

*Draft laid before Parliament under section 12(6) of the Industrial Training Act 1982, for approval
by resolution of each House of Parliament.*

DRAFT STATUTORY INSTRUMENTS

2007 No.

EMPLOYMENT AND TRAINING

**The Industrial Training Levy (Engineering
Construction Industry Training Board) Order 2007**

Made - - - -

Coming into force - -

This Order is made in exercise of the powers conferred by section 11(2) and section 12(3) and (4) of the Industrial Training Act 1982(1) (“the Act”).

This Order is made to give effect to levy proposals submitted by the Engineering Construction Industry Training Board (“the Board”) pursuant to section 11(1) of the Act which, as required by section 11(3) of the Act, include proposals for the exemption of employers employing a small number of employees.

The levy proposals include proposals for securing that no exemption certificates shall be issued by the Board and the amount of levy payable by employers will exceed 0.2 per cent of their relevant emoluments. Accordingly, section 11(5) of the Act applies to this Order.

In relation to the requirements set out in section 11(5) of the Act the Secretary of State for Education and Skills is satisfied that the levy proposals are necessary to encourage adequate training in the industry and the condition mentioned in section 11(6)(b) is met.

The Secretary of State for Education and Skills estimates that the levy to be paid by employers in the industry exceeds one per cent of their relevant emoluments and accordingly this Order falls within section 11(7)(b) of the Act; the Secretary of State considers that the amount to be paid by employers in the industry is appropriate in the circumstances.

The Secretary of State for Education and Skills has consulted the Scottish Ministers as required by section 88(2) of the Scotland Act 1998(2).

A draft of this Order was laid before Parliament in accordance with section 12(6) of the Act and approved by resolution of each House of Parliament.

Accordingly the Secretary of State for Education and Skills makes the following Order:

(1) 1982 (c.10). Sections 11 and 12 were amended by paragraphs 10 and 11 respectively of Schedule 4 to the Employment Act 1989 (c.38).
(2) 1998 (c.46). The Engineering Construction Industry Training Board has been specified as a cross-border public authority for the purposes of section 88 of the Scotland Act 1998 by the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999 (S.I. 1999/1319).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The Industrial Training Levy (Engineering Construction Industry Training Board) Order 2007 No. 609
