
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 148

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

PART II

MONITORING RETURNS

Residuary methods of making a determination

11.—(1) Where an employee in a registered concern who, but for this paragraph, would fall within regulation 8(1)(b) has provided his employer, in writing, with any relevant information about himself then, notwithstanding that sub-paragraph, the employer may for the purposes of preparing a monitoring return in relation to that concern—

- (a) treat that employee as belonging to the community with which the information shows that he has a connection; and
- (b) if the information tends to show that he has a connection with both communities, treat him as belonging to the community with which, in general, it tends to show he has the stronger connection.

(2) Where an applicant for employment in a registered concern who, but for this paragraph, would fall within regulation 9(b) has provided his employer, in writing, with any relevant information about himself then, notwithstanding that paragraph, the employer may for the purposes of preparing a monitoring return in relation to that concern—

- (a) treat the applicant as belonging to the community with which the information shows he has a connection; and
- (b) if the information tends to show that he has a connection with both communities, treat him as belonging to the community with which, in general, it tends to show he has the stronger connection.

(3) For the purposes of this regulation, the following is relevant information about a person, that is to say—

- (a) his surname and other names;
- (b) his address;
- (c) the schools attended by him (whether in Northern Ireland or elsewhere);
- (d) any course that he has undertaken in preparation for any recognized award or any examination conducted by the Department of Education under Article 110 of the Education and Libraries (Northern Ireland) Order 1986(1);
- (e) his sporting or other leisure pursuits or interests;
- (f) the clubs, societies or other organisations to which he belongs;

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- (g) the occupation as a clergyman or minister of a particular religious denomination or as a teacher in any particular school, of any referee nominated by him when he applied for his employment.
- (4) Schedule 3 shall have effect for the purposes of this regulation.