

SCHEDULES

SCHEDULE 2

Article 14.

INDUSTRIAL TRAINING BOARDS

Status

1. An industrial training board shall be a body corporate, by the name specified in the industrial training order, to which section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply.

Membership

2.—(1) The members of an industrial training board shall be appointed by the Department and, subject to the provisions of this Order, section 18(2) of the Interpretation Act (Northern Ireland) 1954 shall apply to such appointments.

(2) An industrial training board shall consist of the following members—

(a) a chairman, who shall be a person appearing to the Department to have industrial, commercial or educational experience;

[^{F1}(b) an equal number of persons appearing to the Department to be representative—

(i) of employers engaging in the industry; and

(ii) of employees in the industry;]

(c) one or more persons who shall be appointed after consultation with the Department of Education.

[^{F2}(2A) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(ii).]

(3) The Department may appoint as chairman under head (a) of subparagraph (2) one of the members appointed under head (b) or (c) and in that event the Department shall, after such consultation as the case may require, appoint a further person in place of the member appointed as chairman.

(4) An industrial training order may make provision with respect to the tenure of office of persons appointed under sub-paragraph (2).

F1 Sch. 2 para. 2(2)(b) substituted (3.8.2010) by [Employment Act \(Northern Ireland\) 2010 \(c. 12\)](#), ss. 7(1), 8(2), [Sch. 1 para. 2\(1\)](#)

F2 Sch. 2 para. 2(2A) inserted (3.8.2010) by [Employment Act \(Northern Ireland\) 2010 \(c. 12\)](#), ss. 7(1), 8(2), [Sch. 1 para. 2\(2\)](#)

3.—(1) The Department, the Department of Education and, if the Department thinks fit in any particular case, any other government department may each appoint one person to attend meetings of an industrial training board.

Status: Point in time view as at 03/08/2010.

Changes to legislation: There are currently no known outstanding effects for the The Industrial Training (Northern Ireland) Order 1984, SCHEDULE 2. (See end of Document for details)

(2) Persons appointed under this paragraph shall be entitled to participate in the proceedings of the industrial training board and to receive copies of all documents distributed to the members of the board but shall not have the right to vote in any such proceedings.

(3) Section 18(2) of the Interpretation Act (Northern Ireland) 1954 shall apply to appointments under this paragraph.

4.—(1) An industrial training board shall pay to the chairman of the board such remuneration (if any) as the Department may, with the approval of the Department of Finance and Personnel, determine.

(2) An industrial training board may pay to the chairman and the other members of the board—

- (a) such travelling, subsistence or other allowances as the board may determine; and
- (b) such allowances for loss of remunerative time as the Department may, with the approval of the Department of Finance and Personnel, determine.

(3) An industrial training board may make such arrangements for the payment of pensions, superannuation allowances and gratuities to or in respect of the chairman of the board as the Department may, with the approval of the Department of Finance and Personnel, determine.

(4) Where a person ceases to be the chairman of an industrial training board otherwise than on the expiry of his term of office, and it appears to the board that there are special circumstances which make it right for him to receive compensation, the board may make him a payment of such amount as the board may, with the approval of the Department and the Department of Finance and Personnel, determine.

Committees

5.—(1) An industrial training board may—

- (a) appoint such committees as appear to it to be appropriate; or
- (b) join with one or more other industrial training boards in appointing joint committees consisting of such persons as may be determined by the boards;

and delegate to any such committee, to such extent and subject to such conditions as may be stated in proposals submitted to and approved by the Department, any of the functions conferred on the board by this Order.

(2) An industrial training board shall appoint a committee for the purposes of Article 26(4) and (5) (consideration of decisions on remission).

(3) A committee need not include any member of an industrial training board.

(4) The Department, the Department of Education and, if the Department thinks fit in any particular case, any other government department may each appoint one person to attend meetings of any committee.

(5) Persons appointed under sub-paragraph (4) shall be entitled to participate in the proceedings of the committee and to receive copies of all documents distributed to the members of the committee but shall not have the right to vote in any such proceedings.

