



# Employment and Training Act 1973

## 1973 CHAPTER 50

### *Supplemental*

#### **11 Financial provisions**

- (1) It shall be the duty of the Secretary of State to pay to the Commission such sums as are approved by the Treasury and as he considers appropriate for the purpose of enabling the Commission to perform its functions; and it shall be the duty of the Commission to pay to each of the Agencies such sums as the Commission considers appropriate for the purpose of enabling the Agency to perform its functions.
- (2) There shall be paid out of money provided by Parliament—
  - (a) any expenses incurred by the Secretary of State for the purposes of this Act; and
  - (b) any increase attributable to the provisions of this Act in the sums payable under any other Act out of money so provided;and any sums received by the Secretary of State by virtue of this Act shall be paid into the Consolidated Fund.
- (3) Where it appears to the Commission or an industrial training board within the meaning of the Industrial Training Act 1964 that any person would have been entitled, by reference to an injury or disease developed by him or another person in consequence of attendance at a course provided or approved by the Commission or the board or in consequence of the use of facilities so provided or approved, to receive any benefit or increase in benefit in pursuance of the National Insurance (Industrial Injuries) Act 1965 but for the fact that he or the other person was not at a relevant time an insured person within the meaning of that Act, the Commission or the board may make to him payments equal to the whole or part of the benefit or increase in question; and the Secretary of State may make such payments where the course or facilities in question were provided or approved by him in pursuance of subsection (4) of section 3 of this Act or by another person in pursuance of that subsection.

## 12 Ancillary and transitional provisions

- (1) It shall be the duty of the Commission in exercising any power to select disabled persons for courses of training and other courses or any power to submit for engagements the names of persons registered as handicapped by disablement, and of the Secretary of State and any other person in exercising such a power in pursuance of section 3(4) of this Act, to give preference, so far as it or he considers it consistent with the efficient exercise of that power, to persons of the classes specified in section 16 of the Disabled Persons (Employment) Act 1944 (which specifies the classes of ex-service men and women to whom preference is to be given in pursuance of that section); and in this subsection "disabled person" and "person registered as handicapped by disablement" have the same meanings as in that Act.
- (2) It shall be the duty—
  - (a) of the Commission and of each local education authority to furnish the Secretary of State with such information in its possession as the Secretary of State may specify as being information required by him in connection with the determination of questions relating to contributions or benefit under the National Insurance Acts 1965 to 1972 or benefit under the National Insurance (Industrial Injuries) Act 1965 or the Industrial Injuries and Diseases (Old Cases) Act 1967 ;
  - (b) of the Commission and of each local education authority to furnish the Supplementary Benefits Commission with such information in its possession as the Secretary of State may specify as being information required by the latter Commission in connection with the determination of questions relating to benefit within the meaning of the Ministry of Social Security Act 1966;
  - (c) subject to the following subsection, of each local education authority to comply with any directions of the Secretary of State requiring it—
    - (i) to issue, to persons under the age of eighteen who apply for them, such documents relating to the contributions aforesaid as may be specified in the directions, and
    - (ii) to furnish the Secretary of State with such information as may be so specified with respect to persons to whom documents are issued in pursuance of the directions;and any information falling to be furnished in pursuance of this subsection shall be furnished in such a form and at such times as the Secretary of State may direct.
- (3) If the Commission and a local education authority agree that the duty imposed on the authority by virtue of paragraph (c) of the preceding subsection shall be performed by the Commission on behalf of the authority, that paragraph shall, while the agreement is in force, have effect in relation to that duty as if for references to the local education authority there were substituted references to the Commission; but the Secretary of State may by order provide that that paragraph and this subsection shall cease to have effect on a date specified in the order.
- (4) The Commission or an industrial training board may make to any person payments by way of travelling and subsistence allowances and compensation for loss of remunerative time which are approved by the Secretary of State and which the Commission or board considers are appropriate in connection with the person's attendance at any examination connected with a claim for payments from the Commission or board in pursuance of subsection (3) of the preceding section; and the Secretary of State may make payments by way of travelling and subsistence

allowances and compensation for loss of remunerative time in connection with a claim for payments by him in pursuance of that subsection.

