



# Employment And Training Act 1973

## 1973 CHAPTER 50

### *Supplemental*

#### 11 Financial provisions.

- (1) . . . . .<sup>F1</sup>
- (2) There shall be paid out of money provided by Parliament—
- (a) any expenses incurred by the Secretary of State for the purposes of this Act; and
  - (b) any increase attributable to the provisions of this Act in the sums payable under any other Act out of money so provided;
- and any sums received by the Secretary of State by virtue of this Act shall be paid into the Consolidated Fund.
- (3) Where it appears to the [<sup>F2</sup>Secretary of State] or an industrial training board [<sup>F3</sup>established under section 1 of the Industrial Training Act 1964 or section 1 of the Industrial Training Act 1982] that any person would have been entitled, by reference to an injury or disease developed by him or another person in consequence of attendance at a course provided or approved [<sup>F4</sup>by or on behalf of the Secretary of State or by] the board or in consequence of the use of facilities so provided or approved, to receive any benefit or increase in benefit in pursuance of [<sup>F5</sup>[<sup>F6</sup>[<sup>F7</sup>Parts 2 to 4] of the Social Security Contributions and Benefits Act 1992] but for the fact that he or the other person was not at a relevant time an employed earner], the [<sup>F2</sup>Secretary of State] or the board may make to him payments equal to the whole or part of the benefit or increase in question; . . .<sup>F8</sup>

#### Textual Amendments

- F1** S. 11(1) repealed by [Employment Act 1989](#) (c. 38, SIF 43:1), s. 29(4), [Sch. 7 Pt. 1](#)
- F2** Words substituted by [Employment Act 1988](#) (c. 19, SIF 43:5), s. 25, [Sch. 2 para. 1\(a\)](#)
- F3** Words substituted by [Industrial Training Act 1982](#) (c. 10, SIF 43:1), s. 20, [Sch. 3 para. 3](#)
- F4** Words substituted by [Employment Act 1988](#) (c. 19, SIF 43:5), s. 25, [Sch. 2 para. 1\(b\)](#)

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- F5** Words substituted by [Social Security \(Consequential Provisions\) Act 1975 \(c. 18\)](#), **Sch. 2 Pt. I para. 68**
- F6** Words in s. 11(3) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 4, 7(2), **Sch. 2 para.10.**
- F7** Words in s. 11(3) substituted (30.10.2012 for specified purposes, 31.10.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), ss. 66(2), 150(3); S.I. 2012/2530, art. 2(5)(b); S.I. 2013/2534, art. 2
- F8** Words repealed by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 33(2), **Sch. 4**

**Modifications etc. (not altering text)**

- C1** S. 11(3): Functions transferred (1.7.1999 subject to s. 56(1) of the amending Act) by [1998 c. 46, s. 53\(1\)](#) (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2(1)**
- C2** S. 11(3) functions made exercisable concurrently or jointly with the Welsh Ministers by [2006 c. 32, Sch. 3A para. 1](#) (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 4 para. 1** (with [Sch. 7 paras. 1, 6](#)); S.I. 2017/1179, reg. 3(p))

**12 Ancillary and transitional provisions.**

(1) It shall be the duty of the [<sup>F9</sup>Secretary of State] in exercising any power to select disabled persons for courses of training and other courses or any power to submit for engagements the names of [<sup>F10</sup>disabled persons] . . . <sup>F11</sup>, to give preference, so far as [<sup>F12</sup>he . . . ]<sup>F13</sup> considers it consistent with the efficient exercise of that power, to persons of the classes specified in section 16 of the <sup>M1</sup>Disabled Persons (Employment) Act 1944 (which specifies the classes of ex-service men and women to whom preference is to be given in pursuance of that section); and in this subsection “disabled person”<sup>F14</sup>has the same meaning as in the Equality Act 2010].

