

## SCHEDULES

### SCHEDULE 1

Section 1(3).

#### INDUSTRIAL TRAINING BOARDS

- 1 An industrial training board shall be a body corporate, by such name as may be specified in the industrial training order.
- 2 The members of an industrial training board shall be appointed by the Secretary of State.
- 3 An industrial training board shall consist of a chairman, who shall be a person appearing to the Secretary of State to have industrial or commercial experience, and—
  - (a) an equal number of persons appointed after consultation with such organisations or associations of organisations representative of employers engaging in the industry and of persons employed in the industry respectively as appear to the Secretary of State to be appropriate ;
  - (b) persons appointed after consultation with the Ministers concerned with education in England, Scotland and Wales;and, if the Secretary of State thinks fit to appoint as deputy chairman a person appearing to him to have industrial or commercial experience, the deputy chairman so appointed; and references in the following provisions of this Schedule to a chairman shall include a deputy chairman.
- 4 An industrial training board shall pay to its chairman such remuneration (if any) as the Secretary of State may from time to time with the approval of the Treasury determine and may make such arrangements for the payment of pensions, superannuation allowances and gratuities to or in respect of its chairman as the Secretary of State may specify with the approval of the Treasury.
- 5 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 Secretary of State 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 Secretary of State may determine with the approval of the Treasury.
- 6 The chairman and the members appointed as mentioned in sub-paragraph (b) of paragraph 3 above shall not vote on any matter relating to the imposition of a levy and no such matter shall be decided except in accordance with the votes of the majority of the members who were appointed as mentioned in sub-paragraph (a) of that paragraph after consultation with organisations or associations of organisations representative of employers engaging in the industry.
- 7 (1) The Secretary of State, the Minister concerned with education in Scotland, the Ministers concerned with education in England and Wales (acting jointly), the Manpower Services Commission and, if the Secretary of State thinks fit in a particular case, such other Ministers in charge of government departments as he may specify may each appoint one person to attend the meetings of an industrial training board; and any person so appointed shall be entitled to take part in the proceedings

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of the board and receive copies of all documents distributed to its members, but shall have no vote.

- (2) The Commission may appoint one or more persons to attend the meetings of a committee of an industrial training board; and a person so appointed shall be entitled to take part in the proceedings of the committee and receive copies of all documents distributed to its members but shall have no vote.
- 8 An industrial training order may make provision with respect to—
- (a) the tenure of office of the members of the board ;
  - (b) the quorum and, subject to paragraphs 6 and 7 above, the proceedings and meetings of the board ;
  - (c) the execution of instruments by and on behalf of the board and the proof of documents purporting to be executed, issued or signed by the board or a member, officer or servant thereof;
- and any provision made by virtue of sub-paragraph (b) above may enable votes to be cast by proxy.
- 9 Subject to paragraphs 6 and 7 and to any provision made by virtue of paragraph 8 above, a board shall have the power to regulate its own procedure.
- 10 The proceedings of an industrial training board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment of any member.
- 11 An industrial training board may appoint such officers and servants, upon such terms as to remuneration, pension rights and other conditions of service, as the board may determine.
- 12 An industrial training board may pay to its members such allowances for loss of remunerative time as the Secretary of State may determine with the approval of the Treasury and such travelling, subsistence and other allowances as the board may determine.
- 13 For the purposes of this Schedule any body established for the purpose of carrying on under national ownership any industry or part of an industry or undertaking shall be treated as if it were an organisation representative of employers.

## SCHEDULE 2

Section 20(1).

### TRANSITIONAL PROVISIONS AND SAVINGS

- 1 Where any consultations are required by virtue of section 1 of this Act and the Secretary of State is satisfied that adequate consultations took place before 31st July 1981, no further consultations shall be required.
- 2 (1) If at the commencement of this Act any provision of the Employment and Training Act 1981 mentioned in column 1 of the following Table is not in force for any purpose of that provision, then the provision of this Act set out in column 2 of the Table opposite that provision shall have effect for that purpose with the modification there specified.

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TABLE

<i>Provision of Employment and Training Act 1981</i>	<i>Modification of this Act</i>
Section 2(1)	In section 11(1), for "raising money towards meeting its expenses " substitute " encouraging adequate training in the industry ".
Schedule 1, paragraph 1.	In section 2— (a) In subsection (2)(a) for " allowances " in the first place where it occurs to the end substitute " travelling, subsistence and other allowances (including allowances for loss of remunerative time) as the Secretary of State may determine with the approval of the Treasury " ; (b) in subsection (2)(b) for " board " to the end substitute " Secretary of State may so determine " ; (c) in subsection (3) for " board may determine " substitute " Secretary of State may specify with the approval of the Treasury " ; (d) in subsection (3)(b) for "board" substitute " Secretary of State " .
Schedule 1, paragraph 7.	In paragraph 11 of Schedule 1, at end insert " with the approval of the Secretary of State given with the consent of the Treasury " .
Schedule 1, paragraph 8.	In paragraph 12 of Schedule 1 for " allowances " to the end substitute " travelling, subsistence and other allowances (including allowances for loss of remunerative time) as the Secretary of State may determine with the approval of the Treasury " .

