
DRAFT STATUTORY INSTRUMENTS

2003 No.

**The Conduct of Employment Agencies and
Employment Businesses Regulations 2003**

PART I

GENERAL AND INTERPRETATION

Interpretation

2. In these Regulations, unless the context otherwise requires—

“the Act” means the Employment Agencies Act 1973;

“advertisement” includes every form of advertising by whatever means;

“agency” means an employment agency as defined in section 13(1) and (2) of the Act⁽¹⁾ and includes a person carrying on an agency, and in the case of a person who carries on both an agency and an employment business means such a person in his capacity in carrying on the agency;

“business day” means a day other than a Saturday or a Sunday, Christmas Day or Good Friday, or a day which is a bank holiday under or by virtue of the Banking and Financial Dealings Act 1971⁽²⁾ in that part of Great Britain;

“company” includes any body corporate (whether incorporated in Great Britain or elsewhere) and references to directors and other officers of a company and to voting power at any general meeting of a company have effect in the case of a company incorporated outside Great Britain with any necessary modifications;

“employment business” means an employment business as defined in section 13(1) and (3) of the Act and includes a person carrying on an employment business, and in the case of a person who carries on both an employment business and an agency means such a person in his capacity in carrying on the employment business;

“hirer” means a person (including an employment business) to whom an agency or employment business introduces or supplies or holds itself out as being capable of introducing or supplying a work-seeker;

“publication” means any publication whether in paper or electronic form other than a programme service within the meaning of the Broadcasting Act 1990⁽³⁾;

“work-finding services” means services (whether by the provision of information or otherwise) provided—

(a) by an agency to a person for the purpose of finding that person employment or seeking to find that person employment;

(1) Section 13(2) was prospectively amended by the Employment Relations Act 1999 (c. 26), Schedule 7, paragraphs 1

(2) 1971 c. 80.

(3) 1990 c. 42; section 201 was amended by the Broadcasting Act 1996 (c. 42), Schedule 10, paragraph 11, and prospectively by the Communications Act 2003 (c. 21), section 360(1)(a), (b) and (2).

- (b) by an employment business to an employee of the employment business for the purpose of finding or seeking to find another person, with a view to the employee acting for and under the control of that other person;
- (c) by an employment business to a person (the “first person”) for the purpose of finding or seeking to find another person (the “second person”), with a view to the first person becoming employed by the employment business and acting for and under the control of the second person;

“work-seeker” means a person to whom an agency or employment business provides or holds itself out as being capable of providing work-finding services.