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## SCHEDULES

### SCHEDULE 2

#### MODIFICATIONS OF INDUSTRIAL TRAINING ACT 1964

#### PART III

##### SPECIAL MODIFICATIONS RELATING TO THE AGRICULTURAL TRAINING BOARD

- 1 The following provisions of the Act shall cease to have effect, namely—
  - (a) in section 1, subsections (1) and (4) to (6) ;
  - (b) section 2(5) and (6);
  - (c) in section 3(1) the words from ", in accordance " to " 7 of this Act," and from ", to such extent" to " the proposals," ;
  - (d) sections 4, 5(2) to (4), 6 and 7 ;
  - (e) in section 9, in subsection (3) the words from "and may" onwards, and subsection (4);
  - (f) sections 11 to 13, 14(3) and 17 ; and
  - (g) in the Schedule, paragraphs 5, 6(2) and 12.
- 2 In section 1(2) of the Act after the word "Act" there shall be inserted the words—

“" agriculture " has the same meaning as in the Agriculture Act 1947 or the Agriculture (Scotland) Act 1948 ;

" employee " includes a person engaged under a contract for services, and "employer" shall be construed accordingly;

" employment " 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 ;”

“" the Minister " means the Ministers concerned with agriculture in England, Scotland and Wales acting jointly.”
- 3 (1) In section 2(1) of the Act for paragraph (f) there shall be substituted the following paragraph—

“(f) may take part in any arrangements made in pursuance of section 2(1) or (2), 3(4) or 8 of the Employment and Training Act 1973 (which relate to arrangements for persons to select, train for and obtain suitable employments and to obtain suitable employees) ;”

and after paragraph (g) there shall be inserted the following paragraphs—

“(h) may provide advice about training connected with the industry;

(i) may enter into agreements with persons for the making by them of payments to the board in respect of the exercise by the board of any of its functions.”
- (2) In section 2(3) of the Act after the word " provide " there shall be inserted the words " advice for the other board and " .

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- (3) At the end of section 2(4) of the Act there shall be inserted the following paragraph—
- “(d) make payments to persons in connection with arrangements under which they or employees of theirs make use of courses or other facilities provided or approved by the board.”
- 4 After section 2 of the Act there shall be inserted the following sections—

**“2A Control of Agricultural Training Board by the Minister.**

- (1) The Minister may give to the Agricultural Training Board such directions as he thinks fit with respect to the performance by the Board of its functions ; and it shall be the duty of the Board, notwithstanding anything in any other provision of this Act, to comply with the directions.
- (2) Any such directions may require the said Board to exercise on behalf of the Minister functions exercisable by the Minister, whether by virtue of an enactment or otherwise, which are connected with the provision of training or advice for persons employed or intending to be employed in agriculture or in agriculture or horticulture business within the meaning of section 64 of the Agriculture Act 1967 (excluding a function of making regulations or any other instrument having the force of law).

**2B Disclosure of information to Agricultural Training Board.**

The Minister of Agriculture, Fisheries and Food and the Secretary of State may, for the purpose of assisting the Agricultural Training Board in planning and carrying out activities (including research) connected with the functions conferred on it by section 2(1)(a) of this Act, disclose to the Board any information about—

- (a) the kind of crops grown on any land and the areas of land on which crops of any kind are grown; and
- (b) the number and description of persons employed on any land and employed on disposing of the produce of any land ; and
- (c) the kinds of machinery used on any land, which has been furnished to him in pursuance of section 78 of the Agriculture Act 1947.”
- 5 (1) In section 3(1) of the Act after the words " section 2 " there shall be inserted the words " or by virtue of section 2A " .
- (2) In section 3(2) of the Act for the words from " allowances " onwards there shall be substituted the words " allowances (including allowances for loss of remunerative time) as the Minister may determine with the approval of the Minister for the Civil Service and to the chairman of any such committee to which functions mentioned in the preceding subsection are delegated (hereafter in this section referred to as a " relevant committee ") such remuneration as the Minister may so determine " .
- (3) After subsection (2) of section 3 of the Act there shall be inserted the following subsection—
- “(2A) An industrial training board may make such arrangements as the Minister may specify with the approval of the Minister for the Civil Service—
- (a) for the payment of pensions, superannuation allowances and gratuities to or in respect of the chairmen of relevant committees ;

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- (b) for the payment of compensation to a person who ceases to be a chairman of a relevant committee otherwise than on the expiry of his term of office where it appears to the Minister that there are special circumstances which make it right for him to receive compensation.”
- 6 In section 5(1) of the Act for the word " Minister " there shall be substituted the words " Minister of Agriculture, Fisheries and Food ".
- 7 (1) At the end of section 9(1) of the Act there shall be inserted the words " and an order under paragraph (a) of this subsection may, besides including or without including provisions with respect to any activities of industry or commerce, include provisions with respect to activities relating to agriculture which are not carried on in the course of industry or commerce ".
- (2) In section 9(2) of the Act for the words " subsection (1)" there shall be substituted the words " subsection (1)(a) " , and for the words from "consult" onwards there shall be substituted the words " consult the Agricultural Training Board and any organisations or associations appearing to him to be representative—
- (a) of employers engaged in activities to be included in or excluded from the relevant industrial training order by virtue of the amendments in question; and
- (b) of employees engaged in those activities ;
- and before making an order under subsection (1)(b) of this section the Minister shall consult the said Board and any organisation or association of organisations appearing to him to be representative—
- (i) of substantial numbers of employers engaging in the activities with which the said Board is concerned ; and
- (ii) of substantial numbers of persons employed in the activities mentioned in paragraph (i) above ".
- 8 In section 14(1) of the Act for the words from the beginning to "carried on" there shall be substituted the words " An industrial training board may, with the consent of the Minister, exercise such functions in connection with training for employment ".
- 9 In the Schedule to the Act—
- (a) at the end of paragraph 4 there shall be inserted the words " and may make such arrangements for the payment of pensions, superannuation allowances and gratuities to or in respect of its chairman as the Minister may specify with the like approval ";
- (b) after paragraph 4 there shall be inserted the following paragraph—
- “4A Where a person ceases to be the chairman of an industrial training board otherwise than on the expiry of his term of office and it appears to the Minister that there are special circumstances which make it right for him to receive compensation, the board may make him a payment of such amount as the Minister may determine with the approval of the Minister for the Civil Service. ;”
- (c) in paragraph 6(1), after the word " specify " there shall be inserted the words " and the Manpower Services Commission ";
- (d) at the end of paragraph 10 there shall be inserted the words " with the approval of the Minister given with the consent of the Minister for the Civil Service ";

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- (e) in paragraph 11, for the words "as the board may determine " there shall be substituted the words " (including allowances for loss of remunerative time) as the Minister may determine with the approval of the Minister for the Civil Service ".