

1967 No. 263

## INDUSTRIAL TRAINING

**The Industrial Training (Civil Air Transport Board) Order 1967**

<i>Made</i>	- - -	23rd February 1967
<i>Laid before Parliament</i>		6th March 1967
<i>Coming into Operation</i>		8th March 1967

The Minister of Labour (hereinafter referred to as "the Minister") 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 with the bodies established for the purpose of carrying on under national ownership industries in which the said activities are carried on to a substantial extent and by virtue of the powers conferred on him by 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 him in that behalf hereby makes the following Order:—

*Citation, commencement and interpretation*

1.—(1) This Order may be cited as the Industrial Training (Civil Air Transport Board) Order 1967 and shall come into operation on 8th March 1967.

(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 Civil Air Transport 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 civil air transport 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.

23rd February 1967.

*R. J. Gunter,*  
Minister of Labour.

## SCHEDULE 1

## THE CIVIL AIR TRANSPORT INDUSTRY

1. Subject to the provisions of this Schedule, the activities of the civil air transport industry are the following activities in so far as they are exercised within Great Britain:—

- (a) the activities of an Air Corporation or of the British Airports Authority;
- (b) the activities of any undertaking (not being an Air Corporation) whose business includes the performance of aerial work, being activities undertaken in the air or on the ground in furtherance of such work;
- (c) the letting out on hire (with or without the services of a crew) of aircraft;
- (d) giving for reward instruction in flying aircraft;
- (e) the inspection, maintenance, repair, overhaul, replacement or modification of aircraft or parts of aircraft or of such of the equipment of aircraft as is necessary for the airworthiness thereof;
- (f) the provision, maintenance or management of—
  - (i) an aerodrome in respect of which a licence for public use is in force;
  - (ii) such technical, emergency or security services and facilities as are necessary for the operation of such an aerodrome; or
  - (iii) technical facilities (including flight documentation) for controlling the take-off, approach to landing and landing of aircraft;
- (g) any activities (other than those above mentioned) being—
  - (i) related activities incidental or ancillary to principal activities of the civil air transport 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;
- (h) any other activities of industry or commerce carried out at or from an establishment (not being an establishment of an Air Corporation or of the British Airports Authority) mainly engaged—
  - (i) in civil air transport activities; or
  - (ii) in civil air transport activities and in activities described in the Appendix to this Schedule, but to a greater extent in civil air transport 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 civil air transport industry:—

- (a) the activities of any establishment (not being an establishment of an Air Corporation or of the British Airports Authority) engaged—
  - (i) mainly in activities not being civil air transport activities or activities described in the Appendix to this Schedule; or
  - (ii) to a less extent in civil air transport 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—**

- (i) the manufacture of aircraft;**
- (ii) any operations specified in paragraph 1(e) of this Schedule, being operations carried out by the manufacturer of the aircraft, parts of aircraft or equipment therein mentioned;**
- (iii) the repair, reconditioning, modification, alteration or conversion (not being running repairs or minor adjustments) of motor vehicles;**
- (iv) the manufacture, installation, testing, inspection or repair of any articles (not being aircraft, parts of aircraft or equipment specified in paragraph 1(e) of this Schedule or motor vehicles) made wholly or mainly from metal or from any combination of metal and plastics material;**
- (v) the manufacture or repair of any articles (not being aircraft or parts of aircraft) made wholly or mainly from wood;**
- (vi) the carriage of passengers or goods by motor vehicles on roads for hire or reward;**
- (vii) public warehousing;**
- (viii) any operations in the construction, alteration, repair or demolition of a building or in the construction, structural alteration, repair or demolition of any aerodrome, airport, bridge, road, viaduct, tunnel, electric line or any structure for its support, cable trench or duct, pipeline or defence installation or the provision or continued provision for buildings or any such construction or work of water, gas, electricity, lighting, heating, ventilation or air-conditioning; or**
- (ix) any operations in agriculture or horticulture;**

**(c) the following activities when carried out by a local authority—**

- (i) the manufacture, installation, testing, inspection or repair of any articles to which sub-paragraph (b) (iv) of this paragraph applies;**
- (ii) any operations specified in sub-paragraph (b) (viii) of this paragraph;**
- (iii) any activities specified in paragraph 1(g) or 1(h) of this Schedule, not being activities mentioned in head (ii) or head (iv) of paragraph 3(o); or**
- (iv) the repair of motor vehicles, including the carrying out of running repairs or of minor adjustments thereto;**

**(d) any activities when carried out by a member of the crew of an aircraft that is operated by an employer having his sole or principal place of business outside Great Britain; or**

**(e) the supply of food or drink to persons for immediate consumption except in so far as such activities are carried out by members of the crew of an aircraft.**

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

**(a) “aerial work” means any purpose (including the provision of air transport services) for which an aircraft is flown if hire or reward is given or promised in respect of the flight or for the purpose of the flight;**

**(b) “Air Corporation” means the British Overseas Airways Corporation or the British European Airways Corporation, and includes B.O.A.C. Associated Companies Limited and BEA Helicopters Limited;**

