

1967 No. 279

INDUSTRIAL TRAINING

The Industrial Training (Engineering Board) Order 1967

<i>Made</i>	23rd February 1967
<i>Laid before Parliament</i>	7th March 1967
<i>Coming into Operation</i>	9th March 1967

The Minister of Labour after consultation with the Engineering Industry Training Board and 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 9 of the Industrial Training Act 1964(a) 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 (Engineering Board) Order 1967 and shall come into operation on 9th March 1967.

(2) In this Order—

- (a) “the Act” means the Industrial Training Act 1964;
- (b) “the Board” means the Engineering Industry Training Board;
- (c) “the levy Order” means the Industrial Training Levy (Engineering) Order 1965(b);
- (d) “the principal Order” means the Industrial Training (Engineering Board) Order 1964(c).

(3) The Interpretation Act 1889(d) 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.

Activities of the Board

2. The activities in relation to which the Board exercises the functions conferred by the Act upon industrial training boards shall, in lieu of the activities specified in Schedule 1 to the principal Order, be the activities specified in the Schedule to this Order, and accordingly in the principal Order the latter Schedule shall be substituted for the former Schedule.

(a) 1964 c. 16.

(b) S.I. 1965/1263 (1965 II, p. 3592).

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

(d) 1889 c. 63.

Transitional provisions

3.—(1) The chairman and other members of the Board on the date upon which this Order comes into operation shall continue to be members of the Board and 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 the levy Order ;

(b) affect the operation of the 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 first levy period wholly or mainly in activities included in the Schedule to this Order ;

(c) affect the operation of any assessment notice served by the Board under the provisions of the levy Order before the date upon which this Order comes into operation or of any appeal or other proceedings arising out of any such notice ;

(d) affect any rights or obligations of the Board or of any other person arising otherwise than under the levy Order.

23rd February 1967.

R. J. Gunter,
Minister of Labour.

SCHEDULE

THE ENGINEERING INDUSTRY

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

(a) the manufacture of—

(i) articles wholly or mainly from metal or tungsten carbide ;

(ii) articles wholly or mainly from any combination of either metal and plastics material or of metal and tungsten carbide ;

(iii) vehicle bodies ;

(iv) aircraft or hover vehicles ;

(v) articles embodying a lens or prism ;

(vi) primary cells, batteries or electric accumulators ;

(vii) electric cables, electric filament lamps, electric discharge lamps or photographic flashbulbs ;

(viii) thermionic, cold cathode or photo-cathode valves or tubes, cathode-ray tubes or electric capacitors or resistors ;

(ix) printed or micro-electronic circuits, devices using ferrite or quartz crystals for electrical purposes or semi-conductor or piezo-electric devices ;

(x) patterns or models constructed for engineering purposes ;

(b) the installation, testing, inspection or repair of any articles or other products above-mentioned ;

(c) the painting or paint spraying of any articles specified in head (i), (ii), (iii), (iv) or (x) of sub-paragraph (a) of this paragraph ;

(d) the assembly of electric blankets ;

