

**EMPLOYMENT (MISCELLANEOUS PROVISIONS)  
(NORTHERN IRELAND) ORDER 2005**

**S.I. 2005 No. 3424 (N.I. 20)**

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**EXPLANATORY MEMORANDUM**

**COMMENTARY ON ARTICLES (COMMENTS ARE NOT GIVEN WHERE THE  
WORDING IS SELF-EXPLANATORY)**

*Enforcement of regulation of employment agencies and employment businesses*

13. [Article 2\(2\)](#) inserts new Articles 7A and 7B into the 1981 Order.  
New Article 7A provides the Department with the power to appoint officers, or to arrange with any Minister of the Crown or public body to appoint officers, to act for the purposes of the 1981 Order.  
New Article 7B provides these officers with the power to enter any relevant business premises, inspect the premises and any records or other documents required to be kept, and remove any records or documents for the purpose of copying them. The Article also sets out the penalties that will be incurred for obstructing an officer in the exercise of his duties, for failure to comply with the requirements of this Order, and for the wrongful disclosure of information obtained.  
[Article 2\(3\)](#) adds the new Article 7B (11) to the list of provisions at Article 9A of the 1981 Order. The effect of the Article is to extend the time limit within which the Department may institute proceedings for the wrongful disclosure of information obtained, from 6 months of the date of the offence to within 3 years after the date of the commission of the offence, and within 6 months after the date on which evidence, sufficient in the opinion of the Department to justify the proceedings, came to its knowledge.