- (2) The Secretary of State may by order made by statutory instrument provide that on such day as he may appoint sub-paragraph (1) above shall cease to have effect and the order—
- (a) may appoint different days for the purposes of different provisions or for different purposes of the same provision ;
  - (b) may contain such transitional, incidental and supplementary provisions as the Secretary of State considers appropriate in connection with the order.

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- 3 (1) Any sum paid to an industrial training board in pursuance of a levy imposed under a levy order made before the relevant day may be used by the board to meet any of its expenses.
- (2) In sub-paragraph (1) above " the relevant day " means—
- (a) the day appointed under section 11(3) of the Employment and Training Act 1981 for the coming into force of section 2(1) of that Act, or
  - (b) if at the commencement of this Act no such day has been appointed, such day as the Secretary of State may appoint under paragraph 2(2) above in relation to the said section 2(1).
- (3) If at the commencement of this Act section 2(2) of the said Act of 1981 is not in force for any purpose of that provision sub-paragraph (1) above shall not have effect for that purpose until such date as the Secretary of State may by order made by statutory instrument appoint and an order under this sub-paragraph may—
- (a) appoint different dates for different purposes of that section ; and
  - (b) contain such transitional, incidental and supplementary provisions as the Secretary of State considers appropriate in connection with the order.
- 4 Any transitional, incidental and supplementary provisions made by any order made under section 11(3) of the Employment and Training Act 1981 in connection with the bringing into force of any provision of that Act shall not cease to have effect by virtue of the repeal by this Act of that section but—
- (a) in the case of any provisions mentioned in column 1 of the Table in paragraph 2(1) above, shall be construed so as to produce a corresponding effect in connection with the provision of this Act mentioned in column 2 of the Table opposite that provision ; and
  - (b) in the case of section 2(2) of that Act, shall be construed so as to produce a corresponding effect in paragraph 3(1) above.
- 5 If at the date of the commencement of this Act an order has been made under section 11(3) of the Employment and Training Act 1981 (whether or not that order has come into force by that date) appointing a day after that date for the coming into force of any provision of that Act for any purpose, paragraphs 2 to 4 above shall have effect from that day—
- (a) in the case of an order which is not in force at that date, as if the order had come into force before that date ; and
  - (b) as if the day appointed were a day before that date.
- 6 Nothing in this Act shall affect the enactments repealed by this Act in their operation in relation to offences committed before the commencement of this Act.
- 7 Where any period of time specified in or under an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when that period began to run.

### SCHEDULE 3

Section 20.

#### CONSEQUENTIAL AMENDMENTS

- 1 In section 51(1) of the Docks and Harbours Act 1966 for the words from " a tribunal" onwards there shall be substituted the words " an industrial tribunal ".

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- 2 In paragraphs 10 and 38 of Part I of Schedule 1 to the Tribunals and Inquiries Act 1971 for the words " section 12 of the Industrial Training Act 1964 (c.16)" there shall be substituted the words " section 128 of the Employment Protection (Consolidation) Act 1978 (c.44) ".
- 3 In sections 4(4) and 11(3) of the Employment and Training Act 1973 for the words "within the meaning of the Industrial Training Act 1964 " there shall be substituted the words " established under section 1 of the Industrial Training Act 1964 or section 1 of the Industrial Training Act 1982. "
- 4 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 after the words " constituted under the Industrial Training Act 1964 " there shall be inserted the words " or the Industrial Training Act 1982 " and for the words " that Act" there shall be substituted the words " either of those Acts ".
- 5 In the Sex Discrimination Act 1975—
- (a) at the end of section 14(2)(a) there shall be inserted the words " or section 1 of the Industrial Training Act 1982. " ; and
  - (b) the definition of "industrial tribunal" in section 82(1) shall cease to have effect.
- 6 In section 127(1) of the Employment Protection Act 1975 for paragraph (b) there shall be substituted—
- “(b) the Industrial Training Act 1982.”
- 7 In the Race Relations Act 1976—
- (a) at the end of section 13(2)(a) there shall be inserted the words " or section 1 of the Industrial Training Act 1982 " ; and
  - (b) the definition of " industrial tribunal" in section 78(1) shall cease to have effect

#### SCHEDULE 4

Section 20(3).

#### ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
<a href="#">1964 c. 16.</a>	The Industrial Training Act 1964.	The whole Act except section 16 (save as that Act applies to the Agricultural Training Board).
<a href="#">1973 c. 50.</a>	The Employment and Training Act 1973.	Section 6(1), (2) and (5). In Schedule 2, Parts I and II.
<a href="#">1975 c. 18.</a>	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 11, save as it applies to the Agricultural Training Board.
<a href="#">1975 c. 65.</a>	The Sex Discrimination Act 1975.	In section 82(1) the definition of " industrial tribunal".
<a href="#">1976 c. 74.</a>	The Race Relations Act 1976.	In section 78(1) the definition of " industrial tribunal ".

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Chapter	Short Title	Extent of Repeal
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In Schedule 16, paragraph 4.
1981 c. 57.	The Employment and Training Act 1981.	Sections 1 to 8 and 11(3). Schedule 1. In Schedule 2, paragraph 4.