

**1973 No. 2063 (C. 62)**

**TERMS AND CONDITIONS OF EMPLOYMENT  
INDUSTRIAL TRAINING**

**The Employment and Training Act 1973 (Commencement No. 1)  
Order 1973**

*Made - - - - 6th December 1973*

The Secretary of State, in exercise of the powers conferred on him by section 15(2) of the Employment and Training Act 1973(a) and of all other powers enabling him in that behalf, hereby makes the following Order:--

*Citation and interpretation*

**1.**—(1) This Order may be cited as the Employment and Training Act 1973 (Commencement No. 1) Order 1973.

(2) In this Order--

“the 1973 Act” means the Employment and Training Act 1973; and  
“the 1964 Act” means the Industrial Training Act 1964(b).

*Appointed days for certain provisions other than section 6 and Schedule 2*

**2.**—The provisions mentioned in the first column of Schedule 1 to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation--

- (a) in the case of the provisions mentioned in Part I of that Schedule, on 1st January 1974;
- (b) in the case of the provision mentioned in Part II of that Schedule, on 1st April 1974; and
- (c) in the case of the provision mentioned in Part III of that Schedule, on 16th May 1975.

*Appointed days for section 6(1) and (2) and Parts I and II of Schedule 2*

**3.**—(1) This Article shall have effect subject to Article 4.

(2) The provisions of Part I of Schedule 2 to the 1973 Act mentioned in the first column of Schedule 2 to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation--

- (a) in the case of the provisions mentioned in Part I of that Schedule, on 1st January 1974;
- (b) in the case of the provisions mentioned in Part II of that Schedule, on 1st April 1974;
- (c) in the case of the provisions mentioned in Part III of that Schedule, on 1st April 1975; and
- (d) in the case of the provision mentioned in Part IV of that Schedule, on 16th May 1975.

(3) Section 6(1) of the 1973 Act shall come into operation in relation to each of the provisions of Part I of Schedule 2 to the 1973 Act referred to in paragraph (2) of this Article, on the date specified in the said paragraph for the coming into operation of the said provision.

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(a) 1973 c. 50.

(b) 1964 c. 16.

(4) Section 6(1) of the 1973 Act, in relation to the provisions of paragraph 5 of Part I of Schedule 2 to the 1973 Act, and that paragraph (amendments to section 4 of the 1964 Act which relate to the making of levy orders) shall, in relation to the industrial training boards specified in the first column of Schedule 3 to this Order, come into operation on the corresponding date specified in respect of each board in the second column of that Schedule.

(5) Section 6(2) of and Part II of Schedule 2 to the 1973 Act shall come into operation on 16th May 1975.

*Transitional provisions*

4.—(1) The coming into operation of the following provisions of Part I of Schedule 2 to the 1973 Act—

- (a) so much of paragraph 1 as relates to the substitution of a reference to the Commission for a reference to the Secretary of State in section 4(2) and section 7(2) of the 1964 Act ;
- (b) paragraph 6 ; and
- (c) so much of paragraph 10 as relates to the submission to the Commission of proposals for the raising and collection of a levy ;

shall, as respects an industrial training board specified in the first column of Schedule 3 to this Order, have effect only as respects levy which is to be raised and collected under a levy order coming into operation on or after the date specified in relation to that board in the second column of that Schedule.

(2) The coming into operation of the following provisions of Part I of Schedule 2 to the 1973 Act—

- (a) so much of paragraph 1 as relates to the substitution of a reference to the Commission for a reference to the Secretary of State in section 2(5) of the 1964 Act ; and
- (b) so much of paragraph 10 as relates to the submission to the Commission of proposals for the exercise of an industrial training board's functions ;

shall, as respects an industrial training board specified in the first column of Schedule 3 to this Order, have effect only in relation to functions which are to be exercised on or after the date specified in relation to that board in the third column of that Schedule: Provided that in respect of proposals relating to functions of the Engineering Industry Training Board which at the date of this Order have been delegated to a committee under section 3(1) of the 1964 Act the provisions of (a) and (b) of this paragraph shall have effect only in relation to functions which are to be exercised on or after 1st September 1975.

