
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 401

EMPLOYMENT

**Public Interest Disclosure (Prescribed
Persons) Order (Northern Ireland) 1999**

Made - - - - *29th September 1999*
Coming into operation *31st October 1999*

The Department of Economic Development, in exercise of the powers conferred on it by Article 67F of the Employment Rights (Northern Ireland) Order 1996⁽¹⁾ and of every other power enabling it in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 and shall come into operation on 31st October 1999.

Prescribed persons

2.—(1) The persons and descriptions of persons prescribed for the purposes of Article 67F of the Employment Rights (Northern Ireland) Order 1996 are the persons and descriptions of persons specified in the first column of the Schedule.

(2) The descriptions of matters in respect of which each person, or persons of each description, specified in the first column of the Schedule is or are prescribed are the descriptions of matters respectively specified opposite them in the second column of the Schedule.

(1) [S.I. 1996/1919 \(N.I. 16\)](#); Article 67F of the Employment Rights (Northern Ireland) Order 1996 was inserted by Article 3 of the Public Interest Disclosure (Northern Ireland) Order 1998, ([S.I. 1998/1763 \(N.I. 17\)](#))

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department of Economic Development on 29th September 1999.

L.S.

R. B. Gamble
Assistant Secretary

SCHEDULE

Article 2

Column (1) <i>Persons and descriptions of persons</i>	Column (2) <i>Descriptions of matters</i>
Building Societies Commission	The operation of building societies.
Certification Officer for Northern Ireland	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Chief Executive of the Criminal Cases Review Commission	Actual or potential miscarriages of justice.
Civil Aviation Authority	Compliance with the requirements of civil aviation legislation, including aviation safety.
Commissioners of Customs and Excise	Value added tax, insurance premium tax, excise duties and landfill tax. The import and export of prohibited or restricted goods.
Commissioners of the Inland Revenue	Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay and statutory sick pay.
Comptroller and Auditor General for Northern Ireland	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services.
Data Protection Registrar	Compliance with the requirements of legislation relating to data protection.
Department of Agriculture	Acts or omissions which have an actual or potential effect on the flows in rivers or on drainage of land. Acts or omissions which have an adverse or potentially adverse effect on fish in the sea, inland fisheries, or on migratory salmon or trout.
Department of Economic Development	Fraud and other misconduct in relation to companies. Compliance with the requirements of consumer protection and fair trading legislation.
Department of the Environment	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment including those relating to pollution.
Department of Health and Social Services and auditors appointed by that Department	The proper conduct of public business, value for money, fraud and corruption in health service bodies.
Director General of Electricity Supply for Northern Ireland	The generation, transmission, distribution and supply of electricity and activities ancillary to these matters.

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Column (1) <i>Persons and descriptions of persons</i>	Column (2) <i>Descriptions of matters</i>
Director General of Fair Trading	Matters concerning the sale of goods or the supply of services which adversely affect the interests of consumers. Matters relating to consumer credit and hire, estate agency, unfair terms in consumer contracts and misleading advertising. The abuse of a dominant position in a market and the prevention, restriction or distortion of competition.
Director General of Gas for Northern Ireland	The conveyance, storage and supply of gas, and activities ancillary to these matters.
Director General of Telecommunications	The provision and use of telecommunication systems, services and apparatus.
Director of the Serious Fraud Office	Serious or complex fraud.
District Councils	Matters which may affect the health or safety of any individual at work; matters, which may affect the health or safety of any member of the public, arising out of or in connection with the activities of persons at work. Compliance with the requirements of consumer safety legislation.
Financial Services Authority	The carrying on of investment business or of insurance business; the operation of banks, deposit-taking businesses and wholesale money market regimes; the functioning of financial markets, investment exchanges and clearing houses; the functioning of other financial regulators; money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Services Authority.
Fisheries Conservancy Board for Northern Ireland	Acts or omissions which have an adverse or potentially adverse effect on inland fisheries or on migratory salmon or trout.
Foyle Fisheries Commission	Acts or omissions which have an adverse or potentially adverse effect on inland fisheries or on migratory salmon or trout.
Friendly Societies Commission	The operation of friendly societies and industrial assurance companies.
Health and Safety Executive for Northern Ireland	Matters which may affect the health or safety of any individual at work; matters, which may affect the health or safety of any member of the public, arising out of or in connection with the activities of persons at work.

Column (1) <i>Persons and descriptions of persons</i>	Column (2) <i>Descriptions of matters</i>
Investment Management Regulatory Organisation	The activities of persons regulated by the Investment Management Regulatory Organisation.
Local government auditors appointed by the Department of the Environment	The proper conduct of public business, value for money, fraud and corruption in district councils, the Northern Ireland Housing Executive, the Fire Authority for Northern Ireland, the Northern Ireland Local Government Officers' Superannuation Committee and the Local Government Staff Commission for Northern Ireland.
Occupational Pensions Regulatory Authority	Matters relating to occupational pension schemes and other private pension arrangements.
Personal Investment Authority	The activities of persons regulated by the Personal Investment Authority.
Registrar of Credit Unions for Northern Ireland	The operation of credit unions and industrial and provident societies.
Securities and Futures Authority	The activities of persons regulated by the Securities and Futures Authority.
The competent authority under Part IV of the Financial Services Act 1986(2)	The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.
Treasury	The carrying on of insurance business.
A person (“person A”) carrying out functions, by virtue of legislation, relating to relevant failures falling within one or more matters within a description of matters in respect of which another person (“person B”) is prescribed by this Order, where person B was previously responsible for carrying out the same or substantially similar functions and has ceased to be so responsible	Matters falling within the description of matters in respect of which person B is prescribed by this Order to the extent that those matters relate to functions currently carried out by person A.

(2) 1986 c. 60

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EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prescribes persons for the purposes of Article 67F of the Employment Rights (Northern Ireland) Order 1996 (“the 1996 Order”).

The first column of the Schedule specifies the persons and descriptions of persons prescribed, and the second column specifies the descriptions of matters in respect of which each person, or description of persons, is prescribed.

The broad effect of the Order, taken with Article 67F, is that a worker potentially protected by the provisions of the 1996 Order, will be protected by the 1996 Order, if he makes a qualifying disclosure in good faith to a person prescribed in the Order, reasonably believing that the failure disclosed falls within the matters in respect of which that person is prescribed, and that the information disclosed, and any allegation contained in it, are substantially true.