[<sup>F15</sup>(1A) It shall be the duty . . . <sup>F16</sup> of each [<sup>F17</sup>local authority or (in Scotland) education authority] to furnish the Secretary of State with such information in its possession as the Secretary of State may specify as being information required by him in connection with the determination of questions relating to the exercise by him of any power under this Act to make payments to any persons; and any information falling to be furnished in pursuance of this subsection shall be furnished in such form and at such times as the Secretary of State may direct. ]

[<sup>F18</sup>(2) It shall be the duty of each [<sup>F19</sup>local authority or (in Scotland) education authority] and the Commission to furnish the Secretary of State with such information in its possession as the Secretary of State may require as being information required in connection with the determination of questions relating to contributions or benefit [<sup>F20</sup>under the Social Security Contributions and Benefits Act 1992] and any information falling to be furnished in pursuance of this subsection shall be furnished in such a form and at such times as the Secretary of State may direct.]

(3) . . . . . <sup>F21</sup>

(4) The [<sup>F22</sup>Secretary of State] or an industrial training board may make to any person payments by way of travelling and subsistence allowances and compensation for loss of remunerative time which [<sup>F23</sup>, in the case of payments by such a board, are approved by the Secretary of State and which the Secretary of State] or board considers are appropriate in connection with the person’s attendance at any examination connected with a claim for payments from the [<sup>F24</sup>Secretary of State] or board in pursuance of subsection (3) of the preceding section; . . . <sup>F25</sup>

(5) . . . . . <sup>F26</sup>

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F27(6) .....

#### Textual Amendments

- F9 Words substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(1\)\(a\)](#)
- F10 Words in s. 12(1) substituted (2.12.1996) by [1995 c. 50, s. 70\(4\)](#), [Sch. 6 para. 1](#) (with ss. 59, 64, 65); [S.I. 1996/1474, art. 2](#), [Sch. Pt. III](#)
- F11 Words substituted by [Employment Act 1988 \(c. 19, SIF 45:3\)](#), s. 25(2), [Sch. 2 para. 2\(1\)\(b\)](#) and repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(4), [Sch. 7 Pt. I](#)
- F12 Words substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(1\)\(c\)](#)
- F13 Words repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(4), [Sch. 7 Pt. I](#)
- F14 Words in s. 12(1) substituted by [2010 c. 15 Sch. 26 Pt. 1 para. 3](#) (as inserted) (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 1 para. 2](#) (see [S.I. 2010/2317](#), art. 2)
- F15 S. 12(1A) inserted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(2\)](#)
- F16 Words repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 29(4), [Sch. 7 Pt. I](#)
- F17 Words in s. 12(1A) substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, [Sch. 2 para. 28\(4\)](#)
- F18 S. 12(2) substituted by [Social Security Act 1988 \(c. 7, SIF 113:1\)](#), s. 16, [Sch. 4 para. 2](#)
- F19 Words in s. 12(2) substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, [Sch. 2 para. 28\(4\)](#)
- F20 Words in s. 12(2) substituted (1. 7. 1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 4, 7(2), [Sch. 2 para. 11](#).
- F21 S. 12(3) repealed by [S.I. 1981/494](#), [art. 2](#)
- F22 Words substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(3\)\(a\)](#)
- F23 Words substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(3\)\(b\)](#)
- F24 Words substituted by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 25(2), [Sch. 2 para. 2\(3\)\(a\)](#)
- F25 Words repealed by [Employment Act 1988 \(c. 19, SIF 43:5\)](#), s. 33, [Sch. 4](#)
- F26 S. 12(5) repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. XIII](#)
- F27 S. 12(6) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 8](#)

#### Modifications etc. (not altering text)

- C3 S. 12(4): Functions transferred (1.7.1999 subject to s. 56(1) of the Amending Act) by [1998 c. 46, s. 53\(1\)](#) (with [s. 126\(3\)-\(11\)](#)); [S.I. 1998/3178](#), [art. 2\(1\)](#)

#### Marginal Citations

- M1 [1944 c. 10](#).

### 13 Interpretation etc.

(1) In this Act, apart from Schedule 2, the following expressions have the following meanings—

..... F28  
..... F29

[<sup>F30</sup>“education authority” has the meaning given by section 135(1) of the Education (Scotland) Act 1980;]

“employee”, . . . <sup>F31</sup>, includes a person engaged under a contract for services, and “employer” shall be construed accordingly;

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“employment”, . . . <sup>F31</sup>, means employment under a contract of service or apprenticeship or a contract for services or otherwise than under a contract, and “employed” shall be construed accordingly;

“facilities” includes services;

“functions” includes powers and duties;

[<sup>F32</sup> “local authority” has the meaning given by section 579(1) of the Education Act 1996; ]

<sup>F29</sup>

“training” includes any education with a view to employment, and cognate expressions shall be construed accordingly; and

“university”, in relation to Scotland, includes a central institution and a college of education as defined in section 145 of the <sup>M2</sup>Education (Scotland) Act 1962.