(3) The coming into operation on 1st April 1974 of the following provisions of Part I of Schedule 2 to the 1973 Act (amendments to the 1964 Act which relate to accounts and reports of industrial training boards)—

- (a) so much of paragraph 1 as relates to the substitution of a reference to the Commission for a reference to the Secretary of State in section 8(3) of the 1964 Act ; and
- (b) paragraph 11

shall have effect only in relation to accounts and reports which relate to a period commencing on or after 1st April 1974.

*Appointed days for section 6(3) and (4) and Parts III and IV of Schedule 2*

5. (1) The provisions of Part III of Schedule 2 to the 1973 Act mentioned in the first column of Schedule 4 to this Order (which relate to the matters specified in the second column of that Schedule) shall come into operation—

- (a) in the case of the provisions mentioned in Part I of that Schedule, on 1st January 1974 ;
- (b) in the case of the provisions mentioned in Part II of that Schedule, on 1st April 1974 ; and
- (c) in the case of the provisions mentioned in Part III of that Schedule, on 1st April 1975.

(2) Section 6(3) (except for section 6(3)(b)) of the 1973 Act shall come into operation in relation to each of the provisions of Part III of Schedule 2 to the 1973 Act referred to in paragraph (1) of this Article, on the date specified in the said paragraph for the coming into operation of the said provision and section 6(3)(b) of the said Act shall come into operation on 1st April 1974.

(3) Section 6(4) of and Part IV of Schedule 2 to the 1973 Act shall come into operation on 1st April 1975.

*Appointed day for section 6(5)*

6. Section 6(5) of the 1973 Act shall come into operation on 1st January 1974.

Signed by order of the Secretary of State.

*R. Chichester-Clark,*  
Minister of State,  
Department of Employment.

6th December 1973.

Article 2.

## SCHEDULE 1

## PART I

PROVISIONS, OTHER THAN SECTION 6 OF AND SCHEDULE 2 TO THE 1973 ACT,  
COMING INTO OPERATION ON 1ST JANUARY 1974

Provisions	Subject matter of provisions
Section 1(1) (so far as it relates to the Commission).	Establishment of Commission.
Section 1(2) and (3) and (except so far as it relates to paragraph 21 of Schedule 1) section 1(5).	Constitution of Commission.
Section 1(6) (so far as it relates to the Commission).	Power to transfer property to Commission.
Section 1(7) (so far as it relates to the Commission).	Status of Commission.
Section 2 (1) to (3) ... ..	Functions of Commission.
Section 2(5) (so far as it relates to the Commission).	Incidental powers of Commission.
Section 3 ... ..	Control of Commission by Secretary of State.
Section 4 ... ..	Obtaining and disclosure of information.

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Provisions	Subject matter of provisions
Section 5 ... ..	Powers of the Secretary of State relating to the provision of temporary employment, the appointment of advisers and research.
Section 7(1) to (4) (so far as it relates to the Commission).	Modification and exclusion of enactments relating to redundancy payments, employers' liability insurance and contracts of employment.
Section 7(5) ... ..	Secretary of State's power to exclude or modify enactments relating to the carrying on of employment agencies.
Section 11(1) (so far as it relates to payments to the Commission).	Finance.
Section 11(2) ... ..	Expenses and receipts under the Act.
Section 11(3) ... ..	Power to make payments analogous to industrial injury benefit.
Section 12(1) ... ..	Preference for disabled ex-service men and women in relation to training and other courses and submissions for engagements.
Section 12(2) (so far as it relates to the Commission).	Duty to furnish information relating to social security questions.
Section 12(4) ... ..	Payments to persons attending for examinations connected with a claim under section 11(3).
Section 12(6) ... ..	Extension of terms of office of members of Youth Employment Committees.
Section 13 ... ..	Interpretation.
Section 14(1) (so far as it relates to paragraphs 3 to 5, 7(3), 9, 10, 11(2) and 13 of Schedule 3).	Minor amendments of other enactments.
Section 14(2) (so far as it relates to sections 4 and 20(2) of the Employment and Training Act 1948(a), sections 3(1), 6, 11 and 13 and paragraph 6(2) of the Schedule to the 1964 Act and to section 13(2) of the Chronically Sick and Disable Persons Act 1970(b)).	Repeals.
Section 15 ... ..	Short title, commencement and extent.
Schedule 1 (except paragraph 21) ...	Constitution of Commission.
Schedule 3, paragraphs 3 to 5, 7(3), 9, 10, 11(2) and 13.	Minor amendments of other enactments.
Schedule 4 (to the extent mentioned above in relation to section 14(2)).	Repeals.

