1984 No. 38

INDUSTRIAL TRAINING

Industrial Training (Clothing Board) Order (Northern Ireland) 1984

Made . . . . . *10th February 1984*

Coming into operation . . . *1st April 1984*

The Department of Economic Development(**a**), in exercise of the powers conferred by sections 1(1) and 10(1) and (5) of the Industrial Training Act (Northern Ireland) 1964(**b**) and now vested in it(**c**) and of every other power enabling it in that behalf, and after consultation with the Clothing and Footwear Industry Training Board and with organisations and associations of organisations appearing to the Department to be representative respectively of substantial numbers of employers engaging in the activities hereinafter mentioned and of substantial numbers of persons employed in those activities hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Industrial Training (Clothing Board) Order (Northern Ireland) 1984 and shall come into operation on 1st April 1984.

(2) In this Order—

"amendment Orders" means the Industrial Training (Clothing and Footwear Board) (Amendment) Order (Northern Ireland) 1966(**d**); and the Industrial Training (Clothing and Footwear Board) (Amendment) Order (Northern Ireland) 1973(**e**);

"Board" means the Clothing and Footwear Industry Training Board established by the Industrial Training (Clothing and Footwear Board) Order (Northern Ireland) 1966(**f**);

"Department" means the Department of Economic Development;

"levy Order" includes all the levy orders listed in Schedule 2 to this Order;

"principal Order" means the Industrial Training (Clothing and Footwear Board) Order (Northern Ireland) 1966.

Re-naming of the Board

2. The Board shall henceforth be known as the Clothing Industry Training Board and accordingly any reference to the Board in the principal Order shall be taken to be a reference to the Clothing Industry Training Board and any reference to the clothing and footwear industry as a reference to the clothing industry.

Revocation

3. The amendment Orders are hereby revoked.

(**a**) Formerly the Department of Manpower Services: *see* S.I. 1982/846 (N.I. 11) Article 3
(**b**) 1964 c. 18 (N.I.)
(**c**) By S.R. & O. (N.I.) 1964 No. 205 Article 3 and by S.R. & O. (N.I.) 1973 No. 504 Article 6
(**d**) S.R. & O. (N.I.) 1966 No. 222
(**e**) S.R. & O. (N.I.) 1973 No. 422
(**f**) S.R. & O. (N.I.) 1966 No. 130

Activities of the Board

4. The activities in relation to which the Clothing Industry Training Board exercises the functions conferred by the Industrial Training Act (Northern Ireland) 1964 upon industrial training boards shall, instead of the activities specified in Schedule 1 to the principal Order (as amended by the amendment Orders), be the activities specified in Schedule 1 to this Order and accordingly in the principal Order the latter Schedule shall be substituted for the former Schedule.

Transitional provisions

5.—(1) The chairman and other members of the Board immediately prior to the coming into operation of this Order shall continue in office in accordance with the terms of the instruments appointing them to be members, but shall be known as members of the Clothing Industry Training Board.

(2) The provisions of this Order shall not—

(*a*) extend the operations of a levy Order;

(*b*) affect the operation of a levy Order in relation to the assessment of an employer within the meaning of that Order in respect of an establishment that was engaged in the relevant levy period wholly or mainly in activities included in the Schedule 1 to this Order;

(*c*) affect the operation of any assessment notice served by the Board under the provisions of a levy Order before the date upon which this Order comes into operation or any appeal or other proceedings arising out of any such notice.

(3) The change of name of the Board shall not affect any right or obligation of the Board or of any other person and any pending legal proceedings may be continued by or against the Board notwithstanding its change of name.

Sealed with the Official Seal of the Department of Economic Development for Northern Ireland on 10th February 1984.

(L.S.) *Eric Mayne*

Under Secretary

SCHEDULE 1

The Clothing Industry

1. Subject to the provisions of this Schedule, the activities of the clothing industry are the following activities in so far as they are carried out in Northern Ireland:—

(*a*) all ready-made and wholesale bespoke tailoring and all retail bespoke tailoring carried on in a factory where garments are made up for two or more retail establishments;

(*b*) the manufacture of—

(i) raincoats, oilskins, rubber and other weatherproof outerwear, including outerwear cut from plastic materials;

(ii) industrial overalls, dungarees, chef's clothing or similar articles;

(iii) shirts, collars, cuffs, pyjamas, socks, dressing-gowns, aprons, underclothing, athletic clothing or similar articles worn by male persons;

(iv) neck-ties;

(v) dresses, non-tailored skirts, wraps, blouses, blouse-robes, jumpers, sports coats, neckwear, tea-gowns, dressing-gowns, dressing-jackets, nightdresses, pyjamas, stockings, underclothing, underskirts, domestic aprons and overalls, collars, cuffs, nurses' washing belts or other untailored articles worn by female persons;

(vi) juvenile clothing or baby linen (excluding nursery squares);

