

1982 No. 923

INDUSTRIAL TRAINING

The Industrial Training (Plastics Processing Board) Order 1982

<i>Made - - - -</i>	<i>7th July 1982</i>
<i>Laid before Parliament</i>	<i>19th July 1982</i>
<i>Coming into Operation</i>	<i>1st October 1982</i>

Whereas the Secretary of State has consulted the Manpower Services Commission (“the Commission”) under section 1(4)(b) of the Industrial Training Act 1982(a) (“the 1982 Act”) and the Commission has given him a statement of the views of the persons consulted by it in accordance with section 1(5) of that Act;

And whereas the Secretary of State is satisfied in accordance with paragraph 1 of Schedule 2 to the 1982 Act that adequate consultations took place before 31st July 1981;

Now, therefore, the Secretary of State in exercise of his powers under section 1(1) and (7) of the 1982 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 (Plastics Processing Board) Order 1982 and shall come into operation on 1st October 1982.

(2) In this Order—

- (a) “the Board” means the Rubber and Plastics Processing Industry Training Board;
- (b) “levy Order” includes all levy orders set out in Schedule 2 to this Order;
- (c) “the amendment Order” means the Industrial Training (Rubber and Plastics Processing Board) Order 1967 (Amendment) Order 1979(b);
- (d) “the principal Order” means the Industrial Training (Rubber and Plastics Processing Board) Order 1967(c).

(a) 1982 c. 10.
(c) 1967/1062.

(b) S.I. 1979/1595.

Re-naming of the Board

2. The Board shall henceforth be known as the Plastics Processing Industry Training Board and accordingly any reference to the Board in the principal Order shall be taken to be a reference to the Plastics Processing Industry Training Board and any reference to the Rubber and Plastics Processing Industry as a reference to the Plastics Processing Industry.

Revocation

3. The amendment Order is hereby revoked.

Activities of the Board

4. The activities in relation to which the Plastics Processing Industry Training Board exercises the functions conferred by the 1982 Act upon industrial training boards shall, instead of the activities specified in Schedule I to the principal Order (as amended by the amendment Order), be the activities specified in Schedule I to this Order, and accordingly in the principal Order the latter Schedule shall be substituted for the former Schedule.

Transitional provisions

5.—(1) The chairman and other members of the Board on the day upon which this Order comes into operation shall continue to be members of the Plastics Processing Industry Training Board and shall continue to hold and vacate their offices in accordance with the terms of the instruments appointing them to be members.

(2) The provisions of this Order shall not—

- (a) extend the operation of a levy Order;
- (b) affect the operation of a levy Order in relation to the assessment of an employer within the meaning of that Order in respect of an establishment that was engaged in the relevant levy period wholly or mainly in activities included in Schedule 1 to this Order;
- (c) affect the operation of any assessment notice served by the Board under the provisions of a levy Order before the day upon which this Order comes into operation or any appeal or other proceedings arising out of any such notice.

(3) The change of name of the Board shall not affect any right or obligation of the Board or of any other person and any pending legal proceedings may be continued by or against the Board notwithstanding its change of name.

Signed by order of the Secretary of State,
7th July 1982.

Peter Morrison,
Joint Parliamentary Under Secretary of State,
Department of Employment.

SCHEDULE 1

Article 4

THE PLASTICS PROCESSING INDUSTRY

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

- (a) the processing of plastics material;
- (b) the reclamation or processing of used or waste plastics material;
- (c) the manufacture of leathercloth or the coating or impregnation of textile fabric with 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 ball-point pens or fibre tipped pens or propelling pencils;
- (h) the manufacture (otherwise than wholly or mainly from wood, metal or any combination of metal and plastics material) of buttons;
- (i) any activities, being—
 - (i) related activities incidental or ancillary to principal activities of the 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;
- (j) any activities of industry or commerce (other than plastics processing activities) carried out at or from an establishment mainly engaged—
 - (i) in plastics processing activities; or
 - (ii) in plastics processing activities and in activities described in the Appendix to this Schedule, but to a greater extent in 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 plastics processing industry:—

- (a) the activities of any establishment engaged—
 - (i) mainly in activities not being plastics processing activities or activities described in the Appendix to this Schedule; or
 - (ii) to a less extent in 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 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 processing or manufacture of rubber, synthetic rubber or flexible polyurethane foam;
 - (ii) the making or re-making of rope, cord, core for wire ropes, lines, twine, string or similar articles;
 - (iii) the manufacture of industrialised building components or sections or of prefabricated buildings or sections of buildings, being components, sections or buildings framed in wood;
 - (iv) 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) or (g) of paragraph 1 of this Schedule;
 - (v) the manufacture or repair of vehicle bodies, aircraft or hover vehicles;
 - (vi) the manufacture or repair of spectacle frames, ophthalmic lenses or articles embodying a lens or prism;
 - (vii) the manufacture or repair of primary cells, batteries, electric accumulators, electric cables, electric capacitors or resistors or printed or micro-electronic circuits;
 - (viii) the manufacture of patterns or models constructed for engineering purposes;
 - (ix) any metal finishing process;
 - (x) 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;
 - (xi) the manufacture of articles coated with abrasive material;
 - (xii) the manufacture of chipboard or reconstituted wood;
 - (xiii) the manufacture or repair of articles of furniture, cabinets or containers or cases for, or forming part of, musical instruments;
 - (xiv) the manufacture of brushes, brooms or painters’ rollers or the processing of plastics material in conjunction with such manufacture;
 - (xv) the production of textile fibres, not being filling for bolsters, cushions, pillows, quilts, quilting, mattresses, divans or upholstered divan bases;
 - (xvi) the manufacture of surgical dressings;
 - (xvii) the manufacture of paints of any kind, enamels, lacquers, stains, varnishes, distempers or primers;
 - (xviii) the manufacture of plastics material;