[<sup>F33</sup>(1A) Any reference in this Act to redundancy shall be construed as a reference to the existence of one or other of the facts specified in section 1(2)(a) and (b) of the <sup>M3</sup>Redundancy Payments Act 1965. ]

(2) A reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment.

(3) The powers conferred on the Secretary of State by this Act are in addition to and not in substitution for any powers exercisable by him apart from this Act.

(4) Any power to make an order which is conferred on the Secretary of State by this Act apart from Schedule 2 shall be exercisable by statutory instrument, and an order made in the exercise of such a power—

(a) may include such supplemental and incidental provisions as the Secretary of State considers appropriate for the purposes of the order;

(b) may, except in the case of an order made by virtue of section 8(6) or 12(3) of this Act, be varied or revoked by a subsequent order so made, so however that an order appointing a day shall not be varied or revoked by virtue of this subsection on or after that day.

(5) ..... <sup>F34</sup>

<sup>F35</sup>( 6 ) .....

Textual Amendments	
<b>F28</b>	Definition repealed by <a href="#">Employment and Training Act 1981 (c. 57, SIF 43:1)</a> , ss. 11(2), 20, <b>Sch. 3</b>
<b>F29</b>	Definitions repealed by <a href="#">Employment Act 1989 (c. 38, SIF 43:1)</a> , s. 29(4), <b>Sch. 7 Pt. 1</b>
<b>F30</b>	Words in s. 13(1) inserted (5.5.2010) by <a href="#">The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158)</a> , art. 1, <b>Sch. 2 para. 28(5)(a)</b>
<b>F31</b>	Words repealed by <a href="#">Employment Protection Act 1975 (c. 71)</a> , <b>Sch. 18</b>
<b>F32</b>	Words in s. 13(1) substituted (5.5.2010) by <a href="#">The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158)</a> , art. 1, <b>Sch. 2 para. 28(5)(b)</b>
<b>F33</b>	S. 13(1A) inserted by <a href="#">Employment Protection Act 1975 (c. 71)</a> , <b>Sch. 14 para. 3</b>
<b>F34</b>	S. 13(5) repealed by <a href="#">Employment Protection Act 1975 (c. 71)</a> , <b>Sch. 18</b>
<b>F35</b>	S. 13(6) omitted (18.8.2010) by virtue of <a href="#">Transfer of Functions (Equality) Order 2010 (S.I. 2010/1839)</a> , art. 1(2), <b>Sch. para. 2</b>

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**Marginal Citations**

- M2 1962 c. 47
- M3 1965 c. 62.

**14 Minor and consequential amendments of enactments, and repeals.**

- (1) The enactments mentioned in Schedule 3 to this Act shall have effect subject to the provisions of that Schedule; . . . <sup>F36</sup>
- (2) The enactments mentioned in the first and second columns of Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule; but nothing in this subsection affects the application of the Industrial Training Act 1964 to the Agricultural Training Board.

**Textual Amendments**

- F36 Words repealed by [Industrial Development Act 1982 \(c. 52, SIF 64\)](#), ss. 19, 20, Sch. 2 Pt. 1 para. 1, [Sch. 3](#)

**Modifications etc. (not altering text)**

- C4 Words repealed in relation to Agricultural Training Board by [Agricultural Training Board Act 1982 \(c. 9, SIF 2:1\)](#), s. 11(1), [Sch. 2](#)

**15 Short title, commencement and extent.**

- (1) This Act may be cited as the Employment and Training Act 1973.
- <sup>F37</sup>(2) . . . . .
- (3) This Act<sup>F38</sup> .. does not extend to Northern Ireland.

**Textual Amendments**

- F37 S. 15(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 8](#)
- F38 Words in s. 15(3) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 8](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9A inserted by [2022 asc 1 s. 140](#)