

This draft Order replaces that which was originally laid on 16th December 2004 and is being issued free of charge to all known recipients of that draft Order.

Draft Order laid before Parliament under section 12(6) of the Industrial Training Act 1982, for approval by each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

EMPLOYMENT AND TRAINING

The Industrial Training Levy (Construction Board) Order 2005

Made - - - -

Coming into force - -

Whereas the Construction Industry Training Board has submitted proposals for the raising and collection of a levy under section 11(1) of the Industrial Training Act 1982⁽¹⁾ (“the 1982 Act”);

And whereas in pursuance of section 11(3) of the 1982 Act the said proposals include provision for the exemption from the levy of employers who, in view of the small number of their employees, ought in the opinion of the Secretary of State to be exempted from it;

And whereas certain of the proposals are made in pursuance of section 11(4)(b) of the 1982 Act and the Secretary of State is satisfied that those proposals fall within section 11(5)(b) of that Act (“the relevant proposals”) and that they are necessary as mentioned in section 11(5), and that the condition mentioned in section 11(6)(a) of the 1982 Act is satisfied in the case of the relevant proposals;

And whereas the Secretary of State estimates that the amount which will be payable by virtue of the following Order by certain employers in the construction industry will exceed an amount which he estimates as equal to one per cent. of relevant emoluments, but considers such amount appropriate in the circumstances, and the following Order therefore falls within section 11(7)(b) of the 1982 Act;

And whereas the Secretary of State has consulted the Scottish Ministers pursuant to section 88(2) of the Scotland Act 1998⁽²⁾;

And whereas a draft of the following Order was laid before Parliament in accordance with section 12(6) of the 1982 Act and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State, in exercise of the powers conferred by sections 11(2), 12(2), (3) and (4) of the 1982 Act hereby makes the following Order:

(1) 1982 c.10; sections 11 and 12 were amended by section 22(4) of, and paragraphs 10 and 11 respectively of Schedule 4 to, the Employment Act 1989 (c.38).
(2) 1998 c.46; the Construction Industry Training Board has been specified as a cross border public authority for the purposes of section 88 - see the Scotland Act 1988 (Cross-Border Public Authorities) (Specification) Order 1999 S.I. 1999/1319.