

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Industrial Training Act 1982, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 1(3).

#### INDUSTRIAL TRAINING BOARDS

- 1 An industrial training board shall be a body corporate, by such name as may be specified in the industrial training order.
- 2 The members of an industrial training board shall be appointed by the Secretary of State.
- [<sup>F1</sup>3 (1) An industrial training board shall consist of—
  - (a) a chairman and, if the Secretary of State thinks fit, a deputy chairman, each of whom shall be a person appearing to the Secretary of State to have industrial or commercial experience;
  - (b) such number of persons appointed after the appropriate consultation as the Secretary of State thinks fit; and
  - (c) such other persons (if any) whom it appears to the Secretary of State to be appropriate to appoint in addition to those appointed by virtue of paragraph (b) above.
- (2) A person appointed by virtue of sub-paragraph (1)(b) above shall at the time of his appointment be a person appearing to the Secretary of State to be concerned (whether as a director, manager or sole proprietor or otherwise) in the management of the activities, or any of the activities, of an employer engaging in the industry; and the reference in that provision to the appropriate consultation is a reference to consultation with such organisations, or associations of organisations, representative of employers engaging in the industry as appear to the Secretary of State to be appropriate.
- (3) The Secretary of State shall not make any appointment by virtue of sub-paragraph (1) (c) above if to do so would result in the number of persons for the time being appointed by virtue of that provision being equal to, or greater than, the number of persons for the time being appointed by virtue of sub-paragraph (1)(b) above.
- (4) References in the following provisions of this Schedule to a chairman include a deputy chairman.]

#### Textual Amendments

- F1** Sch. 1 para. 3 substituted (with saving) by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 25(1), 29(3)(6), [Sch. 9 para. 6](#)

- 4 An industrial training board shall pay to its chairman such remuneration (if any) as the Secretary of State may from time to time with the approval of the Treasury determine and may make such arrangements for the payment of pensions, superannuation allowances and gratuities to or in respect of its chairman as the Secretary of State may specify with the approval of the Treasury.

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5 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 Secretary of State 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 Secretary of State may determine with the approval of the Treasury.

[<sup>F2</sup>6 Only members appointed by virtue of [<sup>F3</sup>sub-paragraph (1)(b) of paragraph 3 above] shall vote on any matter relating to the imposition of a levy; and, accordingly, no such matter shall be decided except in accordance with the votes of the majority of the members who were so appointed.]

#### Textual Amendments

**F2** Sch. 1 para. 6 substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 29(2)

**F3** Words substituted by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(3)(6), Sch. 6 para. 29, **Sch. 9 para. 6**

7 (1) The Secretary of State, the Minister concerned with education in Scotland, the Ministers concerned with education in England and Wales (acting jointly) . . . <sup>F4</sup>and, if the Secretary of State thinks fit in a particular case, such other Ministers in charge of government departments as he may specify may each appoint one person to attend the meetings of an industrial training board; and any person so appointed shall be entitled to take part in the proceedings of the board and receive copies of all documents distributed to its members, but shall have no vote.

(2) The [<sup>F5</sup>Secretary of State] may appoint one or more persons to attend the meetings of a committee of an industrial training board; and a person so appointed shall be entitled to take part in the proceedings of the committee and receive copies of all documents distributed to its members but shall have no vote.

#### Textual Amendments

**F4** Words repealed by virtue of [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 33(1), **Sch. 3 Pt. II para. 7(k)** and [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 22(4), 29(4), Sch. 4 para. 16(2), **Sch. 7 Pt. I**

**F5** Words substituted by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 22(4), **Sch. 4 para. 16(3)**

8 An industrial training order may make provision with respect to—

- (a) the tenure of office of the members of the board;
- (b) the quorum and, subject to paragraphs 6 and 7 above, the proceedings and meetings of the board;
- (c) the execution of instruments by and on behalf of the board and the proof of documents purporting to be executed, issued or signed by the board or a member, officer or servant thereof;

and any provision made by virtue of sub-paragraph (b) above may enable votes to be cast by proxy.

9 Subject to paragraphs 6 and 7 and to any provision made by virtue of paragraph 8 above, a board shall have the power to regulate its own procedure.

10 The proceedings of an industrial training board shall not be invalidated by any vacancy in the membership of the board or by any defect in the appointment of any member.

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- 11 An industrial training board may appoint such officers and servants, upon such terms as to remuneration, pension rights and other conditions of service, as the board may determine.
- 12 An industrial training board may pay to its members such allowances for loss of remunerative time as the Secretary of State may determine with the approval of the Treasury and such travelling, subsistence and other allowances as the board may determine.
- 13 For the purposes of this Schedule any body established for the purpose of carrying on under national ownership any industry or part of an industry or undertaking shall be treated as if it were an organisation representative of employers.

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