
DRAFT STATUTORY INSTRUMENTS

1998 No.

**The Industrial Training Levy (Engineering
Construction Board) Order 1998**

Appeals

9.—(1) A person assessed to the levy may appeal to an industrial tribunal against the assessment within one month from the date of the service of the assessment notice or within any further period or periods of time that may be allowed by the Board or an industrial tribunal under the following provisions of this article.

(2) The Board by notice may for good cause allow a person assessed to the levy to appeal to an industrial tribunal against the assessment at any time within the period of four months from the date of the service of the assessment notice or within such further period or periods as the Board may allow before such time as may then be limited for appealing has expired.

(3) If the Board shall not allow an application for extension of time for appealing, an industrial tribunal shall upon application made to the tribunal by the person assessed to the levy have the like powers as the Board under the last foregoing paragraph.

(4) An appeal or an application to an industrial tribunal under this article shall be made in accordance with the Industrial Tribunals (Constitution and Rules of Procedure) Regulations 1993⁽¹⁾ except where the establishment to which the relevant assessment relates is wholly in Scotland in which case the appeal or application shall be made in accordance with the Industrial Tribunals (Constitution and Rules of Procedure) (Scotland) Regulations 1993⁽²⁾.

(5) The powers of an industrial tribunal under paragraph (3) of this article may be exercised by the President of the Industrial Tribunals (England and Wales) or by the President of the Industrial Tribunals (Scotland) as the case may be.

(1) S.I.1993/2687, amended by S.I. 1994/536 and 1996/1757.

(2) S.I. 1993/2688, amended by S.I. 1994/538 and 1996/1758.