

1969 No. 1375

INDUSTRIAL TRAINING

**The Industrial Training (Clothing and Allied Products Board)
Order 1969**

Made - - - 22nd September 1969
Laid before Parliament 6th October 1969
Coming into Operation 9th October 1969

The Secretary of State 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 in exercise of her powers under 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 her in that behalf hereby makes the following Order :—

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Industrial Training (Clothing and Allied Products Board) Order 1969 and shall come into operation on 9th October 1969.

(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 Clothing and Allied Products 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 clothing and allied products 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.

22nd September 1969.

Barbara Castle,
First Secretary of State and
Secretary of State for Employment and Productivity.

SCHEDULE 1

CLOTHING AND ALLIED PRODUCTS INDUSTRY

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

- (a) any process in the design, manufacture or repair of clothing;
- (b) the manufacture of clothing patterns;
- (c) any process in the manufacture or repair of made-up textiles;
- (d) the manufacture of quilts or quilting or the remaking of quilts;
- (e) the manufacture, from any combination of woven fabric and of wadding, plastic foam or other padding, of tea cosies, ironing board covers or any similar articles;
- (f) the manufacture, repair or re-covering of umbrellas or the making of covers therefor;
- (g) arranging, either directly or through another person, for the carrying out on commission of any of the activities above-mentioned in this paragraph;
- (h) dealing in any garments, shapes, plates or shells, being products manufactured from furs or fur skins;
- (i) any activities (other than those above-mentioned) being—
 - (i) related activities incidental or ancillary to principal activities of the clothing and allied products 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;
- (j) any activities of industry or commerce (other than clothing and allied products activities) carried out at or from an establishment mainly engaged—
 - (i) in clothing and allied products activities; or
 - (ii) in clothing and allied products activities and in activities described in the Appendix to this Schedule, but to a greater extent in clothing and allied products 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 clothing and allied products industry:—

- (a) the activities of any establishment engaged—
 - (i) mainly in activities not being clothing and allied products activities or activities described in the Appendix to this Schedule; or
 - (ii) to a less extent in clothing and allied products 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 clothing and allied products 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 manufacture from woven fabric of blankets, bedspreads, scarves or stoles;
- (ii) the manufacture, reclamation or repair of sacks or bags;
- (iii) the manufacture or repair of headgear or badges, being products wholly or mainly of metal, plastics material or any combination thereof;
- (iv) the manufacture, re-making or repair of bolsters, cushions, pillows, mattresses, divans or upholstered divan bases;
- (v) the manufacture of quilted panels for mattresses;
- (vi) the manufacture of knitted articles;
- (vii) when carried out by an employer engaged in the manufacture of knitted articles, the manufacture of any articles from knitted fabrics or from shaped pieces of material being knitted articles;
- (viii) the manufacture, dyeing, dressing, printing or finishing of lace, lace net or embroidery;
- (ix) the manufacture of narrow fabrics, cut-edge ribbons, weftless ribbons, fancy cords, woven tapes, bias bindings or tassels;
- (x) the processing of rubber or of plastics material;
- (xi) the manufacture of buttons;
- (xii) selling by retail clothing, not being garments manufactured from furs or fur skins;
- (xiii) the manufacture or repair of footwear or of components for footwear;
- (xiv) the manufacture or repair of shopping bags, picnic cases, suitcases, holdalls, rucksacks, satchels, cycle or sports bags, handbags, wallets, purses or any similar receptacles of a kind used for personal or domestic purposes;
- (xv) the manufacture of wigs or hairpieces;
- (xvi) the manufacture of carnival novelties or, not being sports requisites, toys and games;
- (xvii) the dry cleaning, dyeing or laundering of any articles;
- (xviii) the business of banking, finance or insurance;
- (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 work or training);
- (e) any work, occupation or training that is provided in accordance with arrangements made by a local authority under the Disabled Persons (Employment) Act 1958(b) or any other enactment that authorises or requires the provision of arrangements for persons suffering from illness, severe physical defect or disability or from mental disorder, or for persons who have been suffering from illness or whose care is undertaken with a view to preventing them from becoming ill, or for old people; or
- (f) the supply of food or drink for immediate consumption.