(6) A committee may, subject to any directions of the industrial training board, regulate its own procedure and business (and, accordingly, may fix a quorum).

6.—(1) An industrial training board may pay or, as the case may be, join in paying to the members of a committee who are not members of the board—

- (a) such travelling, subsistence and other allowances as the board may determine; and
- (b) such allowances for loss of remunerative time as the Department may, with the approval of the Department of Finance and Personnel, determine.

(2) An industrial training board may pay or, as the case may be, join in paying to the chairman of any committee to which any of the functions of the board are delegated and to the chairman of the committee appointed under paragraph 5(2) such remuneration as the board may determine.

(3) An industrial training board may make or, as the case may be, join in making, such arrangements for the payment of pensions, superannuation allowances and gratuities to or in respect of the chairman of any committee to which any of the functions of the board are delegated and to the chairman of the committee appointed under paragraph 5(2) as the board may determine.

(4) Where a person ceases to be the chairman of any committee to which any of the functions of the board are delegated or the chairman of the committee appointed under paragraph 5(2) otherwise than on the expiry of his term of office, and it appears to the board that there are special circumstances which make it right for him to receive compensation, the board may make or, as the case may be, join in making him a payment of such amount as the board may determine.

Proceedings

7. The powers of an industrial training board conferred on the board by virtue of section 19(1)(a)(v) of the Interpretation Act (Northern Ireland) 1954 to regulate its own procedure and business shall be subject to any provision made by an industrial training order as to quorum, voting by proxy, or otherwise.

8. The members of an industrial training board appointed under heads (a) and (c) of paragraph 2(2) shall not vote on any matter relating to the imposition of a levy and no such matter shall be decided except in accordance with the votes of the majority of the members appointed under head (b) of paragraph 2(2) after consultation with organisations appearing to the Department to be representative of employers engaging in the industry.

9.—(1) A member of an industrial training board who has any pecuniary interest, direct or indirect, in any matter which falls to be considered by the board shall, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest at a meeting of the board.

(2) Any disclosure under this paragraph shall be recorded in the minutes of the meeting and the member—

- (a) shall not take part after the disclosure in any deliberation or decision of the board with respect to the matter;
- (b) shall be disregarded for the purpose of constituting a quorum of the board for any such deliberation or decision.

(3) A member need not attend in person at a meeting of an industrial training board in order to make a disclosure which he is required to make under this paragraph, if he takes reasonable steps to secure that the disclosure is made by a notice which is taken into consideration and read at such a meeting.

10. The validity of any proceedings of an industrial training board shall not be affected by any vacancy among the members, or by any defect in the appointment of a member or by a failure to comply with paragraph 9.

Instruments

11.—(1) The fixing of the seal of an industrial training board shall be authenticated by the signatures of—

- (a) the chairman of the board or some other member of the board authorised by the board to act for that purpose; and
- (b) any officer of the board authorised by the board to act for that purpose.

Status: Point in time view as at 03/08/2010.

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(2) Without prejudice to section 19(1)(c) of the Interpretation Act (Northern Ireland) 1954, a document purporting to be signed on behalf of the board shall be received in evidence and shall, unless the contrary is proved, be deemed to be so signed.

Property

12. The powers conferred on an industrial training board by virtue of section 19(1)(a)(iv) of the Interpretation Act (Northern Ireland) 1954 (powers to acquire and dispose of property) shall not be exercised without the consent of the Department and the Department of Finance and Personnel.

Staff

13. [^{F3}The exercise by an industrial training board] of the right to employ staff conferred on the board by virtue of section 19(1)(a)(vi) of the Interpretation Act (Northern Ireland) 1954, including any determination of the board with respect to conditions of service, remuneration, numbers and organisation of staff^{F3} shall be subject to the consent of the Department].

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14.—(1) An industrial training board may make arrangements to secure the provision of superannuation benefits for persons employed by the board and such arrangements shall provide for the payment of contributions by the board and by the persons for whom superannuation benefits are provided.

(2) The arrangements may provide for the contributions to be paid to and the benefits to be paid by a body other than the industrial training board.

Status:

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Changes to legislation:

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