- (xix) 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;
 - (xx) the manufacture of putty, luting, adhesives, sealants or other mastic compounds;
 - (xxi) the manufacture of sensitive materials for the purposes of photography or of recording sound or vision;
 - (xxii) the manufacture or re-covering of printers' rollers when carried out by an employer engaged in the manufacture of printing ink;
 - (xxiii) printing name plates or similar plates, preparing lithographic plates or engraving for the purposes of printing;
 - (xxiv) the manufacture of lasts;
 - (xxv) the manufacture of components for footwear;
 - (xxvi) the manufacture of footwear;
 - (xxvii) 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) 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 and which may contain additives, such as fillers, plasticisers, and anti-oxygens;
- (h) “principal activities of the 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 (i) and (j) thereof, as activities of the plastics processing industry;
- (i) “processing” in relation to plastics material means any of the following operations, that is to say, masticating, compounding, mixing, calendering, extruding, moulding, pressing, thermoforming, blowing, casting, dipping, coating, encapsulating, heat sealing, laminating, filament winding, machining (other than stitching), cutting, vulcanising, foaming or the impregnating of cloth and metal;
- (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 natural rubber, including natural rubber modified by grafting or mixing with artificial plastic material, de-polymerised natural rubber and mixtures of unsaturated synthetic substances with saturated synthetic high polymers;
- (l) “plastics processing activities” means any one or more of the principal activities of the plastics processing industry and the activities included in that industry by virtue of paragraph 1(i) 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

- (i) unsaturated synthetic substances which can be irreversibly transformed into non-thermoplastic substances by vulcanisation and which, when so vulcanised as well as may be (without the addition of any substance not necessary for the cross-linking), can produce substances which, at a temperature between 18° and 29°C, will not break on being extended to three times their original length and will return, after being extended to twice their original length, within a period of five minutes, to a length not greater than one and a half times their original length;
- (ii) thioplasts and silicone rubbers.

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 construction industry	The Industrial Training (Construction Board) Order 1964(a)	Schedule 1 Paragraph 1(h)
The chemical and allied products industry	The Industrial Training (Chemical and Allied Products Board) Order 1967(b)	Schedule 1 Paragraph 1(w)
The paper and paper products industry	The Industrial Training (Paper and Paper Products Board) Order 1968(c)	Schedule 1 Paragraph 1(j)
The printing and publishing industry	The Industrial Training (Printing and Publishing Board) Order 1968(d)	Schedule 1 Paragraph 1(n)
The distributive industry	The Industrial Training (Distributive Board) Order 1968(e)	Schedule 1 Paragraph 1(h)
The food, drink and tobacco industry	The Industrial Training (Food Drink and Tobacco Board) Order 1968(f)	Schedule 1 Paragraph 1(g)

(a) S.I. 1964/1079, amended by S.I. 1980/1274, 1982/922.

(b) S.I. 1967/1386, amended by S.I. 1970/1743.

(c) S.I. 1968/787.

(d) S.I. 1968/786.

(e) S.I. 1968/1032, amended by S.I. 1970/1053, 1971/1876.

(f) S.I. 1968/1033, amended by S.I. 1971/648.

Column 1	Column 2	Column 3
The footwear, leather and fur skin industry	The Industrial Training (Footwear, Leather and Fur Skin Board) Order 1968(a)	Schedule 1 Paragraph 1(v)
The clothing and allied products industry	The Industrial Training (Clothing and Allied Products Board) Order 1969(b)	Schedule 1 Paragraph 1(j)
The engineering industry	The Industrial Training (Engineering Board) Order 1964(c)	Schedule 1 Paragraph 1(n)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural Horticultural and Forestry Board) Order 1966(d)	Schedule 1 Paragraph 1(d)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966(e)	Schedule 1 Paragraph 1(q)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966(f)	Schedule 1 Paragraph 1(e)

SCHEDULE 2

Article 1(2)(b)

Levy Orders	References
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1968	S.I. 1968/1386.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1969	S.I. 1969/1235.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1970	S.I. 1970/1343.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1972	S.I. 1972/12.
Industrial Training Levy (Rubber and Plastics Processing Board) Order (No. 2) Order 1972	S.I. 1972/1089.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1973	S.I. 1973/1167.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1974	S.I. 1974/1614.

- (a) S.I. 1968/1763, as amended by S.I. 1972/597.
 (b) S.I. 1969/1375, as amended by S.I. 1982/920.
 (c) S.I. 1964/1086, as amended by S.I. 1980/1273.
 (d) S.I. 1966/969, as amended by S.I. 1970/1886, 1975/985.
 (e) S.I. 1966/1112, as amended by S.I. 1982/664.
 (f) S.I. 1966/1347, as amended by S.I. 1969/1405.

Industrial Training Levy (Rubber and Plastics Processing Board) Order 1975	S.I. 1975/1728.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1976	S.I. 1976/1634.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1977	S.I. 1977/1783.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1978	S.I. 1978/1547.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1980	S.I. 1980/179.
Industrial Training Levy (Rubber and Plastics Processing Board) Order 1981	S.I. 1981/45.
Industrial Training Levy (Rubber and Plastics Processing Board) Order (No. 2) Order 1981	S.I. 1981/1600.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order re-names the Rubber and Plastics Processing Industry Training Board (which was established on 9th August 1967 by the Industrial Training (Rubber and Plastics Processing Board) Order 1967) and re-defines the activities in relation to which the Board exercises its functions. The Board will henceforth be styled the Plastics Processing Industry Training Board and the activities will be those of the plastics processing industry.

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