

SCHEDULES

SCHEDULE 6

Section 73.

Definitions for the purpose of section 73

Gangmasters

- 1.—(1) This paragraph applies for the purposes of section 73(2)(e).
- (2) “Acting as a gangmaster” has the meaning given by section 4 of the Gangmasters (Licensing) Act 2004.
- (3) “Work” means work to which that Act applies.
- (4) “Northern Ireland” includes—
 - (a) any portion of the shore or bed of the sea, or of an estuary or tidal river, adjacent to Northern Ireland, whether above or below (or partly above and partly below) the low water mark, and
 - (b) the waters adjacent to Northern Ireland to a distance of 6 miles measured from the baselines from which the breadth of the territorial sea is measured.
- (5) In sub-paragraph (4)(b) “miles” means international nautical miles of 1,852 metres.

Utilities undertaker

2. A “utilities undertaker” means any of the following—
 - (a) a holder of a licence under Article 10(1) of the Electricity (Northern Ireland) Order 1992;
 - (b) a holder of a licence under Article 8 of the Gas (Northern Ireland) Order 1996;
 - (c) a water undertaker;
 - (d) a sewerage undertaker.

Institution of further education

3. “Institution of further education” has the meaning given by Article 2 of the Further Education (Northern Ireland) Order 1997.

Higher education institution

4. “Higher education institution” has the meaning given by Article 30 of the Education and Libraries (Northern Ireland) Order 1993.

Estate agency work

5. “Estate agency work” has the meaning given by section 1 of the Estate Agents Act 1979.

Lettings agency work

6.—(1) “Lettings agency work” means things done by a person in response to instructions received from a prospective landlord or a prospective tenant.

(2) In this paragraph—

(a) “prospective landlord” means a person seeking—

(i) to find another person wishing to occupy shared accommodation under a tenancy or other occupancy arrangement, and

(ii) having found such a person, to enter such an arrangement;

(b) “prospective tenant” means a person seeking—

(i) to find shared accommodation to occupy under a tenancy or other occupancy arrangement, and

(ii) having found such accommodation, to enter such an arrangement in respect of it.

(3) However, lettings agency work does not include any of the following things when done by a person who does no other things falling within sub-paragraph (1)—

(a) publishing advertisements or disseminating information;

(b) providing a means by which a prospective landlord or a prospective tenant can, in response to an advertisement or dissemination of information, make direct contact with a prospective tenant or (as the case may be) prospective landlord;

(c) providing a means by which a prospective landlord and a prospective tenant can continue to communicate directly with each other.

(4) Lettings agency work also does not include things done by a council or by the Northern Ireland Housing Executive.

(5) In sub-paragraph (2) “shared accommodation” means living accommodation which is (or which is usually or is expected to be) occupied by persons forming more than one household.

Housing benefit

7. “Housing benefit” means housing benefit provided by virtue of a scheme under section 122 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992.