

SCHEDULES

SCHEDULE 4

Section 22(4).

DISSOLUTION OF TRAINING COMMISSION: AMENDMENTS OF THE INDUSTRIAL TRAINING ACT 1982

- 1 (1) Section 1 (establishment of industrial training boards) shall be amended as follows.
- (2) In subsection (2), omit the definition of “the Commission”.
- (3) In subsection (6), omit the words from “or, in a case” to “Commission”.
- (4) In subsection (7), for “section 3(2)” substitute “section 3(1)(b)”.
- 2 In section 2(1) (power of industrial training boards to delegate functions to committees with approval of Training Commission), for “Commission” substitute “Secretary of State”.
- 3 For section 3 substitute—

“3 Transfer of establishments' activities from industry of one board to that of another

- (1) If an employer in the industry of an industrial training board requests the Secretary of State in writing to secure that the activities carried on at a particular establishment of the employer shall, instead of being included for the purposes of this Act in that industry, be included for those purposes in the industry of another industrial training board, the Secretary of State—
- (a) shall consult both boards in question about the request; and
 - (b) after such consultation, may if he thinks fit make an order giving effect to that request.
- (2) The power to make an order under this section shall be exercisable by statutory instrument.”
- 4 (1) Section 5 (functions of industrial training boards) shall be amended as follows.
- (2) In subsections (3)(b) and (6), for “Commission”, wherever occurring, substitute “Secretary of State”.
- (3) In subsection (5)—
- (a) for “Commission for its”, in both places where those words occur, substitute “Secretary of State for his”; and
 - (b) for “Commission and approved by it” substitute “Secretary of State and approved by him”.
- 5 In section 6(2) (information from employers only to be disclosed to certain persons), omit the words from “or to the Commission” onwards.
- 6 (1) Section 7 (exercise of power of industrial training board to obtain information) shall be amended as follows.

- (2) In subsection (1)—
- (a) for the words from “Commission may” to “State,” substitute “Secretary of State may”; and
 - (b) for the words from “Commission considers” to “purposes of its” substitute “Secretary of State considers that he needs for the purposes of his”.
- (3) In subsection (2), for the words from “Commission and” to “as the Commission” substitute “Secretary of State and contain such information as he”.
- (4) Omit subsection (3).
- 7 (1) Section 8 (reports and accounts) shall be amended as follows.
- (2) In subsection (1), for the words from “Commission” to “State and” substitute “Secretary of State may, with the approval of”.
 - (3) In subsection (3), for “Commission” substitute “Secretary of State”.
 - (4) In subsection (4), for the words from “Commission” to “and he” substitute “Secretary of State”.
- 8 In subsection 9(1) (publication of information), omit “, after consultation with the Commission,”.
- 9 In subsection 10(1) (training for employment overseas), omit “of the Commission given with the approval”.
- 10 (1) Section 11 (levies) shall be amended as follows.
- (2) In subsection (1)—
 - (a) for “Commission for the Commission’s approval” substitute “Secretary of State”; and
 - (b) omit the words from “and the Commission” onwards.
 - (3) In subsection (2), for “approved by the Commission” substitute “submitted to him”.
 - (4) In subsection (5), for the words from “Commission” to “for that purpose” substitute “Secretary of State shall not make a levy order in pursuance of the levy proposals unless he is satisfied that they are necessary to encourage adequate training in the industry”.
- 11 In section 12(1) (information to be included in levy proposals)—
- (a) for “Commission” substitute “Secretary of State”; and
 - (b) for “the Secretary of State” substitute “him”.
- 12 (1) Section 13 (proposals for exemption certificates) shall be amended as follows.
- (2) In subsection (1), for “Commission for its” substitute “Secretary of State for his”.
 - (3) In subsection (4), omit “and the Commission”.
 - (4) For subsection (5) substitute—

“(5) If the Secretary of State approves proposals submitted to him by a board under subsection (1) above and informs the board of his approval, the board shall arrange for them to be published as soon as practicable in a manner approved by the Secretary of State.”
- 13 (1) Section 15 (default powers in relation to proposals) shall be amended as follows.

- (2) In subsection (1)—
- (a) for “Commission” substitute “Secretary of State”; and
 - (b) for “to it” substitute “to him”.
- (3) For subsection (2) substitute—
- “(2) Where proposals submitted to the Secretary of State under section 5(5), 11(1) or 13(1) above appear unsatisfactory to him, he may direct the board to submit fresh proposals within a specified time, stating in the direction in what respect the proposals already submitted appear to him unsatisfactory; and where the fresh proposals also appear unsatisfactory to the Secretary of State, he may make an order (in this section referred to as “a default order”) declaring the board to be in default.”
- (4) Omit subsections (3) and (4).
- (5) For subsection (5) substitute—
- “(5) Where a board has failed to comply with a direction of the Secretary of State under subsection (1) or (2) above within the time specified in the direction, he may make a default order.”
- 14 In section 16(4) (power to enable levies to be imposed in respect of establishments within enterprise zones), omit the words from “; but no such” onwards.
- 15 (1) Section 17 (financial provisions) shall be amended as follows.
- (2) In subsection (1), for the words from “Commission” to “State” substitute “Secretary of State may”.
- (3) In subsection (2)—
- (a) for “Commission”, in the first place where it occurs, substitute “Secretary of State”; and
 - (b) for “the Commission”, in the second place where those words occur, substitute “he”.
- (4) In subsection (3)—
- (a) for “Commission”, in the first place where it occurs, substitute “Secretary of State”; and
 - (b) for “the Commission”, in the second place where those words occur, substitute “him”.
- (5) In subsection (5), for “Commission” substitute “Secretary of State”.
- 16 (1) Paragraph 7 of Schedule 1 (persons entitled to attend meetings of industrial training board or committees of board) shall be amended as follows.
- (2) In sub-paragraph (1), omit “, the Training Commission”.
- (3) In sub-paragraph (2), for “Commission” substitute “Secretary of State”.