
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 148

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

PART III

**OBTAINING AND RETAINING MONITORING
INFORMATION AND OFFENCES**

Information about applicants and offences in respect of that information

18.—(1) An employer in a registered concern shall, for the purposes of Article 54(1), seek to obtain from each applicant for employment in the concern, his surname and other names and his address.

(2) An employer in a registered concern shall retain—

(a) any information—

(i) which he has obtained in pursuance of paragraph (1); or

(ii) which he used in applying any of the methods prescribed by these Regulations for making a determination in the case of any applicant for employment in the concern; and

(b) a record of the determination made by him in respect of any such person as is mentioned in sub-paragraph (a)(ii),

until the expiration of three years from the date of the application of the person to whom the information or determination relates.

(3) Any person who without reasonable excuse fails to comply with paragraph (2) shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) Any person who—

(a) knowingly gives false information to another who is seeking to obtain information in pursuance of paragraph (1); or

(b) knowingly includes any false information in any records kept in pursuance of paragraph (2) (a),

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.