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

“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 ;

“clothing” means any article of wearing apparel and, without prejudice to the generality of the foregoing definition, includes—

- (a) headgear;
- (b) neckwear;
- (c) gloves and other handwear;
- (d) surgical belts, trusses and other similar articles;
- (e) braces, garters and suspenders;

(a) 1944 c. 10.

(b) 1958 c. 33.

- (f) anklets, gaiters, leggings and spats;
- (g) protective clothing of any kind;
- (h) handkerchiefs;
- (i) made-up accessories for articles of wearing apparel such as dress shields, shoulder or other pads, belts, muffs, sleeve protectors and pockets;
- (j) trimmings and adornment for wearing apparel;
- (k) badges;

"clothing and allied products activities" means any one or more of the principal activities of the clothing and allied products industry and the activities included in that industry by virtue of paragraph 1(i) of this Schedule;

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

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

- (a) in relation to products situate in Great Britain, buying or selling such products;
- (b) in relation to products situate elsewhere, importing such products into Great Britain;

"footwear" means footwear of any kind and includes footwear designed for industrial or surgical purposes, but does not include anklets, gaiters, leggings or spats;

"knitted articles" means articles manufactured on warp-knitting, weft-knitting or crocheting machines;

"lace, lace net or embroidery" means any articles in the manufacture of which a process has been carried out on one or more of the following machines—

- Schiffi or other multi-needle shuttle embroidery machine, not being a single needle embroidery machine operated singly or in a battery;
- Barmen lace machine;
- Leavers lace machine;
- Nottingham lace curtain machine;
- Plain net machine;
- Raschel or other warp lace machine;

"made-up textiles" means any of the following products manufactured wholly or mainly from woven fabric including oilskin—

- (a) rick, machinery or vehicle covers and tarpaulins;
- (b) covers for ships' lifeboats and lifting slings;
- (c) marquees and tents;
- (d) camping, gymnasium or sporting equipment;
- (e) clothing for animals, not being collars or harnesses;
- (f) flags, banners and bunting;
- (g) trouser, costume or dress belts, baby harnesses and straps of any kind;
- (h) any products similar to any of the products above-mentioned;

"manufacture" includes making up and any process or operation incidental or ancillary to manufacture or making up, and without prejudice to the generality of the foregoing definition includes, in relation to any article of clothing or to any cut shape, decorating, embroidering, pleating, pressing, stitching or any similar process;

"narrow fabrics" means any of the following products not exceeding eighteen inches in width, that is to say, textile fabrics with two selvages, 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(b);

“plastics material” means any material 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;

“principal activities of the clothing and allied products industry” means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs (i) and (j) thereof, as activities of the clothing and allied products industry;

“processing” in relation to rubber or plastics material means masticating, compounding, mixing, calendering, extruding, moulding, pressing, thermoforming, blowing, casting, dipping, coating, encapsulating, heat sealing, laminating, filament winding, machining (other than stitching), cutting, vulcanising or foaming;

“related activities” means any of the following activities, that is to say—

- (a) research, development, design or drawing;
- (b) buying, selling, testing, advertising, packing, distribution, transport or any similar operations;
- (c) operations of a kind performed at office premises or laboratories, or at stores, warehouses or similar places;
- (d) cleaning, washing or garaging vehicles, or carrying out running repairs or minor adjustment thereto;
- (e) training of employees or apprentices;

“repair” includes any process of altering or remaking;

“selling by retail” in relation to clothing, means selling such clothing by way of business to a person buying otherwise than for the purpose of re-sale or use in manufacture;

“umbrellas” means umbrellas of any kind and includes parasols and sunshades.

