



Industrial Training Act 1982

1982 CHAPTER 10

Levies

13 Proposals for exemption certificates.

- (1) An industrial training board may from time to time and, subject to subsection (2) below, shall always at or before the time when it submits levy proposals under section 11 above submit to the [^{F1}Secretary of State for his] approval proposals for the issue of certificates (in this Act referred to as “exemption certificates”) which while in force are to exempt from relevant levy employers in the industry who—
- (a) make arrangements for the training, or the training and [^{F2}post-school education] associated with training, of persons employed or to be employed in the industry; and
 - (b) satisfy the board by reference to criteria specified in the proposals that the arrangements are adequate and are to a material extent being implemented;
- and in this subsection [^{F3}“post-school education” has the same meaning as in section 5 above and] “relevant levy” means levy which, apart from any exemption certificate, is payable to the board in question by virtue of this Act by employers in the industry, other than levy which the levy order authorising it provides is to be payable notwithstanding any exemption certificate.
- (2) An industrial training board shall not be obliged to submit proposals under subsection (1) above for the issue of exemption certificates to any category of employer at or before the time when it submits levy proposals in respect of a levy on those employers which include—
- (a) proposals that no exemption certificates will be issued by the board to employers in that category; or
 - (b) proposals by virtue of which the levy payable [^{F4}in respect of each levy period] by any employer in that category (disregarding any exemptions) will not exceed 0·2 per cent. of the relevant emoluments [^{F5}in respect of the base period for that levy period] within the meaning of section 11(8) above; or
 - (c) proposals within section 11(4)(a) above by virtue of which any exemption certificates issued to those employers will not exempt them from any of the levy [^{F6}payable by virtue of the resulting levy order].

Changes to legislation: There are currently no known outstanding effects for the Industrial Training Act 1982, Section 13. (See end of Document for details)

[^{F7}In this subsection “the relevant emoluments” has the meaning given by section 11(8) above.]

- (3) The criteria for arrangements made by employers which by virtue of paragraph (b) of subsection (1) above are to be specified in proposals submitted under that subsection must relate to the quality or amount of training, or training and education, provided for by the arrangements, but need not relate solely to the needs of establishments of the employers and the proposals may specify different criteria as respects arrangements made by different categories of employers.
- [^{F7}(4) The Secretary of State . . . ^{F8}may issue guidance concerning the criteria which by virtue of paragraph (b) of subsection (1) above are to be specified in proposals submitted under that subsection.
- [If the Secretary of State approves proposals submitted to him by a board under ^{F9}(5) subsection (1) above and informs the board of his approval, the board shall arrange for them to be published as soon as practicable in a manner approved by the Secretary of State.]
- (6) Proposals made by a board in pursuance of subsection (1) above—
- (a) must include proposals as to the arrangements for the reconsideration of decisions in pursuance of section 14(5) below; and
 - (b) may include proposals for altering or cancelling any previous proposals made by the board in pursuance of subsection (1) above;
- but proposals made by virtue of paragraph (b) above shall not affect the operation of any exemption certificates issued in pursuance of previous proposals.]

Textual Amendments

- F1** Words substituted by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 22(4), **Sch. 4 para. 12(2)**
- F2** Words substituted by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 88(a)**
- F3** Definition inserted by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 88(b)**
- F4** Words in s. 13(2)(b) inserted (2.3.2008) by [Further Education and Training Act 2007 \(c. 25\)](#), s. 32(5), **Sch. 1 para. 5(2)(a)**; S.I. 2007/3505, art. 4(d) (with art. 7)
- F5** Words in s. 13(2)(b) substituted (2.3.2008) by [Further Education and Training Act 2007 \(c. 25\)](#), s. 32(5), **Sch. 1 para. 5(2)(b)**; S.I. 2007/3505, art. 4(d) (with art. 7)
- F6** Words in s. 13(2)(c) inserted (2.3.2008) by [Further Education and Training Act 2007 \(c. 25\)](#), s. 32(5), **Sch. 1 para. 5(3)**; S.I. 2007/3505, art. 4(d) (with art. 7)
- F7** Words in s. 13(2) inserted (2.3.2008) by [Further Education and Training Act 2007 \(c. 25\)](#), s. 32(5), **Sch. 1 para. 5(4)**; S.I. 2007/3505, art. 4(d) (with art. 7)
- F8** Words repealed by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), ss. 22(4), 29(4), Sch. 4 para. 12(3), **Sch. 7 Pt. I**
- F9** S. 13(5) substituted by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), s. 22(4), **Sch. 4 para. 12(4)**

Changes to legislation:

There are currently no known outstanding effects for the Industrial Training Act 1982, Section 13.