EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order, which is made under the Industrial Training Act (Northern Ireland) 1964, establishes an industrial training board to be known as the Textiles Industry Training Board, and defines the industry to which it relates. Provision is made as to the membership of the Board and its meetings and proceedings.

1967. No. 30 **[C]**

INDUSTRIAL TRAINING

Road Transport Industry Training Board

ORDER, DATED 14TH FEBRUARY 1967, 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 with the bodies established for the purpose of carrying on under public ownership industries in which the said activities are carried on to a substantial extent 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 (Road Transport Board) Order (Northern Ireland) 1967.

Establishment of Industrial Training Board

2. An industrial training board to be known as the Road Transport 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 road transport 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 14th day of February nineteen hundred and sixty-seven.

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

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

SCHEDULE 1

The Road Transport Industry

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

(*a*) the carriage of passengers by motor vehicles on roads for hire or reward;

(*b*) the carriage or haulage of goods by goods vehicles on roads for hire or reward;

(*c*) the letting out on hire (with or without the services of the drivers) of motor vehicles for the conveyance of persons or of goods vehicles for the carriage or haulage of goods;

(*d*) arranging by way of business the transport of goods by goods vehicles on roads;

(*e*) the repair of motor vehicles or goods vehicles;

(*f*) buying or selling motor vehicles or goods vehicles by way of business;

(*g*) the collection of motor vehicles or goods vehicles and their delivery by road by way of business;

(*h*) the removal of furniture by way of business;

(*i*) giving instruction by way of business in the driving of motor vehicles or goods vehicles;

(*j*) selling by retail, petrol, diesel oil, or lubricating or other oils for use in motor vehicles or goods vehicles;

(*k*) selling by wholesale, components, replacements, spare parts or accessories for motor vehicles or goods vehicles;

(*l*) the selling or letting out on hire of transport service equipment by way of business;

(*m*) public warehousing;

(*n*) any activities being—

(i) related activities incidental or ancillary to principal activities of the road transport 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;

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

(i) in road transport activities; or

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

(*a*) the activities (other than the repair of motor vehicles or goods vehicles by a local authority) of any establishment engaged—

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

(ii) to a lesser extent in road transport 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—

(i) the carriage or haulage of goods by goods vehicles for an associated company of the company carrying on the establishment, being an associated company not engaged wholly or mainly in road transport activities;

(ii) the repair of vehicle bodies not being the carrying out of running repairs or of minor adjustments thereto; or

(iii) funeral undertaking;

(*c*) the activities of any establishment (not being that of a local authority) engaged wholly or mainly in cleaning, washing or garaging motor vehicles or goods vehicles or carrying out running repairs or minor adjustments thereto, being activities—

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

(*d*) the activities of 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, or any dock or harbour;

(*e*) any activities mentioned in paragraph 1(*n*) or 1(*o*) when carried out by a local authority, except in so far as such activities are carried out for the purposes of passenger road transport services provided by the authority;

(*f*) dock work performed by a dock worker;

(*g*) the sale of food or drink for immediate consumption;

(*h*) 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(**a**) (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); or

(*i*) 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(**b**), or under section 14 of the Welfare Services Act (Northern Ireland) 1949(**c**), or under section 2 of the Mental Health Act (Northern Ireland) 1961(**d**).

3. In this Schedule:—

(*a*) "business" means a trade or business carried on for the purposes of gain;

(*b*) "company" includes any body corporate, and "subsidiary" has the same meaning as by virtue of section 148 of the Companies Act (Northern Ireland) 1960(**e**) it has for the purposes of that Act;

(*c*) "dock worker" has the same meaning as in section 6(8) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(**f**);

(*d*) "goods" include goods or burden of any description;

(*e*) "goods vehicles" means motor vehicles constructed or adapted for use for the carriage of goods, or trailers so constructed or adapted, and "trailers" means vehicles drawn by motor vehicles;

(a) 1945. c. 6.
(b) 1960. c. 4.
(c) 1949. c. 1.
(d) 1961. c. 15.
(e) 1960. c. 22.
(f) 1965. c. 19 (N.I.).