(a) 1948 c. 46.

(b) 1970 c. 44.

## PART II

PROVISION, OTHER THAN SECTION 6 OF AND SCHEDULE 2 TO THE 1973 ACT,  
COMING INTO OPERATION ON 1ST APRIL 1974

Provision	Subject matter of provision
Section 14(2) (so far as it relates to sections 2(1)(f) (so far as it relates to arrangements made by local education authorities in England and Wales), 5 and 17 of the 1964 Act).	Repeals.

## PART III

PROVISION, OTHER THAN SECTION 6 OF AND SCHEDULE 2 TO THE 1973 ACT,  
COMING INTO OPERATION ON 16TH MAY 1975

Provision	Subject matter of provision
Section 14(2) (so far as it relates to section 2(1)(f) of the 1964 Act (so far as that provision is not already in force)).	Repeal.

Article 3.

## SCHEDULE 2

## PART I

PROVISIONS OF PART I OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION  
ON 1ST JANUARY 1974

Provisions	Subject matter of provisions
Paragraph 1 (except so far as it amends section 5(1), (2) and (5) and section 8(3) of the 1964 Act).	Substitution of Commission for Secretary of State in section 1(4), section 2(5), section 2(6), section 4(2) and section 7(2) of the 1964 Act.
Paragraph 2 ... ..	(i) Proposal by Commission for establishment of an industrial training board : (ii) Definitions.
Paragraph 3 ... ..	Functions of industrial training boards.
Paragraph 4(1) ... ..	Establishment of committees by industrial training boards and delegation of functions.
Paragraph 4(2) (except so far as it relates to the determination by Ministers of travelling, subsistence and other allowances (other than allowances for loss of remunerative time))	Determination by Ministers of allowances for committee members and remuneration of committee chairmen.

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Provisions	Subject matter of provisions
Paragraph 4(3) ... ..	Arrangements for pensions etc. for committee chairmen.
Paragraph 6 ... ..	(i) Proposals for exemption by certificate from certain levies; (ii) Certificates of exemption from levy.
Paragraphs 8 and 9 ... ..	Power of industrial training boards to obtain information from employers.
Paragraph 10 ... ..	Proposals to the Commission for the exercise of industrial training boards' functions and for levies.
Paragraph 12 ... ..	Commission's recommendations for amendment or revocation by Minister of industrial training order.
Paragraph 13 ... ..	Transfer of establishments' activities from industry of one board to that of another.
Paragraph 14 ... ..	Accidents happening in connection with training provided or approved by the Commission or the Minister.
Paragraph 15 ... ..	Remuneration of Presidents and full-time chairmen of industrial tribunals established under the 1964 Act.
Paragraph 16 ... ..	Consent of Commission with approval of Minister to exercise by industrial training board of functions with respect to training for employment overseas and power of board to enter into agreements for payment to board in respect of the exercise of such functions.
Paragraph 17(a) and (b) ... ..	Pensions etc. for chairmen of industrial training boards.
Paragraph 17(c) and (d) ... ..	Power of Commission to appoint persons to attend meetings of boards and committees.
Paragraph 17(f) (except so far as it relates to the determination by Ministers of travelling, subsistence and other allowances (other than allowances for loss of remunerative time)).	Determination by Ministers of allowances for loss of remunerative time for board members.
Paragraph 18(b), (d), (e) and (f) (except so far as sub-paragraph (e) repeals section 17).	Consequential repeals and repeals of provisions of 1964 Act relating to the Central Training Council (section 11) and the Cotton Board (section 13).

