
STATUTORY INSTRUMENTS

2021 No. 421

EMPLOYMENT AND TRAINING

The Industrial Training Levy (Construction Industry Training Board) Order 2021

<i>Made</i>	- - - -	<i>29th March 2021</i>
<i>Laid before Parliament</i>		<i>31st March 2021</i>
<i>Coming into force</i>	- -	<i>22nd April 2021</i>

The Secretary of State makes this Order in exercise of the powers conferred by section 11(2) and section 12(3) and (4) of the Industrial Training Act 1982(1) (“the Act”).

This Order is made to give effect to levy proposals submitted by the Construction Industry Training Board(2) pursuant to section 11(1) of the Act which, as required by section 11(3) of the Act, include proposals for the exemption of employers employing a small number of employees.

The levy proposals include proposals for securing that no exemption certificates relating to the levy will be issued by the Board. The amount of levy payable by employers will exceed 0.2% of their relevant emoluments in respect of the base period for the levy period. Accordingly, section 11(4) and (5) of the Act applies to this Order.

In relation to the requirements set out in section 11(5) of the Act, the Secretary of State is satisfied that the levy proposals are necessary to encourage adequate training in the industry, and the conditions mentioned in section 11(6)(b) are satisfied, including the condition in section 11(6F)(a).

The Secretary of State estimates that the levy to be paid by employers in the industry does not exceed 1% of their relevant emoluments. Accordingly section 11(7)(a) of the Act applies to this Order.

The Secretary of State has consulted the Scottish Ministers as required by section 88(2) of the Scotland Act 1998(3).

(1) 1982 c. 10. Sections 11 and 12 were amended by paragraphs 10 and 11 of Schedule 4 to the Employment Act 1989 (c. 38); and by sections 24 and 25 of, and paragraphs 3 and 4 of Schedule 1 to, the Further Education and Training Act 2007 (c. 25). Section 12(4) was amended by the Employment Rights (Dispute Resolution) Act 1998 (c. 8), section 1(2).

(2) The Board was established under the Industrial Training (Construction Board) Order 1964 (S.I. 1964/1079), as amended by S.I. 1992/3048.

(3) 1998 c. 46. The Construction Industry Training Board has been specified as a cross-border public authority for the purposes of section 88 of the Scotland Act 1998 by the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999 (S.I. 1999/1319).