
STATUTORY INSTRUMENTS

2022 No. 492

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

Assessment of the amount of levy

7.—(1) The amount of levy to be assessed in respect of each construction establishment for each levy period is—

$$A + B$$

where

A is an amount equal to 0.35% of all emoluments (other than the relevant part of all contract payments) which have been paid or are payable by the employer to, or in respect of, persons employed by the employer at or from the construction establishment during the relevant base period; and

B is an amount equal to 1.25% of the relevant part of all contract payments made by the employer to, or in respect of, persons employed by the employer at or from the construction establishment during the relevant base period.

(2) “Contract payment” has the meaning given to it by section 60 of the Finance Act 2004⁽¹⁾.

(3) The relevant part of a contract payment is the part of the contract payment in respect of which the relevant percentage is applied for the purpose of section 61 of the Finance Act 2004.

(4) Where an amount described as “A” or “B” is not a whole number of pounds, the amount must be rounded down to the nearest £1.

(5) Where a construction establishment ceases to be engaged in the construction industry during a levy period, the amount of levy imposed in respect of the construction establishment for that period is to be in the same proportion to the amount that would otherwise be due under this article as the number of days between the commencement of the levy period and the date of the cessation of engagement (both dates inclusive) bears to the number of days in the levy period.

⁽¹⁾ 2004 c.12. Chapter 3 of Part 3 of the Finance Act 2004 makes provision for the Construction Industry Scheme under which certain payments under construction contracts are made under deduction of sums on account of tax. Section 60 was amended by paragraph 20 of Schedule 1 to the Finance Act 2020 (c.14).