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SCHEDULES

SCHEDULE 12

SUB-CONTRACTORS IN THE CONSTRUCTION INDUSTRY: CONDITIONS OF ISSUE OF CERTIFICATES

PART I

CONDITIONS TO BE SATISFIED BY INDIVIDUALS

- 1 The applicant must be carrying on a business in the United Kingdom which satisfies the following conditions, that is to say—
 - (a) the business consists of or includes the carrying out of construction operations or the furnishing or arranging for the furnishing of labour in carrying out construction operations;
 - (b) the business is, to a substantial extent, carried on by means of an account with a bank;
 - (c) the business is carried on with proper records and in particular with records which are proper having regard to the obligations referred to in paragraphs 3 and 4 below; and
 - (d) the business is carried on from proper premises and with proper equipment, stock and other facilities.
- 2 The applicant, unless he is the holder of a certificate which is in force under section 30 of the Finance Act 1971 or under section 70 of this Act, must throughout the period of three years ending with the date of his application for a certificate under section 70 of this Act (in this Part of this Schedule referred to as " the qualifying period "), have been employed in the United Kingdom as the holder of an office or employment or as a person carrying on a trade, profession or vocation.
- 3 (1) The applicant must, subject to sub-paragraph (2) below, have complied with all obligations imposed on him by or under the Income Tax Acts or the Taxes Management Act 1970 in respect of periods ending within the qualifying period and with all requests to supply to an inspector accounts of, or other information about, any business of his in respect of periods so ending.

(2) An applicant who has failed to comply with such an obligation or request as is referred to in sub-paragraph (1) above shall nevertheless be treated as satisfying this condition as regards that obligation or request if the Board are of the opinion that in all the circumstances the failure ought to be disregarded for the purposes of his application for a certificate under section 70 of this Act.
- 4 The applicant must, if any contribution has at any time during the qualifying period become due from him under Part I of the National Insurance Act 1965 or Part I of the National Insurance Act (Northern Ireland) 1966, as the case may be, or under Part I of the Social Security Act 1975 or Part I of the Social Security (Northern Ireland)

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Act 1975, as the case may be, have paid the contribution when the contribution became due.

- 5 The applicant must, if he is required to be registered under the Registration of Business Names Act 1916 in respect of the business referred to in paragraph 1 above, have been duly registered under that Act in respect of that business.
- 6 (1) Subject to sub-paragraph (2) below, there must be in force a policy or policies of insurance covering the applicant's relevant public liability in respect of the business referred to in paragraph 1 above and effected by him with an authorised insurer or insurers in a sum not less or not less in the aggregate than £250,000.
- (2) Sub-paragraph (1) above does not apply to an applicant whose business consists of the furnishing or arranging for the furnishing of labour in carrying out construction operations or whose business includes any of those activities but does not also include the carrying out of construction operations.
- 7 There must be reason to expect that the applicant will, in respect of periods ending after the end of the qualifying period, comply with such obligations as are referred to in paragraphs 3 and 4 above and with such requests as are referred to in paragraph 3 above.