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STATUTORY INSTRUMENTS

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**2005 No. 2464**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Public Interest Disclosure (Prescribed Persons)(Amendment) Order 2005**

*Made* - - - - *2nd September 2005*  
*Laid before Parliament* *7th September 2005*  
*Coming into force* - - *1st October 2005*

The Secretary of State, in exercise of the powers conferred on him by section 43F of the Employment Rights Act 1996 (1), hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2005 and shall come into force on 1<sup>st</sup> October 2005.

(2) In this Order—

“the Schedule” means the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 1999(2).

(3) In this Order (save where the context otherwise requires) references to entries are references to entries in the Schedule.

**Amendment**

2. The Schedule is amended in accordance with article 3 below.

3.—(1) After the entry relating to the Civil Aviation Authority, there shall be inserted the entry in the Schedule to this Order relating to the Office of Communications.

(2) The entry relating to the Director General of Telecommunications shall be deleted.

(3) After the entry relating to Audit Scotland, there shall be inserted the entry in the Schedule to this Order relating to the Gas and Electricity Markets Authority.

(4) The entries relating to the Director General of Electricity Supply and Director General of Gas Supply shall be deleted.

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(1) 1996 (c. 18). Section 43F was inserted by the Public Interest Disclosure Act 1998 (c. 23), section 1.  
(2) S.I.1999/1549 as amended by S.I. 2003/1993, S.I. 2004/3265 and S.I. 2004/664.

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(5) For the entry relating to the Commission for Healthcare Audit and Inspection or the Commission for Social Care Inspection, there shall be substituted the entries in the Schedule to this Order relating to the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection.

(6) For the entry relating to the National Assembly for Wales there shall be substituted the entry in the Schedule to this Order relating to the National Assembly for Wales.

(7) The entry relating to the Occupational Pensions Regulatory Authority shall be amended to refer to the Pensions Regulator in substitution for the Occupational Pensions Regulatory Authority.

2nd September 2005

*Alun Michael*  
Minister for Industry and the Regions  
Department of Trade and Industry

SCHEDULE

Article 3

<i>First Column</i> <i>Persons and descriptions of people</i>	<i>Second Column</i> <i>Descriptions of matters</i>
Office of Communications	Matters relating to – (a) the provision of electronic communications networks and services and the use of the electro-magnetic spectrum; (b) broadcasting and the provision of television and radio services; (c) media ownership and control; and (d) competition in communications markets.
Gas and Electricity Markets Authority	The generation, transmission, distribution and supply of electricity, participation in the operation of an electricity interconnector (as defined in section 4(3E) of the Electricity Act 1989 <sup>(3)</sup> ) and activities ancillary to these matters.  The transportation, shipping and supply of gas through pipes, participation in the operation of a gas interconnector (as defined in section 5(8) of the Gas Act 1986 <sup>(4)</sup> ) and activities ancillary to these matters.
Commission for Healthcare Audit and Inspection	Matters connected with – (a) the provision of health care for the purposes of the National Health Service (where “health care” has the same meaning as in section 45(2) of the Health and Social Care (Community Health and Standards) Act 2003 <sup>(5)</sup> ); (b) the provision of independent health services within the meaning of section 5A(8) of the Care Standards Act 2000 <sup>(6)</sup> ; or (c) any activities not covered by (a) and (b) in relation to which the Commission for Healthcare Audit and Inspection exercises its functions.
Commission for Social Care Inspection	Matters relating to the provision of regulated social care services as defined in the Care Standards Act 2000, and the inspection and performance assessment of English local authority social services as defined in

<sup>(3)</sup> 1989 (c. 29). Section 4(3E) was inserted by section 145(3) of the Energy Act 2004 (c. 20).

<sup>(4)</sup> 1986 (c. 44). Section 5(8) was inserted by section 149(3) of the Energy Act 2004.

<sup>(5)</sup> 2003 (c. 43).

<sup>(6)</sup> 2000 (c. 14).

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<i>First Column</i>	<i>Second Column</i>
<i>Persons and descriptions of people</i>	<i>Descriptions of matters</i>
National Assembly for Wales	<p>section 148 of the Health and Social Care (Community Health and Standards) Act 2003.</p> <p>Matters relating to the provision of Part II services as defined in section 8 of the Care Standards Act 2000 and the Children Act 1989(7).</p> <p>Matters relating to the inspection and performance assessment of Welsh local authority social services as defined in section 148 of the Health and Social Care (Community Health and Standards) Act 2003.</p> <p>Matters relating to the review of, and investigation into, the provision of health care by and for Welsh NHS bodies as defined under the Health and Social Care (Community Health and Standards) Act 2003.</p> <p>The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.</p>

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Public Interest Disclosure (Prescribed Persons) Order 1999 by making changes to the Schedule to that Order. The amendments to the Schedule are the inclusion of some persons not previously included, the deletion of others and some amendments to the description of matters for which certain persons are prescribed.

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(7) 1989 (c. 41)