## PART II

PROVISIONS OF PART I OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION  
ON 1ST APRIL 1974

Provisions	Subject matter of provisions
Paragraph 1 (so far as it is not already in operation).	Substitution of Commission for Secretary of State in section 5(1), (2) and (5) and section 8(3) of the 1964 Act.
Paragraph 7(1) ... ..	Making of grants and loans by the Commission.
Paragraph 11 ... ..	Reports and accounts of industrial training boards.
Paragraph 18(a) (so far as it relates to arrangements made by local education authorities in England and Wales).	Consequential repeal.
Paragraph 18(c) and (e) (so far as it is not already in operation).	Consequential repeal and repeal of provision relating to contributions out of National Insurance Fund towards Minister's expenses.

## PART III

PROVISIONS OF PART I OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION  
ON 1ST APRIL 1975

Provisions	Subject matter of provisions
Paragraph 4(2) (so far as it is not already in operation).	Determination by Ministers of travelling, subsistence and other allowances for committee members.
Paragraph 7(2) ... ..	Commission's power of direction in relation to boards' expenditure.
Paragraph 17(e) ... ..	Ministerial approval of conditions of appointment of board officers and servants.
Paragraph 17(f) (so far as it is not already in operation).	Determination by Ministers of travelling, subsistence and other allowances for board members.

## PART IV

PROVISION OF PART I OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION  
ON 16TH MAY 1975

Provision	Subject matter of provision
Paragraph 18(a) (so far as it is not already in operation).	Consequential repeal.

## Article 3.

## SCHEDULE 3

## SPECIFIED DATES FOR THE PURPOSES OF ARTICLE 3(4) AND ARTICLE 4(1) AND (2)

Column 1 (Industrial Training Board)	Column 2 (Article 3(4) and Article 4(1))	Column 3 (Article 4(2))
Air Transport and Travel ... ..	1st April 1975	1st April 1975
Carpet ... ..	1st April 1975	1st August 1974
Ceramics, Glass and Mineral Products	1st April 1975	1st August 1974
Chemical and Allied Products ... ..	1st August 1976	1st August 1975
Clothing and Allied Products ... ..	1st April 1975	1st August 1974
Construction ... ..	1st March 1975	1st August 1974
Cotton and Allied Textiles ... ..	1st April 1976	1st April 1975
Distributive ... ..	1st July 1976	1st August 1975
Engineering ... ..	15th October 1974	1st August 1974, subject to the proviso to Article 4(2) of this Order.
Food, Drink and Tobacco ... ..	1st August 1974	1st August 1974
Footwear, Leather and Fur Skin ... ..	1st April 1976	1st August 1974
Furniture and Timber ... ..	6th April 1975	1st August 1974
Hotel and Catering ... ..	1st April 1975	1st April 1975
Iron and Steel ... ..	1st April 1975	1st August 1974
Knitting, Lace and Net ... ..	1st April 1975	1st August 1974
Man-made Fibres Producing ... ..	1st April 1975	1st April 1975
Paper and Paper Products ... ..	6th April 1975	1st September 1974
Petroleum ... ..	1st April 1975	1st September 1974
Printing and Publishing ... ..	1st April 1975	1st April 1975
Road Transport ... ..	6th April 1975	1st August 1974
Rubber and Plastics Processing ... ..	1st April 1975	1st April 1975
Shipbuilding ... ..	1st April 1975	1st April 1975
Wool, Jute and Flax ... ..	1st April 1975	1st April 1975

## Article 5.

## SCHEDULE 4

## PART I

PROVISIONS OF PART III OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION  
ON 1ST JANUARY 1974

Provisions	Subject matter of provisions
Paragraph 1(f) (so far as it refers to section 11 of the 1964 Act).	Repeal of provision of 1964 Act relating to the Central Training Council (section 11).
Paragraph 2 (except so far as it relates to the definition of "the Minister").	Definitions.
Paragraph 3 (except so far as it relates to section 2(1)(f) of the 1964 Act).	Functions of industrial training boards.



