; and the Secretary of State may make such payments where the course or facilities in question were provided or approved by him in pursuance of subsection (4) of section 3 of this Act or by another person in pursuance of that subsection.

12 Ancillary and transitional provisions

- (1) It shall be the duty of the Commission in exercising any power to select disabled persons for courses of training and other courses or any power to submit for engagements the names of persons registered as handicapped by disablement, and of the Secretary of State and any other person in exercising such a power in pursuance of section 3(4) of this Act, to give preference, so far as it or he considers it consistent with the efficient exercise of that power, to persons of the classes specified in section 16

of the Disabled Persons (Employment) Act 1944 (which specifies the classes of ex-service men and women to whom preference is to be given in pursuance of that section); and in this subsection " disabled person " and " person registered as handicapped by disablement" have the same meanings as in that Act.

- (2) It shall be the duty—
- (a) of the Commission and of each local education authority to furnish the Secretary of State with such information in its possession as the Secretary of State may specify as being information required by him in connection with the determination of questions relating to contributions or benefit under the National Insurance Acts 1965 to 1972 or benefit under the National Insurance (Industrial Injuries) Act 1965 or the Industrial Injuries and Diseases (Old Cases) Act 1967 ;
 - (b) of the Commission and of each local education authority to furnish the Supplementary Benefits Commission with such information in its possession as the Secretary of State may specify as being information required by the latter Commission in connection with the determination of questions relating to benefit within the meaning of the Ministry of Social Security Act 1966;
 - (c) subject to the following subsection, of each local education authority to comply with any directions of the Secretary of State requiring it—
 - (i) to issue, to persons under the age of eighteen who apply for them, such documents relating to the contributions aforesaid as may be specified in the directions, and
 - (ii) to furnish the Secretary of State with such information as may be so specified with respect to persons to whom documents are issued in pursuance of the directions;

and any information falling to be furnished in pursuance of this subsection shall be furnished in such a form and at such times as the Secretary of State may direct.
- (3) If the Commission and a local education authority agree that the duty imposed on the authority by virtue of paragraph (c) of the preceding subsection shall be performed by the Commission on behalf of the authority, that paragraph shall, while the agreement is in force, have effect in relation to that duty as if for references to the local education authority there were substituted references to the Commission; but the Secretary of State may by order provide that that paragraph and this subsection shall cease to have effect on a date specified in the order.
- (4) The Commission or an industrial training board may make to any person payments by way of travelling and subsistence allowances and compensation for loss of remunerative time which are approved by the Secretary of State and which the Commission or board considers are appropriate in connection with the person's attendance at any examination connected with a claim for payments from the Commission or board in pursuance of subsection (3) of the preceding section; and the Secretary of State may make payments by way of travelling and subsistence allowances and compensation for loss of remunerative time in connection with a claim for payments by him in pursuance of that subsection.
- (5) No limitation imposed on the powers of the Parliament of Northern Ireland by the Government of Ireland Act 1920 shall preclude that Parliament from making laws for purposes similar to any of the purposes of this Act.
- (6) If the term of office of any person as a member of a Youth Employment Committee would apart from this subsection expire on or after the day when this subsection comes

into force but before the date when the Committee is abolished, the term shall by virtue of this subsection be extended so as to expire on that date.

13 Interpretation etc.

- (1) In this Act, apart from Schedule 2, the following expressions have the following meanings—
 - " the Agencies " has the meaning assigned to it by section 1(4) of this Act;
 - " the Commission " has the meaning assigned to it by section 1 (2) of this Act;
 - " employee ", except in Schedule 1, includes a person engaged under a contract for services, and " employer " shall be construed accordingly ;
 - " employment ", except in section 7 and Schedule 1, means employment under a contract of service or apprenticeship or a contract for services or otherwise than under a contract, and " employed " shall be construed accordingly ;
 - " facilities " includes services ;
 - " functions " includes powers and duties ;
 - " local education authority ", in relation to Scotland, means an education authority as defined in section 145(16) of the Education (Scotland) Act 1962;
 - " modifications " includes additions, omissions and amendments ;
 - " training " includes any education with a view to employment, and cognate expressions shall be construed accordingly; and
 - " university ", in relation to Scotland, includes a central institution and a college of education as defined in section 145 of the Education (Scotland) Act 1962.
- (2) A reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment.
- (3) The powers conferred on the Secretary of State by this Act are in addition to and not in substitution for any powers exercisable by him apart from this Act.
- (4) Any power to make an order which is conferred on the Secretary of State by this Act apart from Schedule 2 shall be exercisable by statutory instrument, and an order made in the exercise of such a power—
 - (a) may include such supplemental and incidental provisions as the Secretary of State considers appropriate for the purposes of the order ;
 - (b) may, except in the case of an order made by virtue of section 8(6) or 12(3) of this Act, be varied or revoked by a subsequent order so made, so however that an order appointing a day shall not be varied or revoked by virtue of this subsection on or after that day.
- (5) No order shall be made in pursuance of section 7(4)(c) of this Act unless a draft of the order has been approved by a resolution of each House of Parliament and a statutory instrument containing an order made by virtue of section 7(5) of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

14 Minor and consequential amendments of enactments, and repeals

- (1) The enactments mentioned in Schedule 3 to this Act shall have effect subject to the provisions of that Schedule; but the coming into force of paragraph 12 or 15 of that

Schedule shall not affect any order made under the Act referred to in that paragraph before the date when that paragraph comes into force.

- (2) The enactments mentioned in the first and second columns of Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule; but nothing in this subsection affects the application of the Industrial Training Act 1964 to the Agricultural Training Board.

15 Short title, commencement and extent

- (1) This Act may be cited as the Employment and Training Act 1973.
- (2) This Act shall come into force on such day as the Secretary of State may by order appoint, and—
 - (a) different days may be appointed in pursuance of this subsection for the purposes of different provisions of this Act or for different purposes of the same provision of this Act; and
 - (b) any such order may contain such transitional provisions as the Secretary of State considers appropriate in connection with the order.
- (3) This Act, except section 12(5), paragraphs 4, 5, 9 and 13 of Schedule 3 and Schedule 4 so far as it relates to section 20 of the Employment and Training Act 1948 and to the Agriculture Act 1970, does not extend to Northern Ireland.