1969. No. 126 **[C]**

INDUSTRIAL TRAINING

Distributive Industry Training Board

ORDER, DATED 16TH MAY 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE INDUSTRIAL TRAINING ACT (NORTHERN IRELAND) 1964.

The Ministry of Health and Social Services (hereinafter referred to as "the Ministry") after consultation with organisations and associations of organisations appearing to it 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 and in exercise of the powers conferred by section 1 of, and paragraphs 1 and 7 of Schedule 1 to, the Industrial Training Act (Northern Ireland) 1964(a) (hereinafter referred to as "the Act") and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Industrial Training (Distributive Board) Order (Northern Ireland) 1969.

Establishment of Industrial Training Board

2. An industrial training board to be known as the Distributive Industry Training Board (hereinafter referred to as "the Board") is hereby established to exercise in relation to the activities specified in Schedule 1 as the activities of the distributive industry the functions conferred on industrial training boards by the Act.

Membership and proceedings of the Board

3. The Provisions of Schedule 2 shall have effect in relation to the Board.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 16th day of May 1969.

(L.S.) *W. G. H. Quigley,*
Assistant Secretary.

(a) 1964, c. 18 (N.I.).

SCHEDULE 1

The Distributive Industry

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

(*a*) dealing in goods;

(*b*) operating a broadcast relay station;

(*c*) letting out on hire audio or video receiving apparatus;

(*d*) the installation, testing, inspection or repair of audio or video receiving apparatus or of transmission lines connected with such apparatus, being operations carried out in furtherance of an agreement made between a person carrying on the business of selling or hiring out such apparatus or of operating a broadcast relay station and a person to whom such apparatus has been sold or hired or who is a subscriber to the service provided from such a station;

(*e*) operating a trading stamp scheme;

(*f*) operating a business of check trading;

(*g*) any activities (other than those above mentioned), being—

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

(ii) activities undertaken in the administration, control or direction of one or more establishments, being 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 other establishments engaged in such principal or related activities;

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

(*h*) any activities of industry or commerce (other than distributive activities) carried out at or from an establishment mainly engaged—

(i) in distributive activities; or

(ii) in distributive activities and in activities described in the Appendix, but to a greater extent in distributive 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 distributive industry:—

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

(i) mainly in activities not being distributive activities or activities described in the Appendix; or

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

(*b*) the activities of any establishment engaged wholly or mainly in related activities, being activities—

(i) incidental or ancillary to the activities of one or more establishments (in this sub-paragraph hereinafter referred to as "the principal establishment") engaged wholly or mainly in any activities not being principal activities of the distributive industry; and

(ii) carried out by the employer carrying on the principal establishment or, where that employer is a company, by the company or by an associated company of the company;

(*c*) the activities of any establishment engaged wholly or mainly in—

(i) any activities of a kind specified in an entry (not being item No. 21) in the second column of the next following Table (being activities undertaken

in relation to all or any of the goods specified in the corresponding entry in the third column of that Table) or in two or more of such entries; or

(ii) any activities of a kind specified in item No. 21 in the second column of the said Table, being activities undertaken in relation to any goods comprised in one or two (but not more than two) of the categories specified in the corresponding entry in the third column thereof;

TABLE

Item No.	*Activity*	*Relevant Goods*
1.	Dealing.	Fleeces, textile fibres and tops.
2.	Dealing (not being selling by retail).	Yarn.
3.	Dealing.	Iron, steel and tinplate.
4.	Dealing (not being selling by retail) with persons engaged in the construction industry.	Building, plumbing, decorating, heating, ventilating or air-conditioning materials or equipment, architectural and builders' ironmongery and cloakroom fittings.
5.	Dealing in the capacity of agent or broker.	Ships.
6.	Dealing.	Wood (not being charcoal, cork or firewood) battenboard, blockboard, chipboard, fibre building board, flaxboard, laminboard, plywood and veneer.
7.	Dealing.	Motor vehicles, trailers and tyres for motor vehicles or trailers.
8.	Dealing (not being selling by retail).	Components, replacements, spare parts and accessories (not being tyres) for motor vehicles or trailers.
9.	Dealing.	Transport service equipment.
10.	Dealing.	Agricultural and horticultural machinery or equipment.
11.	Dealing.	Liquified petroleum gas, aviation fuel, motor spirit, kerosene, white spirit, diesel fuel, gas oil, lubricating oil and any similar product.
12.	Dealing, where the person carrying on the establishment is engaged in the manufacture of sensitive materials for the purposes of photography or of recording sound or vision.	Photographic materials or equipment.