- (5) No limitation imposed on the powers of the Parliament of Northern Ireland by the Government of Ireland Act 1920 shall preclude that Parliament from making laws for purposes similar to any of the purposes of this Act.
- (6) If the term of office of any person as a member of a Youth Employment Committee would apart from this subsection expire on or after the day when this subsection comes into force but before the date when the Committee is abolished, the term shall by virtue of this subsection be extended so as to expire on that date.

### **13 Interpretation etc.**

- (1) In this Act, apart from Schedule 2, the following expressions have the following meanings—
  - " the Agencies " has the meaning assigned to it by section 1(4) of this Act;
  - " the Commission " has the meaning assigned to it by section 1 (2) of this Act;
  - " employee ", except in Schedule 1, includes a person engaged under a contract for services, and " employer " shall be construed accordingly ;
  - " employment ", except in section 7 and Schedule 1, means employment under a contract of service or apprenticeship or a contract for services or otherwise than under a contract, and " employed " shall be construed accordingly ;
  - " facilities " includes services ;
  - " functions " includes powers and duties ;
  - " local education authority ", in relation to Scotland, means an education authority as defined in section 145(16) of the Education (Scotland) Act 1962;
  - " modifications " includes additions, omissions and amendments ;
  - " training " includes any education with a view to employment, and cognate expressions shall be construed accordingly; and
  - " university ", in relation to Scotland, includes a central institution and a college of education as defined in section 145 of the Education (Scotland) Act 1962.
- (2) A reference in this Act to any enactment is a reference to it as amended, and includes a reference to it as applied, by or under any other enactment.
- (3) The powers conferred on the Secretary of State by this Act are in addition to and not in substitution for any powers exercisable by him apart from this Act.
- (4) Any power to make an order which is conferred on the Secretary of State by this Act apart from Schedule 2 shall be exercisable by statutory instrument, and an order made in the exercise of such a power—
  - (a) may include such supplemental and incidental provisions as the Secretary of State considers appropriate for the purposes of the order ;
  - (b) may, except in the case of an order made by virtue of section 8(6) or 12(3) of this Act, be varied or revoked by a subsequent order so made, so however that an order appointing a day shall not be varied or revoked by virtue of this subsection on or after that day.

- (5) No order shall be made in pursuance of section 7(4)(c) of this Act unless a draft of the order has been approved by a resolution of each House of Parliament and a statutory instrument containing an order made by virtue of section 7(5) of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### **14 Minor and consequential amendments of enactments, and repeals**

- (1) The enactments mentioned in Schedule 3 to this Act shall have effect subject to the provisions of that Schedule; but the coming into force of paragraph 12 or 15 of that Schedule shall not affect any order made under the Act referred to in that paragraph before the date when that paragraph comes into force.
- (2) The enactments mentioned in the first and second columns of Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule; but nothing in this subsection affects the application of the Industrial Training Act 1964 to the Agricultural Training Board.

#### **15 Short title, commencement and extent**

- (1) This Act may be cited as the Employment and Training Act 1973.
- (2) This Act shall come into force on such day as the Secretary of State may by order appoint, and—
- (a) different days may be appointed in pursuance of this subsection for the purposes of different provisions of this Act or for different purposes of the same provision of this Act; and
  - (b) any such order may contain such transitional provisions as the Secretary of State considers appropriate in connection with the order.
- (3) This Act, except section 12(5), paragraphs 4, 5, 9 and 13 of Schedule 3 and Schedule 4 so far as it relates to section 20 of the Employment and Training Act 1948 and to the Agriculture Act 1970, does not extend to Northern Ireland.