
STATUTORY INSTRUMENTS

2010 No. 493

**The Employment Relations Act
1999 (Blacklists) Regulations 2010**

Refusal of employment or employment agency services

Refusal of employment agency services

6.—(1) A person (P) has a right of complaint to an employment tribunal against an employment agency (E) if E refuses P any of its services for a reason which relates to a prohibited list, and either—

- (a) E contravenes regulation 3 in relation to that list, or
- (b) E—
 - (i) relies on information supplied by a person who contravenes that regulation in relation to that list, and
 - (ii) knows or ought reasonably to know that information relied on is supplied in contravention of that regulation.

(2) E shall be taken to refuse P a service if P seeks to make use of the service and E—

- (a) refuses or deliberately omits to make the service available to P;
- (b) causes P not to make use of the service or to cease to make use of it; or
- (c) does not provide P the same service, on the same terms, as is provided to others.

(3) If there are facts from which the tribunal could conclude, in the absence of any other explanation, that E contravened regulation 3 or relied on information supplied in contravention of that regulation, the tribunal must find that such a contravention or reliance on information occurred unless E shows that it did not.