1968. No. 231 **[C]**

INDUSTRIAL TRAINING

Industrial Training Levy (Textiles Industry)

ORDER, DATED 23RD OCTOBER 1968, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE INDUSTRIAL TRAINING ACT (NORTHERN IRELAND) 1964.

The Ministry of Health and Social Services after approving proposals submitted by the Textiles Industry Training Board for the imposition of a levy on employers in the textiles industry and in exercise of the powers conferred by section 4 of the Industrial Training Act (Northern Ireland) 1964(**a**) and of all other powers enabling it in that behalf, hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Industrial Training Levy (Textiles Industry) Order (Northern Ireland) 1968.

(2) In this Order—

"an appeal tribunal" means an industrial tribunal established under section 13 of the Industrial Training Act (Northern Ireland) 1964;

"assessment" means an assessment of an employer to the levy;

"the Board" means the Textiles Industry Training Board;

"employer" means an employer in the textiles industry at any time in the first levy period;

"the first base period" means the year that commenced on the 25th June 1967;

"the first levy period" means the period commencing with the day upon which this Order comes into operation and ending on 31st July 1969;

"the industrial training order" means the Industrial Training (Textiles Board) Order (Northern Ireland) 1967(**b**);

"the levy" means the levy imposed by the Board in respect of the first levy period;

"notice" means a notice in writing;

"textiles establishment" means an establishment in Northern Ireland engaged in the first base period in the textiles industry;

"the textiles industry" means any one or more of the activities which, subject to the provisions of paragraph 2 of Schedule 1 to the industrial training order, are specified in paragraph 1 of that Schedule as the activities of the textiles industry.

Imposition of the Levy

2. The levy to be imposed by the Board on employers in respect of the first levy period shall be assessed and paid in accordance with the provisions of this Order.

Assessment of the Levy

3.—(1) The levy shall be assessed by the Board separately in respect of each textiles establishment of an employer, but in agreement with the employer

(**a**) 1964. c. 18 (N.I.).
(**b**) S.R. & O. (N.I.) 1967, No. 29 as amended by S.R. & O. (N.I.) 1967, No. 236

one assessment may be made in respect of any number of such establishments, in which case those establishments shall be deemed for the purposes of that assessment to constitute one establishment.

(2) Subject to the provisions of this Article, the levy assessed in respect of a textiles establishment of an employer shall be the amount obtained by multiplying the sum of £2 15s. 0d. by the number that is equal to the average (calculated to the lowest whole number) of—

(*a*) the persons employed by that employer at or from that establishment on 24th June 1968 and on the Monday of each of the 51 next preceding weeks; and

(*b*) any persons deemed to have been so employed within the provisions of paragraph (3).

(3) Where a textiles establishment is taken over (whether directly or indirectly) by an employer in succession to, or jointly with, another person, a person employed at or from the establishment at any time in the first base period shall be deemed, for the purposes of this Article, to have been so employed by the employer carrying on the said establishment on the day upon which this Order comes into operation.

(4) The amount of the levy imposed in respect of a textiles establishment that ceases to carry on business in the first levy period shall be in the same proportion to the amount that would otherwise be due under the foregoing provisions of this Article as the number of days between the commencement of the said levy period and the date of cessation of business (both dates inclusive) bears to the number of days in the said levy period.

(5) For the purposes of this Article no regard shall be had to any employee engaged wholly in the supply of food or drink for immediate consumption.

Assessment Notice

4.—(1) The Board shall serve an assessment notice on every employer assessed to the levy, but one notice may comprise two or more assessments.

(2) The amount payable under an assessment notice shall be rounded down to the nearest £1.

(3) An assessment notice may be served on the employer assessed to the levy either by delivering it to him personally or by leaving it, or sending it to him by post, at his last known address or place of business in the United Kingdom or, if the employer is a company, at the company's registered address.

Payment of the Levy

5.—(1) Subject to the provisions of this Article and Articles 6 and 7, the amount of each assessment appearing in an assessment notice served by the Board shall be payable to the Board in two instalments and—

(*a*) the first instalment shall be an amount equal to 6/11th parts of the assessment and shall be due on 1st December 1968 or one month from the date of receipt of the assessment notice, whichever is the later; and

(*b*) the second instalment shall be an amount equal to 5/11th parts of the assessment and shall be due on 1st September 1969.

(2) An instalment of an assessment shall not be recoverable by the Board until any time allowed for appealing against the assessment has expired or where an appeal is brought, until the appeal is decided or withdrawn.