
 STATUTORY INSTRUMENTS

1975 No. 985

INDUSTRIAL TRAINING

The Agricultural Training Board (Amendment) Order 1975

<i>Made</i> - - - -	10th June 1975
<i>Laid before Parliament</i>	20th June 1975
<i>Coming into Operation</i>	14th July 1975

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales (being the respective Ministers concerned with agriculture in England, Scotland and Wales), acting jointly, in exercise of the powers conferred upon them by section 9 of the Industrial Training Act 1964 (a) as amended by sections 6(3) and (4) of, and Schedule 2 to, the Employment and Training Act 1973 (b) and of all other powers enabling them in that behalf, after consultation with the Agricultural Training Board and with organisations and associations appearing to them to be representative respectively of employers engaged in the activities hereinafter mentioned and of employees engaged in those activities, hereby make the following order:—

Citation, commencement and interpretation

1.—(1) This order may be cited as the Agricultural Training Board (Amendment) Order 1975 and shall come into operation on 14th July 1975.

(2) In this order, unless the context otherwise requires—

“the Act” means the Industrial Training Act 1964 as amended by the Employment and Training Act 1973;

“the Board” means the Agricultural Training Board;

“the principal order” means the Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966 (c) as varied by the Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1970 (d).

(3) The Interpretation Act 1889 (e) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament and as if this order and the principal order were Acts of Parliament.

(a) 1964 c.16.
 (c) S.I. 1966/969 (1966 II, p. 2333).
 (e) 1889 c.63.

(b) 1973 c. 50.
 (d) S.I. 1970/1886 (1970 III, p. 6227).

Amendment of the principal order

2. The principal order, as varied, shall be further amended as follows:—
- (a) by substituting for Schedule 1 thereto the Schedule to this order;
 - (b) by deleting from paragraph 7 of Schedule 2 thereto the words “on any matter not relating to the imposition of a levy”;
 - (c) by deleting paragraph 8 of Schedule 2 thereto.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 2nd June 1975.



Frederick Peart,
Minister of Agriculture, Fisheries
and Food.

9th June 1975.

William Ross,
Secretary of State for Scotland.

10th June 1975.

John Morris,
Secretary of State for Wales.

Article 2

SCHEDULE

THE AGRICULTURAL INDUSTRY

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

- (a) agriculture;
- (b) when carried out by way of business, the laying out, cultivation or maintenance of gardens or the carrying out of horticultural practices in landscape operations;
- (c) any related activities of any establishment which is engaged wholly or mainly in agriculture;
- (d) any activities relating to agriculture whether or not carried out in the course of industry or commerce in the following establishments:—

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- (i) a University Faculty of Agriculture, Horticulture or Rural or Veterinary Science or an agricultural college or local authority college;
 - (ii) a hospital, religious institution or charity;
 - (iii) a research or experimental farm or horticultural centre;
 - (iv) the Land Settlement Association being a body corporate registered under the Industrial and Provident Societies Acts 1965 to 1968 on 24 November 1934.

2. Notwithstanding anything contained in this Schedule, there shall not be included in the activities of the agricultural industry:—

- (a) the activities (not being agriculture) of any establishment engaged wholly or mainly in the activities following or any of them that is to say:—
 - (i) the erection or dismantling of fencing or walls;
 - (ii) the construction or repair of a swimming pool or other bathing place, or of a playing field or ground for sporting or recreational purposes, or the laying out of a cemetery;
- (b) the activities of any establishment engaged wholly or mainly in related activities;
- (c) the activities (not being agriculture) of:—
 - (i) the Electricity Council, the Central Electricity Generating Board or an Area Electricity Board;
 - (ii) the North of Scotland Hydro-Electric Board or the South of Scotland Electricity Board;
 - (iii) the British Gas Corporation;
 - (iv) a local authority, or a joint board or joint committee of any such authorities; or
 - (v) statutory water undertakers within the meaning of the Water Act 1973 (a), regional water boards or water development boards within the meaning of the Water (Scotland) Act 1967 (b) or water authorities within the meaning of the Local Government (Scotland) Act 1973 (c), being the activities of such undertakers, boards or authorities in the exercise of their powers or duties as such;
- (d) the supply of food or drink to persons for immediate consumption;
- (e) any civil engineering or earthmoving operations.

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

- (a) “agricultural college” means the Chadacre Agricultural Institute, the Dartington Hall Trustees Horticultural Training Centre, the

(a) 1973 c.37.
(c) 1973 c.65.

(b) 1967 c.78.

East of Scotland College of Agriculture, The Harper Adams Agricultural College, the North of Scotland College of Agriculture, the Royal Agricultural College, the Seale-Hayne Agricultural College, the Shuttleworth Agricultural College or the West of Scotland Agricultural College;

- (b) "agriculture" has the same meaning as in section 109(3) of the Agriculture Act 1947 **(a)** or, in relation to Scotland, as in section 86(3) of the Agriculture (Scotland) Act 1948 **(b)**;
- (c) "business" means a trade or business carried on for the purposes of gain;
- (d) "poultry" includes turkeys, geese, ducks and other domestic fowl;
- (e) "related activities" means any of the following activities which are incidental or ancillary to agriculture, that is to say—
 - (i) in relation to agricultural produce other than poultry, preparation for market, grading, marking, storage, buying, selling, distribution, delivery, transport or any similar operations;
 - (ii) in relation to poultry, the slaughtering, defeathering, eviscerating or preparation for market and in relation to live poultry selling, transport or delivery;
 - (iii) operations of a kind performed at office premises or at stores, warehouses or similar places;
 - (iv) carrying out repairs or adjustments to agricultural machinery and to vehicles designed to carry or draw agricultural loads;
 - (v) training of employees or apprentices;
- (f) "University Faculty" includes a Department or School of a University.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Agricultural, Horticultural and Forestry Industry Training Board was established on 15th August 1966 by the Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966, which defined the agricultural, horticultural and forestry industry in relation to which the Board exercised its functions until this was re-defined by the Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1970. The Board is now called the Agricultural Training Board section 6(3) (b) of the Employment and Training Act 1973).

This Order further re-defines that industry which now comprises agriculture (as defined in the Agriculture Act 1947 or the Agriculture (Scotland) Act 1948) and certain ancillary activities.

(a) 1947 c.48.

(b) 1948 c.45.

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