Provisions	Subject matter of provisions
Paragraph 5(2) (except so far as it relates to the determination by Ministers of travelling, subsistence and other allowances (other than allowances for loss of remunerative time)).	Determination by Ministers of allowances for committee members and remuneration of committee chairmen.
Paragraph 5(3) ... ..	Arrangements for pensions etc. for committee chairmen.
Paragraph 8 ... ..	Power of industrial training board with consent of Minister to exercise functions with respect to training for employment overseas.
Paragraph 9(a) and (b) ... ..	Pensions etc. for chairmen of industrial training boards.
Paragraph 9(c) ... ..	Power of Commission to appoint persons to attend meetings of boards.
Paragraph 9(e) (except so far as it relates to the determination by Ministers of travelling, subsistence and other allowances (other than allowances for loss of remunerative time)).	Determination by Ministers of allowances for loss of remunerative time for board members.

## PART II

## PROVISIONS OF PART III OF SCHEDULE 2 TO THE 1973 ACT COMING INTO OPERATION ON 1ST APRIL 1974

Provisions	Subject matter of provisions
Paragraph 1 (so far as it is not already in operation).	Consequential repeals and repeals of provisions of 1964 Act relating to the Cotton Board (section 13) and contributions out of National Insurance Fund towards Minister's expenses (section 17).
Paragraph 2 (so far as it is not already in operation).	Definitions.
Paragraph 3 (so far as it is not already in operation).	Further functions of industrial training boards.
Paragraph 4 ... ..	(i) Control of Agricultural Training Board by the Minister ; (ii) Disclosure of information to Agricultural Training Board.
Paragraph 5 (1) ... ..	Delegation of functions to committees.
Paragraph 6 ... ..	Substitution of reference to Minister of Agriculture, Fisheries and Food for reference to the Minister in section 5(1) of 1964 Act.
Paragraph 7 ... ..	Amendment or revocation of industrial training order.

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PART III

PROVISIONS OF PART III OF SCHEDULE 2 TO THE 1973 ACT COMING INTO  
OPERATION ON 1ST APRIL 1975

Provisions	Subject matter of provisions
Paragraph 5(2) (so far as it is not already in operation).	Determination by Ministers of travelling, subsistence and other allowances for committee members.
Paragraph 9(d)           ...   ...   ...	Ministerial approval of conditions of appointment of board officers and servants.
Paragraph 9(e) (so far as it is not already in operation).	Determination by Ministers of travelling, subsistence and other allowances for board members.

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into operation—

- (a) the provisions of the Employment and Training Act 1973 which relate to the establishment and the functions of the Manpower Services Commission ;
- (b) the provisions which relate to the powers of the Secretary of State to make arrangements for the purpose of providing temporary employment for persons who are without employment and to appoint advisers and conduct research in connection with his functions relating to employment, unemployment and training for employment ;
- (c) the provisions relating to industrial training (including transitional provisions) which modify the Industrial Training Act 1964 so as to establish the relationships between the Secretary of State, the Manpower Services Commission and industrial training boards ; provide for an upper limit for levy of 1 per cent. of an employer's payroll, unless there is an affirmative resolution of each House of Parliament ; for exemption from levy of small firms and of firms in respect of establishments where training is adequate ; and for such matters as the payment, subject to Ministerial approval, of pensions to chairmen of industrial training boards and of certain committees and of allowances for loss of remunerative time to board and committee members ;
- (d) the special modifications to the Industrial Training Act 1964 which relate to the Agricultural Training Board only, and provide for the control of that Board by the Agricultural Ministers.



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