- (e) the following operations or processes, that is to say—
- (i) the reduction of virgin aluminium, the production of secondary-based aluminium or of aluminium alloys or the manufacture of aluminium powder or paste and, when carried out by an employer engaged substantially in any of the said operations, the production or processing of any other non-ferrous metal ;
 - (ii) the smelting or refining of copper or copper alloys ;
 - (iii) the rolling, drawing, extruding or forging of non-ferrous metal and, when carried out by an employer engaged substantially in any such operation, any refining of metal incidental thereto ;
- (f) the following operations or processes, that is to say—
- (i) any process of metal preparation including mechanical or chemical cleaning ;
 - (ii) tempering, case-hardening and annealing or other process of metal treatment ;
 - (iii) electro-plating, anodising, polishing, burnishing, vitreous or stove enamelling or other metal finishing process ;
- (g) the machining of carbon articles ;
- (h) the erection of—
- (i) the main framework of buildings, being framework of metallic construction ;
 - (ii) other structures consisting wholly or mainly of metal, and not forming part of a building ;
- (i) the preparation of engineering drawings ;
- (j) the hiring out by an employer of individuals in his employment to persons engaging in any of the foregoing activities, where the said individuals are to be employed in such activities ;
- (k) any activities, being—
- (i) related activities incidental or ancillary to principal activities of the engineering 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 ;
- (l) any activities of industry or commerce (other than engineering activities) carried out at or from an establishment mainly engaged—
- (i) in engineering activities ; or
 - (ii) in engineering activities and in activities described in the Appendix to this Schedule, but to a greater extent in engineering 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 engineering industry:—
- (a) the activities of any establishment (not being an establishment of a local authority or of the London Transport Board) engaged—
- (i) mainly in activities not being engineering activities or activities described in the Appendix to this Schedule ; or
 - (ii) to a less extent in engineering 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 hereinafter referred to as "the principal establishment") engaged wholly or mainly in any activities not being principal activities of the engineering 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 any of them, that is to say—
- (i) the production of iron or steel or, when carried out in association with such production, the casting of iron or steel, the production of iron or steel forgings or the annealing or heat treatment of steel;
 - (ii) the rolling of iron or steel products for the purpose of reducing the cross-sectional area thereof;
 - (iii) the production from iron or steel of bright bars, hot finished tubes or hot finished pipes;
 - (iv) the production of tinplate, terneplate, iron or steel wire or steel wire ropes;
 - (v) the production of galvanised or other coated steel sheets when carried out in association with any of the activities above-mentioned in this sub-paragraph;
 - (vi) any operations (not being operations specified in paragraph 1(h)(i) of this Schedule) in a building work or a civil engineering work, or (being operations undertaken in, upon, above or under a building, or the close, curtilage or precincts thereof, or a civil engineering work or the site of a building or such a work) in the provision or continued provision for the building, civil engineering work or site of water, gas, electricity, lighting, heating, ventilation or air-conditioning;
 - (vii) the cutting and bending of reinforcing steel for the purposes of any operations specified in head (vi) of this sub-paragraph;
 - (viii) the erection, repair or dismantling of walls, fencing, hoardings or scaffolding;
 - (ix) the manufacture of industrialised building components or sections or of prefabricated buildings or sections of buildings, being components, sections or buildings framed in wood;
 - (x) the construction of shop, office or similar fittings on the premises in which they are to be installed, or the prefabrication elsewhere of such fittings by the employer engaged in the installation;
 - (xi) the erection or dismantling of exhibition stands;
 - (xii) the repair of contractors' plant or the hiring out of such plant or of scaffolding;
 - (xiii) dealing by a merchant or factor in building, plumbing, decorating, heating, ventilating or air-conditioning materials or equipment, in architectural and builders' ironmongery or in cloakroom fittings, where such products are supplied to persons engaging in any activities specified in head (vi) of this sub-paragraph;
 - (xiv) operations carried out at or from a yard, a dry dock (including the precincts thereof), a harbour or a wet dock in the construction, reconstruction, repair, refitting, painting or finishing of ships, vessels or other floating constructions, or in scaling, scurfing or cleaning the boilers or in scaling the hulls thereof;
 - (xv) the manufacture, repair or tuning of pianofortes, harpsichords, spinets, clavichords or pipe-organs;

- (xvi) the manufacture of springs for use in beds, divans, divan bases, upholstered furniture or in mattresses ;
 - (xvii) the assembly, installation, cleaning or repair of venetian blinds ;
 - (xviii) the maintenance or repair of agricultural and horticultural machinery or equipment ;
 - (xix) the repair of motor vehicles, except by the London Transport Board or where the establishment is engaged wholly or mainly in the repair of vehicle bodies ;
 - (xx) selling motor vehicles, or components, replacements, spare parts or accessories for motor vehicles, not being selling by the manufacturer thereof ;
 - (xxi) the selling or letting out on hire of transport service equipment by way of business ;
 - (xxii) 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, not being operations carried out by the manufacturer of the aircraft, parts or equipment ;
 - (xxiii) the production or refining of non-ferrous metal, not being operations or processes specified in paragraph 1(e) of this Schedule ;
 - (xxiv) the processing of plastics material ;
 - (xxv) the manufacture of paint ;
 - (xxvi) the installation, testing, inspection or repair of audio or video receiving apparatus or of transmission lines connected with such apparatus, when such operations are carried out in furtherance of an agreement made between a person carrying on the business of selling or hiring out such apparatus or of operating a broadcast relay station and a person to whom such apparatus has been sold or hired or who is a subscriber to the service provided from such a station ;
 - (xxvii) electro-typing, stereo-typing, type-setting, type-casting, preparing lithographic plates or engraving for the purpose of printing ;
 - (xxviii) the printing of name plates or similar plates otherwise than for the purpose of the manufacture of metal containers or electrical circuits ;
 - (xxix) the manufacture or re-covering of printers' rollers ;
 - (xxx) any operations or processes in the manufacture of articles wholly or mainly from gold, silver or platinum or from an alloy that includes any such metal, not being operations or processes mentioned in paragraph 1(e) of this Schedule ;
 - (xxxi) gold, silver or platinum plating ;
 - (xxxii) the cutting or polishing of diamonds ; or
 - (xxxiii) the manufacture or repair of any of the following products or any products similar thereto, that is to say, artificial flowers or teeth, ball-point or fountain pens, belts, braces, brooms, brushes (not being carbon brushes), clothing, dentures, document cases or covers, eyeglasses, footwear, handbags, jewellery, jewel cases, lampshades, pencils, purses, spectacles (including frames thereof), straps, suitcases, toys and games or wallets ;
- (d) the activities 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 Gas Council or an Area Gas Board ;
 - (iv) a harbour authority within the meaning of the Harbours Act 1964(a) when acting in that capacity ; or

