STATUTORY INSTRUMENTS

# 2009 No. 548

## The Industrial Training Levy (Engineering Construction Industry Training Board) Order 2009

**Leviable establishments to be assessed**

**6.**—(1) The Board must assess the amount of levy to be paid in respect of each leviable establishment of an employer.

(2) In this Order, "leviable establishment" means—

(a) an establishment engaged wholly or mainly in the engineering construction industry during the necessary period;

(b) any other establishment at or from which persons were employed in any activities falling within paragraph 1(a)(ii) of Schedule 1 to the industrial training order.

(3) In this article "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 leviable establishment which started carrying on business 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 base period starting on the day on which the leviable establishment started carrying on business and ending on the last day of the relevant base period.

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