

1967 No. 1062

INDUSTRIAL TRAINING
**The Industrial Training (Rubber and Plastics Processing Board)
Order 1967**

<i>Made</i>	- - -	17th July 1967
<i>Laid before Parliament</i>		27th July 1967
<i>Coming into Operation</i>		9th August 1967

The Minister of Labour (hereinafter referred to as "the Minister") after consultation 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 1 of, and paragraphs 1 and 7 of the Schedule to, the Industrial Training Act 1964(a) (hereinafter referred to as "the Act") 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 (Rubber and Plastics Processing Board) Order 1967 and shall come into operation on 9th August 1967.

(2) The Interpretation Act 1889(b) shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Establishment of Industrial Training Board

2. An industrial training board to be known as the Rubber and Plastics Processing Industry Training Board (hereinafter referred to as "the Board") is hereby established to exercise in relation to the activities specified in Schedule 1 to this Order as the activities of the rubber and plastics processing industry the functions conferred on industrial training boards by the Act.

Membership and proceedings of the Board

3. The provisions of Schedule 2 to this Order shall have effect in relation to the Board.

17th July 1967.

R. J. Gunter,
Minister of Labour.

SCHEDULE 1

THE RUBBER AND PLASTICS PROCESSING INDUSTRY

1. Subject to the provisions of this Schedule, the activities of the rubber and plastics processing industry are the following activities in so far as they are carried out in Great Britain:—

- (a) the processing of rubber or of plastics material;
- (b) the reclamation or processing of used or waste rubber or of such plastics material;
- (c) the manufacture of leathercloth or the coating or impregnation of textile fabric with rubber or plastics material;
- (d) the manufacture of linoleum or felt base floor covering;
- (e) the manufacture or re-covering of printers' rollers;
- (f) the manufacture of waterproof felt of a kind used as a damp course, flashing, or as a roof covering or lining;
- (g) the manufacture of rubber stamps;
- (h) the manufacture of ball-point or fountain pens or propelling pencils;
- (i) the manufacture (otherwise than wholly or mainly from wood, metal or any combination of metal and plastics material) of buttons;
- (j) any activities, being—
 - (i) related activities incidental or ancillary to principal activities of the rubber and plastics processing 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;
- (k) any activities of industry or commerce (other than rubber and plastics processing activities) carried out at or from an establishment mainly engaged—
 - (i) in rubber and plastics processing activities; or
 - (ii) in rubber and plastics processing activities and in activities described in the Appendix to this Schedule, but to a greater extent in rubber and plastics processing 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 rubber and plastics processing industry:—

- (a) the activities of any establishment engaged—
 - (i) mainly in activities not being rubber and plastics processing activities or activities described in the Appendix to this Schedule; or
 - (ii) to a less extent in rubber and plastics processing 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 rubber and plastics processing 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 in any of them, that is to say—
- (i) the making or re-making of rope, cord, core for wire ropes, lines, twine, string or similar articles;
 - (ii) the manufacture of industrialised building components or sections or of prefabricated buildings or sections of buildings, being components, sections or buildings framed in wood;
 - (iii) the manufacture or repair, wholly or mainly from any combination of metal and plastics material, of any articles not being articles specified in sub-paragraph (e), (g) or (h) of paragraph 1 of this Schedule;
 - (iv) the manufacture or repair of vehicle bodies, aircraft or hover vehicles;
 - (v) the manufacture or repair of spectacle frames, ophthalmic lenses or articles embodying a lens or prism;
 - (vi) the manufacture or repair of primary cells, batteries, electric accumulators, electric cables, electric capacitors or resistors or printed or micro-electronic circuits;
 - (vii) the manufacture of patterns or models constructed for engineering purposes;
 - (viii) any metal finishing process;
 - (ix) any operations carried out at or from a yard, a dry dock (including the precincts thereof), a harbour or a wet dock in the construction, fitting out, reconstruction, repair, refitting, painting or finishing of any description of ship or floating construction, or the construction elsewhere (including the fitting out) of any ship;
 - (x) the manufacture of articles coated with abrasive material;
 - (xi) the manufacture of chipboard or reconstituted wood;
 - (xii) the manufacture or repair of articles of furniture, cabinets or containers or cases for, or forming part of, musical instruments;
 - (xiii) the manufacture of brushes, brooms or painters' rollers or the processing of plastics material in conjunction with such manufacture;
 - (xiv) the production of textile fibres, not being filling for bolsters, cushions, pillows, quilts, quilting, mattresses, divans or upholstered divan bases;
 - (xv) the manufacture of surgical dressings;
 - (xvi) the manufacture of paints of any kind, enamels, lacquers, stains, varnishes, distempers or primers;
 - (xvii) the manufacture of plastics material or synthetic rubber;
 - (xviii) the processing of plastics material into sheets, laminated sheets, films, tubes, rods or sticks thereof, or the coating or impregnation with such material of paper or textile fabric, when such operations

