
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Trade Union (Levy Payable to the
Certification Officer) Regulations 2022

PART 1

Preliminary

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Trade Union (Levy Payable to the Certification Officer) Regulations 2022.

(2) These Regulations come into force on 1st April 2022.

(3) These Regulations extend to England and Wales and Scotland only.

Interpretation

2. In these Regulations—

“the 1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992;

“additional amount” has the meaning given in regulation 5(7);

“annual income” has the meaning given in regulation 6;

“basic amount” has the meaning given in regulation 5(6);

“basic levy” has the meaning given in regulation 5(9);

“categorised additional amount” has the meaning given in regulation 5(8);

“categorised additional levy” has the meaning given in regulation 5(10);

“category of relevant organisation” refers to either—

(a) federated trade unions⁽¹⁾,

(b) trade unions⁽²⁾ that are not federated trade unions,

(c) federated employers’ associations⁽³⁾, or

(d) employers’ associations⁽⁴⁾ that are not federated employers’ associations;

“enhanced levy” has the meaning given in regulation 5(15);

“qualifying relevant organisation” means a relevant organisation that, at the date when the Certification Officer⁽⁵⁾ determines the amounts to be levied in accordance with regulation 5, is known to the Certification Officer to exist at the relevant date;

(1) “Federated trade union” has the same meaning as in section 118 of the 1992 Act.

(2) “Trade union” has the same meaning as in section 1 of the 1992 Act.

(3) “Federated employers’ association” has the same meaning as in section 135 of the 1992 Act.

(4) “Employers’ association” has the same meaning as in section 122 of the 1992 Act.

(5) The Certification Officer referred to under section 254 of the 1992 Act.

“relevant expenses” has the meaning given in regulation 4;

“relevant date” means the beginning of the financial year⁽⁶⁾ immediately preceding that to which the levy relates;

“total levy” means the aggregate amount to be levied in respect of a financial year, determined in accordance with regulation 5(4);

“total levy shortfall” has the meaning given in regulation 5(13)(c).

(6) “Financial year” has the meaning given by section 272 of the 1992 Act.