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 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 1968(a)	Schedule 1 Paragraph 1(s)
The iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964 as amended by the Industrial Training (Iron and Steel Board) Order 1969(b)	Schedule 1 Paragraph 1(k)
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 1968(d)	Schedule 1 Paragraph 1(m)
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964 as amended by the Industrial Training (Shipbuilding Board) Order 1968(e)	Schedule 1 Paragraph 1(g)
The ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965 as amended by the Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1969(f)	Schedule 1 Paragraph 1(p)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965 as amended by the Industrial Training (Furniture and Timber Industry Board) Order 1969(g)	Schedule 1 Paragraph 1(x)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966 as amended by the Industrial Training (Man-made Fibres Producing Industry Board) Order 1969(h)	Schedule 1 Paragraph 1(e)
The carpet industry	The Industrial Training (Carpet Board) Order 1966 as amended by the Industrial Training (Carpet Board) Order 1968(i)	Schedule 1 Paragraph 1(f)
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, 1968/898 (1964 II, p. 1928; 1968 II, p. 2376).
 (b) S.I. 1964/949, 1969/884 (1964 II, p. 2127; 1969 II, p. 2517).
 (c) S.I. 1964/1079, 1967/924 (1964 II, p. 2384; 1967 II, p. 2757).
 (d) S.I. 1964/1086, 1968/1333 (1964 II, p. 2402; 1968 II, p. 3694).
 (e) S.I. 1964/1782, 1968/1614 (1964 III, p. 3928; 1968 III, p. 4432).
 (f) S.I. 1965/1391, 1969/689 (1965 II, p. 4062; 1969 II, p. 1860).
 (g) S.I. 1965/2028, 1969/1290 (1965 III, p. 5998).
 (h) S.I. 1966/143, 1969/1210 (1966 I, p. 257; 1969 II, p. 3545).
 (i) S.I. 1966/245; 1968/1882 (1966 I, p. 499; 1968 III, p. 5017).
 (j) S.I. 1966/246 (1966 I, p. 506).

APPENDIX (contd.)

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 as amended by the Industrial Training (Road Transport Board) Order 1969(c)	Schedule 1 Paragraph 1(p)
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)
The rubber and plastics processing industry	The Industrial Training (Rubber and Plastics Processing Board) Order 1967(g)	Schedule 1 Paragraph 1(k)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(h)	Schedule 1 Paragraph 1(s)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(i)	Schedule 1 Paragraph 1(f)
The printing and publishing industry	The Industrial Training (Printing and Publishing Board) Order 1968(j)	Schedule 1 Paragraph 1(n)
The distributive industry	The Industrial Training (Distributive Board) Order 1968(k)	Schedule 1 Paragraph 1(h)
The food, drink and tobacco industry	The Industrial Training (Food, Drink and Tobacco Board) Order 1968(l)	Schedule 1 Paragraph 1(q)
The footwear, leather and fur skin industry	The Industrial Training (Footwear, Leather and Fur Skin Board) Order 1968(m)	Schedule 1 Paragraph 1(v)

(a) S.I. 1966/823 (1966 II, p. 1907).

(b) S.I. 1966/969 (1966 II, p. 2333).

(c) S.I. 1966/1112, 1969/879 (1966 III, p. 2712; 1969 II, p. 2495).

(d) S.I. 1966/1347 (1966 III, p. 3669).

(e) S.I. 1967/263 (1967 I, p. 968).

(f) S.I. 1967/648 (1967 I, p. 2032).

(g) S.I. 1967/1062 (1967 II, p. 3151).

(h) S.I. 1967/1386 (1967 III, p. 4049).

(i) S.I. 1968/787 (1968 II, p. 2194).

(j) S.I. 1968/786 (1968 II, p. 2185).

(k) S.I. 1968/1032 (1968 II, p. 2709).

(l) S.I. 1968/1033 (1968 II, p. 2721).

(m) S.I. 1968/1763 (1968 III, p. 4785).

SCHEDULE 2

Article 3

MEMBERSHIP

1. The appointment of a member of the Board shall be for such term as the Secretary of State 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 re-appointment.

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

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

the Secretary of State may declare the office of that member to be vacant and shall notify the fact in such manner as she 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.

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 Clothing and Allied Products 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 of19.....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 Secretary of State 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 Clothing and Allied Products 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.