- (v) statutory water undertakers within the meaning of the Water Act 1945(a) or of local water authorities within the meaning of the Water (Scotland) Act 1946(b), being the activities of such undertakers or authorities in the exercise of their powers or duties as such;
- (e) the activities of the United Kingdom Atomic Energy Authority, not being activities of an establishment engaged wholly or mainly in any activities mentioned in head (i) or (ii) of paragraph 1(a) or in paragraph 1(b) of this Schedule;
- (f) any activities specified in paragraph 1(b) of this Schedule when carried out by the National Coal Board;
- (g) any activities specified in paragraph 1(k) or paragraph 1(l) of this Schedule when carried out by a local authority;
- (h) any activities specified in paragraph 1(k)(ii) of this Schedule when carried out by the London Transport Board;
- (i) 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(c) (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);
- (j) 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(d), or under section 29 of the National Assistance Act 1948(e), as extended by section 8(2) of the Mental Health Act 1959(f) and section 8(2) of the Mental Health (Scotland) Act 1960(g), or under section 31 of the National Assistance Act 1948 (as substituted by the National Assistance Act 1948 (Amendment) Act 1962(h)), or under section 28 of the National Health Service Act 1946(i) as extended by section 6 of the Mental Health Act 1959, or under section 27 of the National Health Service (Scotland) Act 1947(j) as extended by section 7 of the Mental Health (Scotland) Act 1960;
- (k) any operations carried out by a person undergoing a course of training as a seagoing officer or rating under an agreement in writing with an employer in the shipping industry or with any organisation of employers in that industry or any association of such organisations; or
- (l) the supply of food or drink for immediate consumption.

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

“agricultural and horticultural machinery or equipment” means any machinery, plant, equipment or appliance designed primarily or adapted for use in agriculture or horticulture, but does not include a self-propelled road vehicle which is designed primarily for the carriage of persons or of loads;

“aircraft” means aircraft heavier than air;

“architectural and builders’ ironmongery” means fittings or attachments to doors or windows or the frames thereof, being fittings or attachments constructed wholly or mainly of metal or of metal and plastics material;

“articles” includes any parts or components of articles, being parts or components made wholly or mainly from metal or tungsten carbide or from any combination of either metal and plastics material or of metal and tungsten carbide;

“building” includes any erection in the nature of a building;

(a) 1945 c. 42.

(b) 1946 c. 42.

(c) 1944 c. 10.

(d) 1958 c. 33.

(e) 1948 c. 29.

(f) 1959 c. 72.

(g) 1960 c. 61.

(h) 1962 c. 24.

(i) 1946 c. 81.

(j) 1947 c. 27.