Item No.	*Activity*	*Relevant Goods*
13.	Dealing (not being selling by retail) by the user of a trade mark specified in the third column hereof.	Any drug or medicine that is either— (i) manufactured, for the user of a trade mark in respect of such drug or medicine or of a class of such goods, by another person in pursuance of a contract so to do; or (ii) imported into Northern Ireland by such a user in a state in which it is ready for sale in the United Kingdom of Great Britain and Northern Ireland or in which, prior to such sale, it requires no further processing other than final assembly or packaging.
14.	Dealing.	Wood pulp.
15.	Dealing (not being selling by retail).	Paper, paperboard and fibreboard.
16.	Publishing.	Any of the following publications or any publications similar thereto— (i) books, booklets, calendars, catalogues, diaries, directories or timetables; (ii) magazines, newspapers, periodicals or professional, technical or trade journals; (iii) art reproductions, greeting cards or picture postcards; (iv) charts, globes or maps.
17.	Dealing.	Photographs that have been taken by the person carrying on the establishment.
18.	Dealing (not being selling by retail).	Bread, flour, flour confectionery, yeast, milk, ice cream, any commodity similar to ice cream, meat, fish, horticultural produce, intoxicating liquor, soft drink, tea and raw or green coffee.
19.	Dealing (not being selling by retail).	Shell eggs.
20.	Dealing by an employer engaged substantially in the production of hens' eggs.	Shell eggs.
21.	Selling by retail.	Goods comprised in one or two (but not more than two) of the categories following— (i) bread, flour, flour confectionery and yeast; (ii) milk, ice cream and any commodity similar to ice cream; (iii) meat; (iv) bacon; (v) fish; (vi) horticultural produce.

Item No.	*Activity*	*Relevant Goods*
22.	Dealing.	Grain, other cereals, pulse, seeds, vegetable, animal, whale or fish oil (whether crude, refined or processed), oilseeds, feeding stuffs intended for use as food for animals, hay and straw.
23.	Dealing.	Hides, the skins of animals and raw, dressed or dyed furs or fur skins.
24.	Dealing.	Any garments, shapes, plates or shells manufactured from furs or fur skins.
25.	Dealing	Artificial teeth, dentures and orthodontic appliances.
26.	Dealing.	Glasses and the frames thereof.
27.	Dealing.	Hearing aids.
28.	Dealing.	Bullion.
29.	Dealing for purposes of exhibition.	Cinematograph films.
30.	Dealing.	Waste products or materials of any kind.

(*d*) the activities of any establishment engaged wholly or mainly in business as follows—

(i) in banking, finance or insurance, not being activities specified in sub-paragraphs (*e*) or (*f*) of paragraph 1;

(ii) as exporters, not being activities to which sub-paragraph (*g*)(i) of the said paragraph 1 applies;

(iii) as futures brokers; or

(iv) as shipping and forwarding agents;

(*e*) the activities of—

(i) an Air Corporation or the British Airports Authority;

(ii) the British Broadcasting Corporation;

(iii) any body or person authorised by or under any enactment to construct, work, maintain or carry on any undertaking for the supply of electricity, gas or water;

(iv) the Independent Television Authority;

(v) the Northern Ireland Tourist Board;

(vi) a local authority; or

(vii) a marketing board;

(*f*) the activities of any company, association or body that is required by its constitution to apply its profits, if any, or other income in promoting its objects and is prohibited thereby from paying any dividend to its members, and that has for its sole or principal object or among its principal objects the provision of facilities for any of the purposes mentioned in section 15(1) of the Disabled Persons (Employment) Act (Northern Ireland) 1945(**b**) (which relates to the provision for registered persons who are seriously disabled of employment or work on their own account under special conditions and of training for such employment or work);

(*g*) the activities of any local authority in the provision of sheltered employment carried on in accordance with arrangements under section 3 of the Disabled Persons (Employment) Act (Northern Ireland) 1960(**c**), or any other enactment that authorises or requires the provision of arrangements

(**b**) 1945. c. 6.

(**c**) 1960. c. 4.