STATUTORY RULES OF NORTHERN IRELAND

2004 No. 494

FAIR EMPLOYMENT

Fair Employment (Specification of Public Authorities) Order (Northern Ireland) 2004

Made - - - -	*30th November 2004*
Coming into operation	*1st January 2005*

Whereas, in accordance with Article 50(3) of the Fair Employment and Treatment (Northern Ireland) Order 1998(**1**) ("the 1998 Order"), each person who, by virtue of the following Order, becomes a public authority for any of the purposes of Articles 52 to 65 of the 1998 Order is:

(1) a Minister of the Crown or a Northern Ireland Minister;

(2) a statutory body or the holder of a statutory office; or

(3) a person appearing to the Office of the First Minister and deputy First Minister(**2**) ("the Department") to exercise functions of a public nature;

And whereas, in accordance with Article 51(4) of the 1998 Order, it appears to the Department that some or all of the people who are employed by each person, who by virtue of the following Order becomes an employer for the purposes of Articles 52 to 61 of the 1998 Order, who are in the service of the Crown for the purposes of the functions of those persons or who are treated by virtue of the following Order as so employed or as in such service, are employed or serve in Northern Ireland:

Now, therefore, the Department in exercise of the powers conferred by Article 50(1) and (2) and Article 51(2) of the 1998 Order and now vested in it(**3**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Fair Employment (Specification of Public Authorities) Order (Northern Ireland) 2004 and shall come into operation on 1st January 2005.

(2) In this Order –

"the 1998 Order" means the Fair Employment and Treatment (Northern Ireland) Order 1998;

"member of the home service forces" means any member of the armed forces whose service (or service otherwise than for the purposes of training) is restricted to Northern Ireland;

(**1**) S.I.1998/3162 (N.I. 21)
(**2**) S.R. 1999 No. 481; Article 4(a) and Schedule 2, Part I
(**3**) S.R. 1999 No. 481; Article 4(a) and Schedule 2, Part I

"Northern Ireland civil servant" means any person appointed to a situation in the Northern Ireland Civil Service;

"police" has the same meaning as in the Police (Northern Ireland) Act 2000(**4**);

"reserve force" means a reserve force within the meaning of section 1(2) of the Reserve Forces Act 1996(**5**);

"reservist" means a member of any reserve force who serves wholly or mainly in Northern Ireland; and

"United Kingdom civil servant" means any person serving wholly or mainly in Northern Ireland in the civil service of the Crown other than a Northern Ireland civil servant.

Specification of public authorities

2. For the purposes of Articles 52 to 61 of the 1998 Order: –

(a) the Minister for the Department of Finance and Personnel shall be a public authority and all Northern Ireland civil servants shall be treated as employees of that authority;

(b) the Minister for the Civil Service shall be a public authority and all United Kingdom civil servants shall be treated as employees of that authority;

(c) the Secretary of State for Defence shall be a public authority and all reservists and members of the home service forces shall be treated as employees of that authority; and

(d) the Chief Constable of the Police Service of Northern Ireland shall be a public authority and all members of the police shall be treated as employees of that authority.

3. Each of the persons specified in Part I of the Schedule shall be a public authority for the purposes of Articles 52 to 65 of the 1998 Order.

4. Each of the persons specified in Part II of the Schedule shall be a public authority for the purposes of Articles 62 to 65 of the 1998 Order.

Revocation

5. The following Orders are hereby revoked –

(a) the Fair Employment (Specification of Public Authorities) (No. 2) Order (Northern Ireland) 2000(**6**);

(b) the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2003(**7**).

(**4**) 2000 c. 32
(**5**) 1996 c. 14
(**6**) S.R. 2000 No. 371
(**7**) S.R. 2003 No. 521

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 30th November 2004.

Gerard Mulligan
A senior officer of the Office of the First Minister and deputy First Minister

SCHEDULE Articles 3 and 4

PART I

PUBLIC AUTHORITIES FOR THE PURPOSES OF ARTICLES 52 TO 65 OF THE 1998 ORDER

Agricultural Research Institute of Northern Ireland
Altnagelvin Hospitals Health and Social Services Trust
Armagh and Dungannon Health and Social Services Trust
Arts Council of Northern Ireland
Assembly Ombudsman for Northern Ireland
Belfast City Hospital Health and Social Services Trust
Belfast Education and Library Board
Belfast Harbour Commissioners
The Board of Governors of Stranmillis University College, Belfast
Board of Trustees of the National Museums and Galleries of Northern Ireland
British Broadcasting Corporation
Causeway Health and Social Services Trust
Chief Electoral Officer for Northern Ireland
Chief Inspector of Criminal Justice in Northern Ireland
Citybus Limited
Coleraine Harbour Commissioners
Commissioner for Children and Young People for Northern Ireland
Comptroller and Auditor General for Northern Ireland
Construction Industry Training Board
Council for Catholic Maintained Schools
Craigavon Area Hospital Group Health and Social Services Trust
Craigavon and Banbridge Community Health and Social Services Trust
Any District Council
Down Lisburn Health and Social Services Trust
Eastern Health and Social Services Board
Economic Research Institute of Northern Ireland Limited
Enterprise Ulster
Equality Commission for Northern Ireland
Fire Authority for Northern Ireland
Fisheries Conservancy Board for Northern Ireland
Flexibus Limited
Foyle, Carlingford and Irish Lights Commission
Foyle Health and Social Services Trust
General Consumer Council for Northern Ireland
General Teaching Council for Northern Ireland