**(c) “aircraft” means any heavier than air aircraft;**

**(d) “carriage” in relation to goods includes haulage;**

(e) "civil air transport activities" means any one or more of the principal activities of the civil air transport industry and the activities included in that industry by virtue of paragraph 1(g) of this Schedule;

(f) "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;

(g) "letting out on hire" does not include a letting under a hire-purchase agreement;

(h) "licence for public use" has the same meaning as in Article 64(2) of the Air Navigation Order 1966(b);

(i) "local authority" means in England and Wales a local authority within the meaning of the Local Government Act 1933(c) or the Common Council of the City of London, and in Scotland the Council of a county, the town council of a burgh or a district council;

(j) "manufacture" includes assembly or any process or operation incidental or appertaining to manufacture or assembly;

(k) "motor vehicles" means mechanically propelled vehicles intended or adapted for use on roads;

(l) "office premises" has the same meaning as in section 1(2) of the Offices, Shops and Railway Premises Act 1963(d);

(m) "principal activities of the civil air transport industry" means activities which, subject to paragraph 2 of this Schedule, are specified in paragraph 1, other than subparagraphs (g) and (h) thereof as activities of the civil air transport industry;

(n) "public warehousing" means keeping any premises (not being a public garage or parking place) wholly or mainly for the purposes of the storage of goods for reward for persons other than the occupier or, where the occupier is a company, for persons other than the company or an associated company of the company, but does not include keeping any premises wholly or mainly for the custody of animals or other living creatures or as a cloakroom or safe depository;

(o) "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, delivery, transport or any similar operations;
- (iii) operations of a kind performed at travel agencies, booking offices, other office premises or laboratories;
- (iv) operations of a kind performed at stores, warehouses or similar places;
- (v) cleaning, washing or garaging vehicles or carrying out running repairs or minor adjustments thereto;
- (vi) training of employees or apprentices;

(p) "roads" means highways or any other roads to which the public has access.

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 1966(a)	Schedule 1 Paragraph 1(r)
The iron and steel industry	The Industrial Training (Iron and Steel Board) Order 1964(b)	Schedule 1 Paragraph 1(j)
The construction industry	The Industrial Training (Construction Board) Order 1964(c)	Schedule 1 Paragraph 1(h)
The engineering industry	The Industrial Training (Engineering Board) Order 1964(d)	Schedule 1 Paragraph 1(i)
The shipbuilding industry	The Industrial Training (Shipbuilding Board) Order 1964(e)	Schedule 1 Paragraph 1(d)
The ceramics, glass and mineral products industry	The Industrial Training (Ceramics, Glass and Mineral Products Board) Order 1965(f)	Schedule 1 Paragraph 1(n)
The furniture and timber industry	The Industrial Training (Furniture and Timber Industry Board) Order 1965(g)	Schedule 1 Paragraph 1(r)
The man-made fibres producing industry	The Industrial Training (Man-made Fibres Producing Industry Board) Order 1966(h)	Schedule 1 Paragraph 1(d)
The carpet industry	The Industrial Training (Carpet Board) Order 1966(i)	Schedule 1 Paragraph 1(d)
The knitting, lace and net industry	The Industrial Training (Knitting, Lace and Net Industry Board) Order 1966(j)	Schedule 1 Paragraph 1(j)
The cotton and allied textiles industry	The Industrial Training (Cotton and Allied Textiles Board) Order 1966(k)	Schedule 1 Paragraph 1(p)
The agricultural, horticultural and forestry industry	The Industrial Training (Agricultural, Horticultural and Forestry Board) Order 1966(l)	Schedule 1 Paragraph 1(m)
The road transport industry	The Industrial Training (Road Transport Board) Order 1966(m)	Schedule 1 Paragraph 1(o)
The hotel and catering industry	The Industrial Training (Hotel and Catering Board) Order 1966(n)	Schedule 1 Paragraph 1(e)

(a) S.I. 1964/907, 1966/428 (1964 II, p. 1928;

1966 I, p. 925).

(c) S.I. 1964/1079 (1964 II, p. 2384).

(e) S.I. 1964/1782 (1964 III, p. 3928).

(g) S.I. 1965/2028 (1965 III, p. 5998).

(i) S.I. 1966/245 (1966 I, p. 499).

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

(m) S.I. 1966/1112 (1966 III, p. 2712).

(b) S.I. 1964/949 (1964 II, p. 2127).

(d) S.I. 1964/1086 (1964 II, p. 2402).

(f) S.I. 1965/1391 (1965 II, p. 4062).

(h) S.I. 1966/143 (1966 I, p. 257).

(j) S.I. 1966/246 (1966 I, p. 506).

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

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

## SCHEDULE 2

## MEMBERSHIP

1. The appointment of a member of the Board shall be for such term as the Minister 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 Minister and the resignation shall have effect on such date as the Minister 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 Minister; or

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

the Minister may declare the office of that member to be vacant and shall notify the fact in such manner as he 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 Civil Air Transport 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 of .....19..... 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 Minister 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.

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#### 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 Civil Air Transport 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.