

SCHEDULES

SCHEDULE 1

Section 6.

MISCELLANEOUS AMENDMENTS TO INDUSTRIAL TRAINING ACT 1964

- 1 In section 3 of the Industrial Training Act 1964 (establishment of committees)—
- (a) for subsection (2) there shall be substituted—
- “(2) An industrial training board may pay or, as the case may be, join in paying—
- (a) to the members of such a committee such allowances for loss of remunerative time as the Minister may with the approval of the Minister for the Civil Service determine and such travelling, subsistence and other allowances as the board or, as the case may be, the boards may determine ; and
- (b) to the chairman of any such committee to which functions mentioned in subsection (1) above are delegated (hereafter in this section referred to as a " relevant committee ") such remuneration as the board or, as the case may be, the boards may determine.”;
- (b) in subsection (2A)—
- (i) for the words " the Minister may specify with the approval of the Minister for the Civil Service " there shall be substituted the words " the board may determine " , and
- (ii) in paragraph (b) for the words "the Minister" there shall be substituted the words " the board ".
- 2 After section 8 of that Act there shall be inserted—
- “8A Publication of information by industrial training boards.**
- (1) Subject to subsection (2) of this section, the Minister may, after consultation with the Commission, direct an industrial training board to publish in the report made by it under section 8(3) of this Act, or otherwise as the Minister may direct, such information in the possession of the board as the Minister may specify in the direction.
- (2) No direction under this section shall require any information which is so framed as to enable particulars relating to any individual employer or establishment of an employer to be ascertained from it to be published without the consent of the employer in question.”.
- 3 After subsection (5) of section 9 of that Act there shall be inserted—
- “(5A) Where an order has been made under subsection of this section for the winding up of a board, the Minister may out of moneys provided by Parliament—

Status: This is the original version (as it was originally enacted).

- (a) pay such pension, superannuation allowance or gratuity to or in respect of the former chairman of the board as he may with the approval of the Minister for the Civil Service determine ; and
- (b) pay such sums as he may so determine to the trustees of the Industrial Training Boards' Combined Pension Fund for the purpose of meeting the whole or part of any shortfall in the assets of the Fund referable to the pensions, superannuation allowances and gratuities payable in respect of the former officers and servants of the board.”.

4 In section 9A of that Act (transfer of establishment's activities from industry of one board to another's at request of employer)—

- (a) in subsection (1), for the words from " the Commission may if it thinks fit" onwards there shall be substituted the words " the Commission shall after consulting both boards in question about the request, submit it to the Minister together with a statement of the boards' views and may also submit its recommendation as to whether he should give effect to the request ";
- (b) in subsection (2) for the words from the beginning to " request " there shall be substituted the words " Where the Commission submits such a request to the Minister; and
- (c) for subsection (3) there shall be substituted—

“(3) Without prejudice to the generality of subsection (5) of section 1 and subsection (5) of section 9 of this Act, an order under either of those sections may vary or revoke an order under subsection (2) of this section.”.

5 At the end of section 12(1) of that Act there shall be inserted the words " and the order imposing the levy shall make provision as to the time within which such an appeal may be made ".

6 At the end of paragraph 5 of the Schedule to that Act there shall be inserted the words " and no such matter shall be decided except in accordance with the votes of the majority of the members who were appointed as mentioned in paragraph 3(a) of this Schedule after consultation with organisations or associations of organisations representative of employers engaging in the industry. ".

7 In paragraph 10 of that Schedule (appointment of industrial training board's servants on such terms as the board may determine with the approval of the Minister given with the consent of the Minister for the Civil Service) the words from " with the approval" onwards shall be omitted.

8 For paragraph 11 of that Schedule there shall be substituted—

“11 A board may pay to its members such allowances for loss of remunerative time as the Minister may determine with the approval of the Minister for the Civil Service and such travelling, subsistence and other allowances as the board may determine.”.

SCHEDULE 2

Section 9.

