

1982 No. 251

EMPLOYMENT

**Employment Agencies and Businesses (Licence Applications)
Regulations (Northern Ireland) 1982**

Made 5th August 1982

Coming into operation 3rd September 1982

The Department of Manpower Services in exercise of the powers conferred on it by Articles 4(4) 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 and Businesses (Licence Applications) Regulations (Northern Ireland) 1982 and shall come into operation on 3rd September 1982.

Interpretation

2.—(1) In these Regulations, “the Order” means the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981.

(2) Any reference in these Regulations to a form set out in a Schedule to these Regulations shall include a reference to a form to the like effect with such variations as the circumstances may require.

Applications for the grant of licences

3. An application for a licence under the Order shall be made in writing to the Department and shall—

- (a) in the case of an application by a person who at the date of the application is not the holder of a current licence in respect of the premises for which the licence is sought, be in the form set out in Schedule 1 and shall be accompanied by the particulars prescribed in that Schedule;
- (b) in the case of an application by a person who at the date of the application is the holder of a current licence in respect of the premises for which a further licence is sought, be in the form set out in Schedule 2 and shall be accompanied by the particulars prescribed in that Schedule.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 5th August 1982.

(L.S.)

Margaret L. Johnston

Assistant Secretary

EMPLOYMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1981

Application for Licence

To: The Department of Manpower Services

I/We (1) [duly authorised in that behalf by (2)
] HEREBY APPLY [for and on behalf of the said
company] for a licence under the above-mentioned Order to carry on at (3)
under the name of (4)
an (5) of the class or classes specified in the particulars which
accompany this application AND I/WE DECLARE that the information contained in the said
particulars is true to the best of my/our knowledge and belief and that I am/we are aware of the
provisions of Article 9 (fraudulent applications) of the above-mentioned Order.

Dated this day of 19 .

Signed(6)

(Applicant(s))

NOTES:

- (1) Insert full names of all the partners in the case of a firm.
- (2) Insert name of the company.
- (3) Insert address of premises.
- (4) Insert business name, if any.
- (5) Insert employment agency or employment business or employment agency and an employment business.
- (6) Insert description if application is made for and on behalf of a company.

1. The following particulars are to be provided—

- (1) in the case of an application by an individual or a firm, the signatory or signatories;
- (2) in the case of an application on behalf of a company, the director(s) and secretary of that company; and
- (3) in all cases, every person (other than a person falling under sub-paragraph (1) or (2)) employed or to be employed in a managerial capacity in connection with the employment agency and/or employment business carried on or to be carried on at the premises to which the application relates, that is to say,
 - (a) surname (Mr./Mrs./Miss);
 - (b) any former surname;
 - (c) other names;
 - (d) capacity (here insert applicant, director, secretary, etc., as the case may be);
 - (e) private address;
 - (f) date of birth if under 21;
 - (g) nationality.

2. The following particulars of—

- (1) every person falling under paragraph 1(3) above; and
- (2) every person falling under paragraph 1(1) or (2) who is or is to be directly concerned in the carrying on of the employment agency and/or employment business, that is to say,
 - (a) nature of occupation(s) during the 10 years immediately preceding date of application, the duration thereof, the name and address of employer(s) and the position(s) held;
 - (b) the name and address of any professional body to which he belongs and the nature of his qualification;

- (c) the name and address of any trade association to which he belongs and his class of membership;
- (d) the names and addresses of three suitable persons who are neither related to nor currently employed by him and of whom at least two are normally resident in the United Kingdom, from whom references may be obtained as to his suitability to hold a licence in respect of or to be associated with, as the case may be, an agency or business of the class or classes in question.

3. In the case of an application on behalf of a company, the following particulars of that company and of any company of which that company is a subsidiary—

- (1) name;
- (2) registered number;
- (3) date and place of registration;
- (4) address of registered office.

4. The following particulars of—

- (1) every person falling under paragraph 1, and
- (2) in the case of an application by a company, that company, that is to say,
 - (a) the nature of any existing or previous interest in an employment agency or employment business, wheresoever situated and whether or not required by law to be licensed, and the name and address of such employment agency or employment business;
 - (b) the date of any refusal or revocation of a licence or other permit required by law to enable that person or company to carry on an employment agency or an employment business wheresoever situated, and the name of the licensing or other authority concerned;
 - (c) any conviction or judgment against that person or company in relation to any matter involving fraud, or other dishonesty, or breach of a requirement imposed by law in relation to the conduct of employment agencies and employment businesses.

5. The part or parts of the premises specified in the application which are to be used for the purposes of the employment agency and/or employment business specified therein.

6. The date of registration and the number in the Register of Business Names of the business name, if any, specified in the application.

7. The class or classes of employment dealt with or to be dealt with by the employment agency and/or employment business specified in the application in accordance with the following list—

- (1) professional, managerial and executive;
- (2) medical, dental, persons without nursing qualifications providing nursing care;
- (3) secretarial, clerical, computer staffs;
- (4) draughtsmen;
- (5) performers and other occupations in the entertainment industry;
- (6) fashion and photographic models;
- (7) au-pairs;
- (8) hotel and catering workers;
- (9) domestics and cleaners;
- (10) construction industry workers;
- (11) engineering industry workers;
- (12) other employment (to be specified by the applicant(s)).

8. In the case of an employment agency, whether it offers, or proposes to offer, services for—

- (1) persons normally resident outside the United Kingdom seeking employment in the United Kingdom;
- (2) persons (whether normally resident in the United Kingdom or not) seeking employment outside the United Kingdom.

9. In the case of an employment business whether it sends or proposes to send persons (whether normally resident in the United Kingdom or not) in the employment of the persons carrying on that business—

- (a) to work in the United Kingdom;
- (b) to work outside the United Kingdom.

EMPLOYMENT (MISCELLANEOUS PROVISIONS) (NORTHERN IRELAND) ORDER 1981

Application for Renewal of Licence

To: The Department of Manpower Services

I/We (1) [duly authorised in that behalf by (2)] HEREBY APPLY [for and on behalf of the said Company] for the renewal of the Licence numbered granted (last renewed) on the day of 19

AND I/WE HEREBY DECLARE that:—

- (i) to the best of my/our knowledge and belief you have been notified in writing of any change in the particulars which accompanied the application for the Licence numbered in accordance with Article 4(11) of the above-mentioned Order.
(ii) I am/we are aware of the provisions of Article 9 (fraudulent applications) of the above-mentioned Order.

Dated this day of 19

Signed(3)

(Current Licence holder(s))

NOTES:

- (1) Insert full names of current licence holder(s).
(2) Insert name of company.
(3) Insert description if application is made for and on behalf of a company.

The following particulars are to be provided—

Particulars in writing of any change in the particulars (as prescribed in Schedule 1) which accompanied the original application for the licence which is held, unless such change has already been notified in writing to the Department.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 3 of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 provides that no person shall carry on an employment agency or an employment business at any premises unless he is the holder of a current licence from the Department of Manpower Services authorising him to do so. These Regulations prescribe the manner in which application for a licence under the Order must be made and the particulars which must accompany such an application.