

2021 No. 318

EMPLOYMENT AND TRAINING, ENGLAND AND WALES

The Industrial Training (Film Industry Training Board for England and Wales) (Revocation) Order 2021

<i>Made</i>	- - - -	<i>15th March 2021</i>
<i>Laid before Parliament</i>		<i>17th March 2021</i>
<i>Coming into force</i>		
	<i>all provisions except articles 3 and 4</i>	<i>7th April 2021</i>
	<i>articles 3 and 4</i>	<i>14th April 2021</i>

The Secretary of State, in exercise of the powers conferred by sections 1(1) and (7) and 4(1) and (2)(b) of the Industrial Training Act 1982(a), and after consulting in accordance with section 1(4) of that Act(b), makes the following Order.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Industrial Training (Film Industry Training Board for England and Wales) (Revocation) Order 2021.

(2) The provisions of this Order (except articles 3 and 4) come into force on 7th April 2021.

(3) Articles 3 and 4 of this Order come into force on 14th April 2021.

(4) In this Order—

- (a) “the Act” means the Industrial Training Act 1982;
- (b) “the Board” means the Film Industry Training Board for England and Wales established by the Industrial Training (Film Industry Training Board for England and Wales) Order 2007(c);
- (c) “net assets” means any assets which are not required to meet any liabilities of the Board and any expenses of its winding up;
- (d) a “relevant document” means any contract, agreement, licence or authority, whether written or not, and any deed, bond, instrument or document made before the revocation date and still in effect at that time, which relates to property, rights or obligations of the Board; and
- (e) “the revocation date” means the date on which article 3 comes into force.

(a) 1982 c.10. Section 1(7) was amended by section 22(4) of, and paragraph 1(4) of Schedule 4 to, the Employment Act 1989 (c.38) (“the 1989 Act”). Section 4(2)(b) was amended by section 24(2) of the 1989 Act. There are other amendments not relevant to this Order.

(b) Section 1(4) was substituted for sections 1(4) and (5) as originally enacted, by section 23 of the 1989 Act.

(c) S.I. 2007/3148.

Winding up of the Board

2.—(1) The Board is to be wound up in accordance with the provisions of this article.

(2) On the coming into force of this article the Board must cease to exercise its functions except in so far as continued exercise of those functions may be necessary or expedient for the purpose of winding up.

(3) Between the coming into force of this article and the revocation date the Board must so far as practicable discharge its liabilities.

(4) On or after the revocation date any net assets of the Board which are transferred to the Secretary of State under article 4(1) are to be applied for purposes related to or connected with training for employment in the film industry.

Revocation

3. The Industrial Training (Film Industry Training Board for England and Wales) Order 2007 is revoked.

Incidental and transitional provisions

4.—(1) All property (including records) and rights to which the Board was entitled immediately before the revocation date, and any obligation to which the Board was then subject, not having been discharged under article 2(3) above, are transferred to and vest in the Secretary of State.

(2) Any proceedings which, but for the revocation in article 3 above, could have been commenced or continued by or in relation to the Board, may be commenced or continued by or in relation to the Secretary of State.

(3) Any relevant documents continue in effect but subject to the following modifications, so far as any one or more of them are applicable—

- (a) if the Board is a party to a relevant document, the Secretary of State be substituted as that party;
- (b) for a reference in a relevant document (however worded and whether express or implied) to the Board, as respects anything falling to be done or occurring on or after the revocation date, there be substituted a reference to the Secretary of State;
- (c) for a reference in a relevant document (however worded and whether express or implied) to the members or any member or to the officers or any officer of the Board, as respects anything done or falling to be done or occurring on or after the revocation date, there be substituted a reference to such officer or officers as the Secretary of State appoints for the relevant purpose; and
- (d) for a reference in a relevant document to the office or place of business of the Board there be substituted a reference to the office or place of business of the Secretary of State.

15th March 2021

Gillian Keegan
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides—

- a) for the winding up of the Film Industry Training Board for England and Wales (the Board) which was established by the Industrial Training (Film Industry Training Board for England and Wales) Order 2007;
- b) for the revocation of the Order mentioned in a) above with effect from 14th April 2021 (article 3); and
- c) that on or after the revocation date any net assets of the Board are to be transferred to the Secretary of State and applied for purposes related to or connected with training for employment in the film industry (articles 2(4) and 4(1)).

The Order also contains incidental and transitional provisions (article 4).

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