



Industrial Training Act 1964

1964 CHAPTER 16

6 Power to obtain information from employers

- (1) Where an industrial training board has been established, the Minister may require employers in the industry to furnish such returns and other information and to keep such records and produce them for examination on his behalf as appear to the Minister to be necessary for the purposes of this Act.
- (2) An industrial training board and any person assessing and collecting a levy on behalf of the board may require employers in the industry to furnish such returns and other information of a kind approved by the Minister and to keep such records of a kind approved by him and produce them for examination on behalf of the board as appear to the board to be necessary for carrying out its functions.
- (3) Subject to subsection (4) of this section, returns and other information furnished in pursuance of the preceding provisions of this section and any information obtained on an examination made in pursuance thereof shall not, without the consent of the employer to whose business the returns or information relate, be disclosed otherwise than to the Minister or one of his officers, or to an industrial training board or a committee appointed by such a board, or an officer of such a board or committee or any person entitled to take part in the proceedings of such a board.
- (4) Subsection (3) of this section shall not apply—
 - (a) to the disclosure of returns or information in the form of a summary of similar returns or information furnished by or obtained from a number of employers, if the summary is so framed as not to enable particulars relating to any individual business to be ascertained from it;
 - (b) to any disclosure of information made for the purposes of any legal proceedings pursuant to this Act or any criminal proceedings, whether pursuant to this Act or not, or for the purposes of any report of any such proceedings.
- (5) A certificate purporting to be issued by or on behalf of the Minister and stating that he has approved any kind of information, return or record for the purposes of subsection (2) of this section shall in any legal proceedings be evidence, and in Scotland sufficient evidence, of the facts stated in the certificate.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) If any person fails to comply with any requirement made under subsection (1) or subsection (2) of this section he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or on a second or subsequent conviction two hundred pounds.
- (7) If any person—
- (a) knowingly or recklessly furnishes, in pursuance of any requirement made under subsection (1) or subsection (2) of this section, any return or other information which is false in a material particular; or
 - (b) wilfully makes a false entry in any record required to be produced under either of those subsections or, with intent to deceive, makes use of any such entry which he knows to be false ; or
 - (c) discloses any information in contravention of subsection (3) of this section ;
- he shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds or to both, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or to both.
- (8) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary, or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.