ABOLITION OF EMPLOYMENT SERVICE AGENCY AND TRAINING SERVICES AGENCY

PART I

SUPPLEMENTARY PROVISIONS

- 1 Subject to the provisions of this Schedule—
 - (a) any rights or obligations of the Employment Service Agency or the Training Services Agency (" the Agencies ") and any property held by either of the Agencies shall become rights, obligations and property of the Manpower Services Commission ; and
 - (b) anything which apart from section 9 of this Act would be required or permitted to be done by or to either of the Agencies shall or may be done by or to the Manpower Services Commission.
- 2 Any legal proceedings to which either of the Agencies is a party may be continued after the time when section 9 of this Act comes into force by or in relation to the Manpower Services Commission.
- 3 Every contract, agreement, licence and authority, whether written or not, and every deed, bond, instrument and document made before that time and still in effect at that time which relates to property, rights or obligations of either of the Agencies which are vested in the Manpower Services Commission by paragraph 1 above shall continue in effect but subject to the following modifications, so far as they are applicable—
 - (a) if either of the Agencies is a party thereto, the Manpower Services Commission shall be substituted as that party ;
 - (b) for a reference (however worded and whether express or implied) to either of the Agencies there shall, as respects anything falling to be done or occurring after that time, be substituted a reference to the Manpower Services Commission ;
 - (c) for a reference (however worded and whether express or implied) to the members or any member, or to any officer or officers of either of the Agencies there shall be substituted, as respects anything done or falling to be done or occurring after that time, a reference to such officer or officers as the Manpower Services Commission shall appoint for the purpose ; and
 - (d) for a reference to the office or place of business of either of the Agencies there shall be substituted a reference to the office or place of business of the Manpower Services Commission.

PART II

CONSEQUENTIAL AMENDMENTS

The Industrial Training Act 1964

- 4 In section 6(3) of the Industrial Training Act 1964 for the words from " the Employment Service Agency " to the end there shall be substituted the words " or an officer of the Commission ".

Status: This is the original version (as it was originally enacted).

The Parliamentary Commissioner Act 1967

- 5 In Schedule 2 to the Parliamentary Commissioner Act 1967 the words "Employment Service Agency" and "Training Services Agency" shall be omitted.

The Local Employment Act 1972

- 6 In section 1(4) of the Local Employment Act 1972 for the words "the Employment Service Agency" and "the Agency" there shall be substituted respectively the words "the Manpower Services Commission" and "the Commission".

The Industry Act 1972

- 7 In section 1(5) of the Industry Act 1972 for the words "the Employment Service Agency" and "the Agency" there shall be substituted respectively the words "the Manpower Services Commission" and "the Commission".

The Employment and Training Act 1973

- 8 (1) In subsection (1) of section 1 of the Employment and Training Act 1973 for the words "three bodies" there shall be substituted the words "a body" and the words from "the Employment" to "each of" shall be omitted.
- (2) Subsection (4) of that section shall be omitted.
- (3) In subsection (5) of that section the words "and the Agencies" shall be omitted.
- (4) In subsection (7) of that section the words "and of the Agencies" shall be omitted and for the word "their" there shall be substituted the word "its".
- (5) In subsection (8) of that section for the words from "and the Agencies" to "government departments" and the words "public departments" there shall be substituted respectively the words "as if it were a government department" and "a public department".
- 9 In section 2 of that Act, there shall be omitted—
- (a) in subsection (3), the words following paragraph (c);
- (b) subsection (4);
- (c) in subsection (5), the words "and each of the Agencies" and "or as the case may be, the Agency".
- 10 In section 4 of that Act—
- (a) in subsection (3)—
- (i) in paragraphs (a) and (b) the words "or either of the Agencies" shall be omitted,
- (ii) in paragraph (c) the words "either of the Agencies or" shall be omitted,
- (iii) paragraph (d) shall be omitted, and
- (iv) in paragraph (e) for the words "the Commission or either of the Agencies" there shall be substituted the words "or the Commission";
- (b) in subsection (4) the words "either of the Agencies" shall be omitted;
- (c) in subsection (5)(a) the words from "or" onwards shall be omitted; and

Status: This is the original version (as it was originally enacted).