(vii) any knitted article of wearing apparel, whether or not such article is specified elsewhere in this sub-paragraph or in sub-paragraph (*c*), (*d*) or (*e*);

(viii) any article specified in this sub-paragraph or in sub-paragraph (*c*), (*d*) or (*e*) embodying lace, lace net or embroidery;

(*c*) the manufacture of headgear from any material, or the trimming thereof, including the manufacture of—

(i) wool felt, fur felt and fur hats, hoods and cape lines;

(ii) oilskin, rubberised or other weatherproof headgear;

(iii) nurses' or servants' caps, chefs' caps, hospital ward caps or similar articles;

(iv) field bonnets, sun bonnets, boudoir caps and infants' millinery;

(*d*) all work in connection with the manufacture of—

(i) corsets, corselettes, stays, children's corset bodies, and infants' stay-bands;

(ii) bust confiners;

(iii) support or abdominal belts or similar articles;

(iv) stocking suspenders, suspender belts and suspender pads;

(*e*) the manufacture of—

(i) all types of cloth, leather or fur gloves and mittens (except sports gloves);

(ii) belts and braces (other than leather), garters, suspenders, cloth leggings and gaiters or similar articles;

(iii) wigs and theatrical costumes;

(*f*) the arrangement, either directly or through another person, for the carrying out on commission of any of the foregoing activities where the person upon or from whose materials the process or manufacture is wholly or mainly to be carried out is engaged in any of the said activities;

(*g*) the manufacture of trunks, suitcases, handbags, document cases or covers, wallets, purses, belts, braces, straps, harness, saddlery and other articles of leather or leather substitutes;

(*h*) any activities, being—

(i) related activities incidental or ancillary to principal activities of the clothing industry; or

(ii) activities undertaken in the administration, control or direction of one or more establishments engaged wholly or mainly in principal activities of that industry, in related activities incidental or ancillary thereto, or in the administration, control or direction of one or more establishments engaged in such principal or related activities;

and carried out, in either case, by the employer engaged in those principal activities or, where the employer is a company, by the company or by an associated company of the company;

(i) any activities of industry or commerce (other than clothing activities) carried out at or from an establishment mainly engaged—

(i) in clothing activities; or

(ii) in clothing activities and in activities described in the Appendix to this Schedule, but to a greater extent in clothing activities than in activities described in that Appendix in relation to any one industry.

2. Notwithstanding anything contained in this Schedule, there shall not be included in the activities of the clothing industry:—

(*a*) the activities of any establishment engaged—

(i) mainly in activities not being clothing activities or activities described in the Appendix to this Schedule; or

(ii) to a less extent in clothing activities than in activities described in that Appendix in relation to any one industry;

(*b*) the activities of those branches of bespoke tailoring in which the tailor supplies the garment direct to the individual wearer and employs the worker direct. A worker is deemed to be employed by the tailor direct if employed by another worker in the employ of the tailor to whom a minimum rate of wages fixed under the Wages Councils (Northern Ireland) Order 1982(**a**) is applicable; or if employed by a sub-contractor engaged in cutting, making or finishing garments exclusively for the tailor in the tailor's shop or in a building of which the shop forms part or to which the shop is attached;

(*c*) the activities of the ostrich and fancy feather and artificial flower trade, that is to say—

(i) the preparation throughout of ostrich or fancy feathers from the natural condition to the finished feather product;

(ii) the making of artificial flowers, fruit, foliage, grasses, mosses, seeds or pods from paper, wax, textile materials, porcelain, glass, plaster, metal composition, rubber, leather, raffia, celiphane and similar materials;

(iii) the preservation of natural flowers, foliage, grasses, mosses, ferns, seeds or pods;

(iv) the manufacture of hats of any of the articles specified in heads (i), (ii) or (iii) when carried out at or from an establishment mainly engaged in any of the operations specified in those heads;

(v) the manufacture of feather garments (including neckwear and muffs), feather trimmings for dresses, feather fans or feather mountings of any description when carried out at or from an establishment mainly engaged in the preparation of ostrich or fancy feathers;

(*d*) the activities of any establishment engaged wholly or mainly in the activities following or any of them that is to say—

(i) the manufacture of lace, lace net, any knitted fabric or knitted article, other than the manufacture of a knitted article of wearing apparel or an article of wearing apparel embodying lace, lace net or embroidery or the manufacture of such lace, lace net, knitted fabric or knitted article for subsequent manufacture at the same establishment into an article specified in paragraph 1(*b*), (*c*), (*d*) or (*e*);

(ii) the manufacture of articles specified in sub-paragraph (*b*), (*c*), (*d*) or (*e*) of paragraph 1 when carried out at or from an establishment excluded under head (i);

(iii) the casting and manufacture of solid metal helmets;

(iv) the manufacture of boots, shoes, slippers, clogs, leather leggings, insoles, leather soles and heels or similar articles;

(v) the manufacture of rubber gloves;

(vi) the manufacture of handkerchiefs;

(**a**) S.I. 1982/1840 (N.I. 23)