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DRAFT STATUTORY INSTRUMENTS

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**2022 No.**

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

PART 2

Levy payable to Certification Officer

**Annual income of relevant organisations**

- 6.—(1) The annual income of a relevant organisation refers to—
- (a) the annual income identified in the annual return sent by the relevant organisation to the Certification Officer under section 32 of the 1992 Act<sup>(1)</sup> which is the most recent at the date of the determination carried out under regulation 5, if the relevant organisation has sent a return that includes such information; or
  - (b) in the absence of such a return, the Certification Officer's reasonable estimate, at the date of the determination carried out under regulation 5, of the relevant organisation's annual income, in respect of the calendar year to which relate the highest proportion of the annual returns referred to under sub-paragraph (a) submitted by other relevant organisations in respect of the relevant financial year.
- (2) Before making any estimate under sub-paragraph (1)(b), the Certification Officer must allow the relevant organisation a reasonable opportunity to provide information about its annual income for that calendar year, and must take any such information into account in making such an estimate.

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<sup>(1)</sup> Part of section 32 also applies to employers' associations by virtue of section 131(1) of the 1992 Act.