(d) in subsection (6) the words " and an officer of either of the Agencies " shall be omitted.

11 In section 5(3) of that Act the words "or either of the Agencies " shall be omitted.

12 In section 11(1) of that Act the words from " and it" onwards shall be omitted.

13 In section 13(1) of that Act the definition of " the Agencies " shall be omitted.

14 Paragraph 21 of Schedule 1 to that Act shall be omitted.

The Social Security Act 1975

15 In paragraphs (a) and (b) of section 20(5) of the Social Security Act 1975 for the words " the Employment Service Agency " there shall be substituted the words " the Manpower Services Commission ".

The House of Commons Disqualification Act 1975

16 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 the words " The Employment Service Agency " and " The Training Services Agency " shall be omitted.

The Sex Discrimination Act 1975

17 In section 14(2)(b) of the Sex Discrimination Act 1975 the words from " the Employment" onwards shall be omitted.

18 For subsection (1) of section 16 of that Act there shall be substituted—

“(1) It is unlawful for the Manpower Services Commission to discriminate in the provision of facilities or services under section 2 of the Employment and Training Act 1973.”

Race Relations Act 1976

19 In section 13(2)(b) of the Race Relations Act 1976 the words from " the Employment" onwards shall be omitted.

20 For subsection (1) of section 15 of that Act there shall be substituted—

“(1) It is unlawful for the Manpower Services Commission to discriminate in the provision of facilities or services under section 2 of the Employment and Training Act 1973”.

21 In section 22(6)(b) of the social Security (Miscellaneous Provisions) Act 1977 the words from " the Employment " onwards shall be omitted.

Status: This is the original version (as it was originally enacted).

SCHEDULE 3

Section 11(2).

REPEALS

Chapter	Short Title	Extent of Repeal
1964 c. 16.	The Industrial Training Act 1964.	In section 7, in subsections (3), (4) and (5) the words " subsection (2) of ". In the Schedule, in paragraph 10 the words from " with the approval" onwards, save as respects the Agricultural Training Board.
1965 c. 62.	The Redundancy Payments Act 1965.	Section 45.
1967 c. 13.	The Parliamentary Commissioner Act 1967.	In Schedule 2 the words " Employment Service Agency" and " Training Services Agency ".
1973 c. 50.	The Employment and Training Act 1973.	In section 1, in subsection (1) the words from " the Employment" to "each of", subsection (4), in subsection (5) the words " and the Agencies ", subsection (6), in subsection (7) the words " and of the Agencies ". In section 2, in subsection (3) the words following paragraph (c), subsection (4), in subsection (5) the words " and each of the Agencies" and " or as the case may be" onwards. In section 4, in subsection (3) in paragraphs (a) and (b) the words " or either of the Agencies", in paragraph (c) the words "either of the Agencies or " and paragraph (d), in subsection (4) the words " either of the Agencies ", in subsection (5)(a) the words from " or " onwards, in subsection (6) the words " and an officer of either of the Agencies ".

Status: This is the original version (as it was originally enacted).

Chapter	Short Title	Extent of Repeal
1975 c. 24.	The House of Commons Disqualification Act 1975.	In section 5(3) the words " or either of the Agencies ". In section 11(1) the words from " and it" onwards. In section 13(1) the definition of " the Agencies ". In Schedule 1, paragraph 21. In Part I of Schedule 2, paragraphs 4(2) and 17(e) and (f).
1975 c. 65.	The Sex Discrimination Act 1975.	In Part II of Schedule 1 the words " The Employment Service Agency " and " The Training Services Agency".
1975 c. 71.	The Employment Protection Act 1975.	In section 14(2)(b) the words from " the Employment " onwards. In Schedule 16, in paragraph 16 of Part IV, the words " ' The Employment Service Agency' ' The Training Services Agency'".
1976 c. 74.	The Race Relations Act 1976.	In section 13(2)(b) the words from " the Employment " onwards.
1977 c. 5.	The Social Security (Miscellaneous Provisions) Act 1977.	In section 22(6)(b) the words from " the Employment " onwards.