- are carried out by an employer engaged substantially in the manufacture of plastics material;
- (xix) the manufacture of putty or luting or (otherwise than wholly or mainly from rubber) of adhesives, sealants or other mastic compounds;
 - (xx) the manufacture of sensitive materials for the purposes of photography or of recording sound or vision;
 - (xxi) the manufacture or re-covering of printers' rollers when carried out by an employer engaged in the manufacture of printing ink;
 - (xxii) printing name plates or similar plates, preparing lithographic plates or engraving for the purposes of printing;
 - (xxiii) the manufacture of lasts;
 - (xxiv) the manufacture, otherwise than wholly or mainly from rubber, of components for footwear;
 - (xxv) the manufacture of footwear, not being manufacture by an employer mainly engaged in the processing of rubber;
 - (xxvi) the manufacture of the following products or any of them, that is to say—
 - baby harnesses, cycle, sports, shopping or similar bags, collars or leashes for dogs or cats, dentures, document cases or covers, handbags, purses, satchels, straps, toys and games, trouser, costume or dress belts, trunks, suitcases or similar travel goods, wallets or watch straps;
- (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);
- (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 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
- (f) the supply of food or drink for immediate consumption.

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

- (a) "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;

(a) 1944 c. 10.
 (d) 1959 c. 72.
 (g) 1946 c. 81.

(b) 1958 c. 33.
 (e) 1960 c. 61.
 (h) 1947 c. 27.

(c) 1948 c. 29.
 (f) 1962 c. 24.
 (i) 1948 c. 38.

- (b) "dentures" means removable appliances bearing artificial teeth;
- (c) "felt base floor covering" means any floor covering made from bitumen saturated grey felt paper that is paint-coated and finished with an enamel paint or plastics surface;
- (d) "linoleum" includes any similar floor covering;
- (e) "manufacture" includes assembly or any process or operation incidental or appertaining to manufacture or assembly;
- (f) "office premises" has the same meaning as in section 1(2) of the Offices, Shops and Railway Premises Act 1963(a);
- (g) "plastics material" means any material (other than synthetic rubber of any kind) made wholly or mainly by addition, polyaddition, condensation, polycondensation, polymerisation, copolymerisation, esterification or other similar chemical process, or regenerated or modified cellulose, or hardened proteins or natural resin modified by fusion or esterification;
- (h) "principal activities of the rubber and plastics processing industry" means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs (j) and (k) thereof, as activities of the rubber and plastics processing industry;
- (i) "processing" in relation to rubber or plastics material means any of the following operations, that is to say, masticating, compounding, mixing, calendaring, extruding, moulding, pressing, thermoforming, blowing, casting, dipping, coating, encapsulating, heat sealing, laminating, filament winding, machining (other than stitching), cutting, vulcanising or foaming;
- (j) "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;
- (k) "rubber" means the following products, whether or not vulcanised or hardened, that is to say, natural rubber, balata, gutta percha, and similar natural gums, synthetic rubber and factice derived from oils, and such substances reclaimed;
- (l) "rubber and plastics processing activities" means any one or more of the principal activities of the rubber and plastics processing industry and the activities included in that industry by virtue of paragraph 1(j) of this Schedule;
- (m) "ship" includes any ship, vessel, boat or other floating craft, but does not include an article that is inflatable by air, gas or liquid;
- (n) "surgical dressings" includes self adhesive plasters;
- (o) "synthetic rubber" means any elastomeric polymer other than natural rubber, and includes butadiene/styrene copolymers, butadiene/acryl-

onitrile copolymers, butadiene/methyl methacrylate copolymers, polybutadiene, polyisoprene, isobutylene-isoprene copolymers, ethylene/propylene copolymers, polyacrylic polychloroprene, chlorosulphonated polyethylene, polyurethane, fluoro-silicone and polysulphide rubbers and their modifications.

4. For the purpose 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 wool, jute and flax industry	The Industrial Training (Wool Industry Board) Order 1964 as amended by the Industrial Training (Wool, Jute and Flax Board) Order 1966(a)	Schedule 1 Paragraph 1(r)
The iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964(b)	Schedule 1 Paragraph 1(j)
The construction industry	The Industrial Training (Construction Board) Order 1964 as amended by the Industrial Training (Construction Board) Order 1967(c)	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(d)	Schedule 1 Paragraph 1(l)
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964(e)	Schedule 1 Paragraph 1(d)
The ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965(f)	Schedule 1 Paragraph 1(n)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(g)	Schedule 1 Paragraph 1(r)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(h)	Schedule 1 Paragraph 1(d)
The carpet industry	The Industrial Training (Carpet Board) Order 1966(i)	Schedule 1 Paragraph 1(d)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(j)	Schedule 1 Paragraph 1(j)

(a) S.I. 1964/907, 1966/428 (1964 II, p. 1928; 1966 I, p. 925).

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

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

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

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

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

(g) S.I. 1965/2028 (1965 III, p. 5998).

(h) S.I. 1966/143 (1966 I, p. 257).

(i) S.I. 1966/245 (1966 I, p. 499).

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

APPENDIX (cont.)

