1982 No. 254

EMPLOYMENT

Employment Agencies (Charging Fees to Workers) Regulations (Northern Ireland) 1982

Made . . . . . *5th August 1982*

Coming into operation . . . *3rd Spetember 1982*

The Department of Manpower Services in exercise of the powers conferred on it by Articles 7(1) and 10(1) of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf, after consultation, in accordance with Article 10(2) of that Order, with such bodies as appear to it to be representative of the interests concerned, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Employment Agencies (Charging Fees to Workers) Regulations (Northern Ireland) 1982 and shall come into operation on 3rd September 1982.

Interpretation

2. In these Regulations—

"the Order" means the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981;

"agent" means a person carrying on an employment agency;

"entertainment industry" means the production and presentation of—

(*a*) films, television and sound broadcasts, and recordings; and

(*b*) plays, operas, ballets, musical and variety performances, and other similar means of entertainment, whether taking place in theatres, concert halls, dance halls, clubs or any other places of public or private entertainment.

Exceptions from restriction on charging fees to workers

3.—(1) Subject to paragraph (2), the prohibition imposed by Article 7(1) of the Order, on charging persons seeking employment shall not apply to an agent where he provides the service of finding a person employment or seeking to find him employment in any of the occupations listed in the Schedule.

(2) Paragraph (1) shall not apply—

(*a*) where the agent charges a fee to the employer in respect of the service of supplying a worker; or

(*b*) where at the date on which the worker commences the employment the agent and the employer are connected with each other, that is to say,

(i) the agent, or a partner of his, or, where the agent is a company, a director of that company is also the employer;

(ii) the employer is a company controlled by any of the persons referred to in sub-paragraph (i);

(a) S.I. 1981/839 (N.I. 20)