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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 148**

**Fair Employment (Monitoring)  
Regulations (Northern Ireland) 1999**

**PART I  
INTRODUCTION**

**Citation and commencement**

1. These Regulations may be cited as the Fair Employment (Monitoring) Regulations (Northern Ireland) 1999 and shall come into operation on 1st January 2001.

**Interpretation**

2.—(1) In these Regulations—

“determination” means a determination of the community to which a person is to be treated as belonging for the purposes of monitoring;

“employee” in relation to the concern of a public authority includes any person who, by virtue of the Fair Employment (Specification of Public Authorities) Order (Northern Ireland) 1989<sup>(1)</sup>, is treated for the purposes of Articles 52 to 61 as an employee of the authority;

“prescribed information” means the information which an employer is required by virtue of regulation 5 to give in a monitoring return;

“Protestant” means belonging to the Protestant community in Northern Ireland;

“public authority” means a person who, by virtue of Fair Employment (Specification of Public Authorities) Order (Northern Ireland) 1989 is such an authority for the purposes of Articles 52 to 61;

“registered concern” includes the concern of a public authority; and

“Roman Catholic” means belonging to the Roman Catholic community in Northern Ireland.

(2) Any reference in these Regulations to a numbered Article shall be construed as a reference to the Article so numbered in the Fair Employment and Treatment (Northern Ireland) Order 1998<sup>(2)</sup>.

(3) For the purposes of these Regulations “promotion” in relation to an employee in a registered concern means that—

(a) the employee has moved from one situation to another within the concern;

(b) in doing so he did not fill a vacancy in the concern for which persons not already employed in the concern could apply; and

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(1) S.R. 1989 No. 475 as last amended by S.R. 1998 No. 424; see also S.R. 1999 No. 82

(2) S.I. 1998/3162 (N.I. 21)

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(c) as a direct result of his move there was, for the calendar year in which the move took place, an increase in the remuneration (excluding expenses) to which he was entitled from the concern,  
and “promotee” shall be construed accordingly.

### **Revocation**

3.—(1) Subject to paragraph (2), the Fair Employment (Monitoring) Regulations (Northern Ireland) 1989<sup>(3)</sup> and the Fair Employment (Monitoring) (Amendment) Regulations (Northern Ireland) 1991<sup>(4)</sup> are hereby revoked.

(2) The Regulations referred to in paragraph (1) shall continue to apply in relation to any monitoring return prepared for any year beginning before 1st January 2001 as if these Regulations had not been made.

### **Application**

4. These Regulations shall apply in relation to any monitoring return prepared for any year beginning on or after 1st January 2001.

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<sup>(3)</sup> S.R. 1989 No. 436; see also S.R. 1999 No. 82

<sup>(4)</sup> S.R. 1991 No. 324