
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Industrial Training Levy (Construction Industry Training Board) Order 2022

Interpretation

2.—(1) In this Order—

- (a) “assessment” means an assessment of an employer to the levy in respect of a construction establishment;
- (b) “base period” is to be construed in accordance with article 4;
- (c) “the Board” means the Construction Industry Training Board;
- (d) “construction establishment” has the meaning given in article 5(2);
- (e) “the construction industry” means the activities of the construction industry as defined by Schedule 1 to the Industrial Training (Construction Board) Order 1964⁽¹⁾ read together with the Orders listed in the Schedule to this Order;
- (f) “contract payment” has the meaning given in article 7(2);
- (g) “emoluments” means—
 - (i) salaries, fees and wages excluding fees which are paid to a company director who is remunerated solely by fees;
 - (ii) any gratuity or other profit or incidental benefit of any kind obtained by an employee, if it is money or money’s worth, other than pensions contributions;
 - (iii) anything else that constitutes, or is intended to constitute, earnings of the relevant employment;
- (h) “employer” means an employer in the construction industry;
- (i) “the levy” means the levy imposed by the Board in respect of a levy period;
- (j) “levy period” is to be construed in accordance with article 3(1);
- (k) “the relevant base period” means the base period, in respect of a particular levy period, by reference to which the relevant emoluments are to be calculated;
- (l) “the relevant levy period”, in relation to a levy, means the particular levy period in respect of which the levy is imposed;
- (m) “the relevant part of a contract payment” has the meaning given in article 7(3).

(2) In this Order, references to a construction establishment starting or ceasing to be engaged in the construction industry do not include instances where—

- (a) a construction establishment starts to be engaged in the construction industry after, or ceases to be engaged in that industry because of, a suspension of activities of a temporary or seasonal nature; or
- (b) the location of a construction establishment changes but the establishment continues to be engaged in the construction industry at or from the new location.

⁽¹⁾ S.I. 1964/1079 as amended by S.I. 1992/3048.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Industrial Training Levy (Construction Industry Training Board) Order 2022 No. 492*
