
DRAFT STATUTORY INSTRUMENTS

2022 No.

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

Construction establishments to be assessed

5.—(1) The Board must assess the amount of levy to be paid in respect of each construction establishment of an employer in respect of each levy period.

(2) In this Order, “construction establishment” means any particular establishment of the employer engaged wholly or mainly in the construction industry for the necessary period.

(3) For the purposes of paragraph (2), “the necessary period” means—

- (a) a period (which need not be continuous) consisting of a total of 27 or more weeks falling within the relevant base period; or
- (b) in the case of a construction establishment which started being engaged in the construction industry during the relevant base period, a period (which need not be continuous)—
 - (i) falling within the relevant base period; and
 - (ii) consisting of a total number of weeks exceeding one half of the number of weeks in the part of the relevant base period beginning with the day on which the construction establishment started being engaged in that industry and ending with the last day of the relevant base period.

(4) An employer who on the first day of the levy period owns or otherwise has responsibility for a construction establishment is to be treated as the employer of all persons employed at or from that establishment during the relevant base period.