Column 1	Column 2	Column 3
The cotton and allied textiles industry	The Industrial Training (Cotton and Allied Textiles Board) Order 1966(a)	Schedule 1 Paragraph 1(p)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966(b)	Schedule 1 Paragraph 1(m)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966(c)	Schedule 1 Paragraph 1(o)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966(d)	Schedule 1 Paragraph 1(e)
The civil air transport industry	The Industrial Training (Civil Air Transport Board) Order 1967(e)	Schedule 1 Paragraph 1(h)
The petroleum industry	The Industrial Training (Petroleum Board) Order 1967(f)	Schedule 1 Paragraph 1(h)

SCHEDULE 2

MEMBERSHIP

1. The appointment of a member of the Board shall be for such term as the Minister may determine and, subject to the provisions of this Schedule, a member shall hold and vacate office in accordance with the terms of the instrument appointing him to be a member.

2. A person who has held office as a member of the Board shall be eligible for reappointment.

3. A member of the Board may resign his office by notice in writing to the Minister and the resignation shall have effect on such date as the Minister shall appoint.

4. If a member of the Board—

(a) is absent from meetings of the Board for more than six months consecutively, unless his absence is due to illness or some other reason approved by the Minister; or

(b) becomes in the opinion of the Minister unfit to continue in office or incapable of performing his duties;

the Minister may declare the office of that member to be vacant and shall notify the fact in such manner as he shall think fit, and thereupon the office of the member shall become vacant.

PROCEEDINGS AND MEETINGS

5. At a meeting of the Board one-third of the members shall be the quorum, or if the number so ascertained includes a fraction the nearest higher whole number of members.

(a) S.I. 1966/823 (1966 II, p. 1907).
 (c) S.I. 1966/1112 (1966 III, p. 2712).
 (e) S.I. 1967/263 (1967 I, p. 968).

(b) S.I. 1966/969 (1966 II, p. 2333).
 (d) S.I. 1966/1347 (1966 III, p. 3669).
 (f) S.I. 1967/648 (1967 I, p. 2032).

6. The chairman or if absent the deputy chairman (if any) shall preside at all meetings of the Board at which he shall be present, but if at any meeting the said chairman and any deputy chairman be not present within 10 minutes of the time appointed for holding the meeting the members present shall choose some one of their number to be chairman of the meeting.

7. At a meeting of the Board a resolution put to the vote on any matter not relating to the imposition of a levy shall be decided on a show of hands of the members present and voting; each member shall have one vote and if the votes are equally divided the chairman of the meeting shall have a second or casting vote.

8.—(1) If at a meeting of the Board a resolution relating to the imposition of a levy is put to the vote of the members appointed as mentioned in paragraph 3(a) of the Schedule to the Act, each such member shall have one vote, and the resolution shall be decided on a show of hands of those members present and voting unless a poll is demanded by any such member (before or on the declaration of the result of the show of hands) in which case the poll shall be taken forthwith and the votes may be given either personally or by proxy.

(2) The instrument appointing a proxy shall be in writing under the hand of the appointor, and the proxy shall be a member of the Board appointed as mentioned in paragraph 3(a) of the Schedule to the Act.

(3) An instrument appointing a proxy shall be in the following form or a form as near thereto as circumstances admit:—

I..... of..... in the county of..... being a member of the Rubber and Plastics Processing Industry Training Board appointed as mentioned in paragraph 3(a) of the Schedule to the Industrial Training Act 1964, hereby appoint..... of..... or failing him..... of..... as my proxy to vote for me on my behalf on any matter relating to the imposition of a levy at the meeting of the said Board to be held on the..... day of..... 19.... and at any adjournment thereof.

Signed this..... day of..... 19..

(4) A vote given in accordance with the terms of an instrument of proxy shall be valid notwithstanding the previous death or insanity of the principal or revocation of the proxy, provided that no intimation in writing of any such death, insanity or revocation shall have been received by the Board at its office before the commencement of the meeting or adjourned meeting at which the proxy is used.

9. Minutes shall be kept of the proceedings of the Board and any such minutes shall, if signed by any person purporting to have acted as chairman of the meeting or at a meeting at which they were read, be evidence of the proceedings at the first-mentioned meeting, and a meeting to which any such minutes relate shall, unless the contrary is proved, be taken to have been regularly convened and constituted.

10. The Board shall have an office at which communications and notices will at all times be received and shall notify to the Minister the address of that office and any change of that address.

EXECUTION AND ISSUE OF INSTRUMENTS

11. The seal of the Board shall be authenticated by the signature of the chairman of the Board or some other member of the Board authorised by the

Board to act in that behalf and of the secretary or some other person authorised by the Board so to act.

12. Every document purporting to be a document duly executed or issued either under the seal of the Board authenticated in the manner provided by this Schedule or on behalf of the Board, or purporting to be signed by the secretary or any other person, being a member, officer or servant of the Board authorised to act in that behalf, shall, until the contrary be proved, be deemed to be a document so executed or issued or so signed as the case may be.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which is made under the Industrial Training Act 1964, establishes an industrial training board to be known as the Rubber and Plastics Processing Industry Training Board, and defines the industry to which it relates. Provision is made as to the membership of the Board and its meetings and proceedings.