out in Regulations 6, 8, 9 and 10. The method of calculating the amount of compensation is contained in Regulation 7.

5. Long-term and retirement compensation are payable to officers with at least 8 years' service in local government and other relevant employments. The qualifying and other conditions are set out in Regulations 12 and 13.

6. The method of calculating the maximum amount of long-term compensation is laid down in Regulation 14 (loss of emoluments) and 15 (diminution of emoluments). It is a proportion, not exceeding two thirds, of the net emoluments lost or of the amount by which emoluments have been diminished, as the case may be. This compensation is payable from a date determined under Regulation 16 and can be payable up to normal retiring age.

7. Retirement compensation for loss of employment payable to a pensionable officer is based upon his accrued pension rights (Regulation 19), supplemented in the case of persons aged 40 or over at the date of loss by the addition of notional years of service (Regulation 18). Retirement compensation for diminution of emoluments is an appropriate proportion of that for loss of employment (Regulation 22). In the case of a non-pensionable officer compensation not exceeding one half of the rate of long-term compensation may be paid (Regulation 28) and special provision is made for any persons whose pension arrangements are by way of policies of insurance (Regulation 29). Retirement compensation is ordinarily payable from normal retiring age but in certain circumstances may be put into payment earlier (Regulations 20 and 21).

8. Compensation is payable to the widow, child or other dependant and the personal representative of a claimant who dies where such persons would have benefited under the relevant pension scheme (Regulations 25 to 27).

9. Part VI of the Regulations provides for long-term and retirement compensation to be reviewed and for awards to be varied in the light of changes in circumstances (Regulation 34). It also contains provisions for the adjustment, suspension and compounding of compensation in certain circumstances.

10. Part VII contains provisions relating to the procedure for making claims and notifying decisions and to appeals by claimants who are aggrieved by a decision or the failure of a compensating authority to notify their decision. Appeals lie to a tribunal appointed by the Ministry of Health and Social Services.

1967. No. 338 **[C]**

INDUSTRIAL TRAINING

Industrial Training Levy (Clothing and Footwear Industry)

ORDER, DATED 20TH DECEMBER 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 after approving proposals submitted by the Clothing and Footwear Industry Training Board for the imposition of a levy in the clothing and footwear 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 (Clothing and Footwear Industry) Order (Northern Ireland) 1967.

(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 Clothing and Footwear Industry Training Board;

"business" means any activity of industry or commerce;

"clothing and footwear establishment" means an establishment in Northern Ireland engaged wholly or mainly in the clothing and footwear industry for a total of 27 or more weeks in the period of 12 months that commenced on 1st June 1966 or, being an establishment that commenced to carry on business in the said period, for a total number of weeks exceeding one half of the total number of weeks in the period commencing with the day on which business was commenced and ending on 31st May 1967;

"the clothing and footwear 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 activities of the clothing and footwear industry;

"employer" means an employer in the clothing and footwear industry;

"the first levy period" means the period commencing with the date on which this Order comes into operation and ending on 5th April 1968;

"the industrial training order" means the Industrial Training (Clothing and Footwear Board) Order (Northern Ireland) 1966(b);

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

"the Ministry" means the Ministry of Health and Social Services;

"notice" means a notice in writing.

(3) A person employed at any time in the period of 12 months ending on 31st May 1967 at or from an establishment that is taken over (whether directly or indirectly) by an employer in succession to, or jointly with, another employer shall, during that time, be deemed for the purposes of this Order to have been in the employment of—

(*a*) the person or persons carrying on the said establishment on the date of this Order; or

(*b*) if no person is carrying on the said establishment on the last mentioned date, by the person who last employed any person at or from the said establishment prior to that date.

(4) Any reference in this Order to an establishment that commences or ceases to carry on business shall not be taken to apply where the location of the establishment is changed but its business is continued wholly or mainly at or from the new location or where the suspension of activities is of a temporary nature.

Imposition of the Levy

2.—(1) The levy to be imposed by the Board on employers in respect of

(a) 1964. c. 18 (N.I.). (b) S.R. & O. (N.I.) 1966, No. 130.

the first levy period shall be assessed and paid in accordance with the provisions of this Order.

(2) The levy shall apply to any person who, on the date upon which this Order comes into operation, is an employer or who at any time thereafter in the first levy period becomes an employer.

Assessment of the Levy

3.—(1) The levy shall be assessed by the Board separately in respect of each clothing and footwear establishment of an employer, but in agreement with the employer a single 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) The amount of the levy imposed in respect of a clothing and footwear establishment shall be calculated by multiplying the sum of £6 by the number which is the average (calculated to the lowest whole number) of the numbers of persons employed or deemed to have been employed at that establishment on 1st November 1966, 1st February 1967 and 1st May 1967.

(3) The amount of the levy imposed in respect of a clothing and footwear 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.

(4) In reckoning the number of persons employed or deemed to have been employed at a clothing and footwear establishment for the purposes of this Article, no regard shall be had to persons engaged wholly in the supply of food or drink for immediate consumption.