“building work” means the construction, alteration, repair or demolition of a building or part of a building ;

“civil engineering work” means the construction or demolition of a railway-line, siding or monorail, the construction, structural alteration, repair or demolition of any aerodrome, airport, bridge, road, viaduct, dock, harbour, pier, quay, wharf, coast protection, river or drainage work, aqueduct, canal, inland navigation, reservoir, waterworks, bore-hole, well (other than an oil well), filter bed, sewage works, sewer, cooling tower or pond, tunnel, heading, adit, chimney, furnace, carbonising or gas-making plant, nuclear or thermal power station, hydro-electric station, electric line or any structure designed for its support, cable trench or duct, oil refinery, pipe-line or defence installation, the sinking of a shaft or bore-hole in a mine of coal, stratified ironstone, shale or fire-clay, the construction of a road below ground in such a mine, the construction of a swimming pool or other bathing place or of a playing field or ground for sporting or recreational purposes, the laying out of a cemetery or the preparation of the site, or the laying down of a foundation or sub-structure, in connection with any of the said operations or with the erection of structural metalwork ;

“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 ;

“contractors’ plant” means machinery, plant or equipment of a kind used or intended for use in operations on the site of any building work or civil engineering work ;

“electric line” means a wire or wires, conductor or other means used for the purpose of conveying, transmitting, or distributing electricity, or any apparatus connected therewith ;

“engineering activities” means any one or more of the principal activities of the engineering industry and the activities included in that industry by virtue of paragraph 1(k) of this Schedule ;

“hover vehicles” means vehicles designed to be supported on a cushion of air ;

“iron” and “steel” include respectively alloy iron and alloy steel containing in each case more than 55 per cent. of pure iron by weight ;

“jewellery” includes any article of personal adornment (whether or not containing stones) but does not include clock or watch movements ;

“local authority” means in England and Wales a local authority within the meaning of the Local Government Act 1933(b) 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 ;

“manufacture” includes assembly or any process or operation incidental or appertaining to manufacture or assembly ;

“motor vehicles” means mechanically propelled vehicles intended or adapted for use on roads, and includes tramcars and trolley vehicles, but does not include implements for cutting grass that are not capable of being used or adapted for any other purpose ;

“non-ferrous metal” means any metal other than iron or steel ;

“office premises” has the same meaning as in section 1(2) of the Offices, Shops and Railway Premises Act 1963(c) ;

“pipe-line” means a pipe or system of pipes (together with any apparatus or works associated therewith) for the conveyance of anything, but does not include a pneumatic despatch tube ;

“plastics material” means any material (other than synthetic rubber of any kind) 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 includes any such material reinforced by glass fibres or bonding glass fibres ;

“principal activities of the engineering industry” means activities which, subject to the provisions of paragraph 2 of this Schedule, are specified in paragraph 1, other than sub-paragraphs (k) and (l) thereof, as activities of the engineering industry ;

“processing of plastics material” means any of the following operations when carried out on or with plastics material, that is to say, masticating, compounding, mixing, calendering, extruding, moulding, pressing, thermoforming, blowing, casting, dipping, coating, encapsulating, heat sealing, laminating, filament winding, machining, cutting, vulcanising or foaming ;

“related activities” means any of the following activities, that is to say—

- (i) research, development, design or drawing ;
- (ii) buying, selling, letting out on hire, testing, advertising, packing, distribution, delivery, 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 ;

“repair” includes all or any of the operations of repair, reconditioning, modification, alteration or conversion or the replacement of a part, but does not include cleaning or washing motor vehicles or carrying out running repairs or minor adjustments thereto ;

“ships”, “vessels” and “harbours” have the same meanings as in the Merchant Shipping Act 1894(a) ;

“vehicle bodies” includes motorcycle sidecars, perambulators, invalid carriages, folding push-cars and bodies for caravans.

4.—(1) References in this Schedule to the provisions of any enactment shall be construed as references to those provisions as amended by or under any subsequent enactment.

(2) 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(f)
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)
The civil air transport industry	The Industrial Training (Civil Air Transport Board) Order 1967(o)	Schedule 1 Paragraph 1(h)

(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).

(o) S.I. 1967/263 (1967 I, p. 968).

(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).

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Engineering Industry Training Board was established on 23rd July 1964 by the Industrial Training (Engineering Board) Order 1964 to exercise the functions of an industrial training board in relation to the activities of the engineering industry as specified in Schedule 1 to that Order.

This Order, which is made under section 9 of the Industrial Training Act 1964, redefines the activities in relation to which the Board exercises functions. These are specified in the Schedule to this Order.

The main changes in the definition are the exclusion from the engineering industry of—

- (a) the production of non-ferrous metals other than aluminium, copper and their alloys ;
- (b) the maintenance and repair of agricultural or horticultural machinery ; and
- (c) the installation, inspection and repair of certain audio and video receiving apparatus.