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STATUTORY INSTRUMENTS

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**2003 No. 3319**

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

**PART III**

**REQUIREMENTS TO BE SATISFIED BEFORE SERVICES ARE PROVIDED**

**Requirement to obtain agreement to terms with hirers**

**17.**—(1) Before first providing services (other than the provision of information in the form of a publication) to a hirer, an agency or employment business shall agree with the hirer the terms which apply or will apply between the agency or employment business and the hirer, including—

- (a) a statement as to whether the agency or employment business will operate as an employment agency or an employment business in relation to the hirer;
- (b) details of any fee which may be payable by the hirer to the agency or employment business including—
  - (i) the amount or method of calculation of such fee; and
  - (ii) the circumstances, if any, in which refunds or rebates are payable to the hirer, the scale of such refunds or rebates, and if no refunds or rebates are payable, a statement to that effect;
- (c) in the case of an employment business, details of the procedure to be followed if a work-seeker introduced or supplied to the hirer proves unsatisfactory; and
- (d) in the case of an agency, details of the agency's authority, if any, to act for the hirer, including whether, and if so upon what terms, it is (in accordance with regulation 11) authorised to enter into contracts with work-seekers on behalf of the hirer.

(2) The agency or employment business shall ensure that all of the terms are recorded in a single document and that, unless the hirer has a copy thereof, a copy is sent to the hirer as soon as is reasonably practicable.

(3) If the agency or employment business and the hirer agree to any variation in the terms set out in the document referred to in paragraph (2), the agency or employment business shall, unless the hirer has a copy thereof, as soon as is reasonably practicable, give to the hirer a document containing details of the variation and stating the date on or after which it is agreed that the varied terms are to take effect.