Assessment Notice

4.—(1) The Board shall serve an assessment notice imposing a levy calculated in accordance with Article 3(2) on every employer assessed to the levy, but a single notice may be served in respect of several assessments.

(2) An assessment notice may be served on an employer 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 Levy

5.—(1) Subject to the provisions of this Article and Articles 6 and 7, the amount of an assessment appearing in an assessment notice served by the Board shall be due by the employer to the Board in two instalments of equal amounts. The first such instalment shall be due one month after the date of the notice and the second instalment shall be due on 1st October 1968.

(2) The amount 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.

Review of Assessment

6.—(1) The Board may, by notice served on the employer, withdraw an assessment at any time within which the employer may appeal, or be allowed to appeal, against the assessment under the provisions of Article 7.

(2) The withdrawal of an assessment shall be without prejudice to the power of the Board to serve a further assessment notice in respect of any establishment to which that assessment related.

Appeals

7.—(1) An employer shall be entitled to appeal to an appeal tribunal against an assessment within one month from the date of the service of the relevant assessment notice.

(2) The Board for good cause may, by notice, extend the time within which an appeal may be made by such further period or periods as the Board may allow in any case where an application for such extension is made within the period of six months from the date of the service of the relevant notice of assessment or, where an extension has already been granted, before the period of such extension has expired.

(3) If the Board shall not allow an application for extension of time for appealing an appeal tribunal may, upon application made to it by the employer within the period of 14 days from the date of receipt of the decision of the Board refusing such an application, extend the period within which an appeal may be made by such further period as the tribunal may allow.

(4) An appeal or an application to an appeal tribunal under this Article shall be made in accordance with the Industrial Tribunals Regulations (Northern Ireland) 1965(a).

(5) The powers of an appeal tribunal under paragraph (3) may be exercised by the President of the Industrial Tribunals.

Evidence

8.—(1) Upon the discharge by an employer of his liability under an assessment the Board shall if so requested issue to him a certificate in writing to the effect that he has done so.

(2) The production in any proceedings of a document purporting to be certified by the Secretary of the Board to be a true copy of an assessment or other notice issued by the Board or of a certificate such as is mentioned in paragraph (1) shall, unless the contrary is proved, be sufficient evidence of the document and of the facts stated therein.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 20th day of December nineteen hundred and sixty-seven.

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

EXPLANATORY NOTE

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

This Order gives effect to proposals submitted by the Clothing and Footwear Industry Training Board to the Ministry of Health and Social Services for the imposition of a levy upon employers in the clothing and footwear industry for the purpose of raising money towards the expenses of the Board.

(a) S.R. & O. (N.I.) 1965, No. 112.

The levy is to be imposed in respect of the first levy period commencing with the date upon which the Order comes into operation and ending on 5th April 1968. The levy will be assessed by the Board and there will be a right of appeal against an assessment to an industrial tribunal.

1967. No. 339 **[C]**

FISHING VESSELS

Fishing Vessels (Grants) Scheme (Northern Ireland) 1967

SCHEME*, DATED THE 26TH OCTOBER 1967, MADE BY THE MINISTRY OF AGRICULTURE UNDER SECTION 1 OF THE FISHING VESSELS (GRANTS) ACT (NORTHERN IRELAND) 1967.

The Ministry of Agriculture (hereinafter called "the Ministry") in exercise of the powers conferred on it by Section 1 of the Fishing Vessels (Grants) Act (Northern Ireland) 1967(a) and of all other powers enabling it in that behalf hereby makes the following scheme:—

1. This scheme may be cited as the Fishing Vessels (Grants) Scheme (Northern Ireland) 1967 and shall come into operation seven days after it has been approved by both Houses of Parliament.

2. In this scheme unless the context otherwise requires "improvement" has the meaning assigned to it by Article 3(1)(*c*). "The control period" has the meaning assigned to it by Article 14(2). "Length" in relation to a sea fishing vessel means its length as calculated for the purpose of registration under the Merchant Shipping Acts 1894 to 1964.

3.—(1) Subject to the provisions of this scheme the Ministry may make a grant to a person carrying on or proposing to carry on a business in the fishing industry in Northern Ireland in respect of expenditure incurred

(*a*) in providing a fishing vessel including equipment required for the operation of the vessel which is sold with the vessel;

(*b*) in providing an engine for a fishing vessel; or

(*c*) in the acquisition, installation, modification, renewal or replacement of any part of a sea fishing vessel other than an engine or of any relevant equipment required for, or installed or used on such a vessel (such acquisition, installation, modification, renewal or replacement being hereinafter referred to as "an improvement").

Provided that no grant shall be made in respect of

(i) expenditure incurred in the acquisition of any vessel, engine, part, equipment or apparatus which appears to the Ministry to be second-hand; or

(ii) expenditure incurred in relation to an improvement in so far as the Ministry considers such expenditure can be regarded as incurred in the routine repair, maintenance or replacement in respect of the

(a) 1967. c. 8 (N.I.).

*This Scheme was approved by a Resolution of the Senate on 12th December 1967 and by Resolution of the House of Commons on 30th November 1967.