
STATUTORY INSTRUMENTS

2017 No. 521

**The Gangmasters and Labour Abuse Authority
(Complaints and Misconduct) Regulations 2017**

PART 5

HANDLING OF DSI MATTERS

Duty to record DSI matters

34.—(1) Where a DSI matter comes to the attention of the Chief Executive, the Chief Executive must record that matter.

(2) If it appears to the Commission—

- (a) that any matter that has come to its attention is a DSI matter; but
- (b) that that matter has not been recorded by the Chief Executive,

the Commission may direct the Chief Executive to record that matter; and the Chief Executive must comply with the direction.

Duty to preserve evidence relating to DSI matters

35.—(1) Where the Chief Executive becomes aware of any DSI matter, the Chief Executive must take all such steps as appear to be appropriate for the purposes of these Regulations for obtaining and preserving evidence relating to that matter.

(2) The Chief Executive's duty under paragraph (1) must be performed as soon as practicable after the Chief Executive becomes aware of the matter in question.

(3) After that, the Chief Executive must, until satisfied that it is no longer necessary to do so, continue to take the steps from time to time appearing to the Chief Executive to be appropriate for the purposes of these Regulations for obtaining and preserving evidence relating to the matter.

(4) The Chief Executive must take all such specific steps for obtaining or preserving evidence relating to any DSI matter as the Chief Executive may be directed to take for the purposes of this regulation by the Commission.

Reference of DSI matters to the Commission

36.—(1) The Chief Executive must refer all DSI matters which come to the Chief Executive's attention to the Commission.

(2) A DSI matter must be referred to the Commission in such manner as the Commission specifies and—

- (a) in a case where the Commission directs that the matter be referred to it, without delay and in any event not later than the end of the day following the day on which the Commission so directs; and

- (b) in any other case, without delay and in any event not later than the end of the day following the day on which the matter first comes to the attention of the Chief Executive.
- (3) A matter that has already been referred to the Commission under paragraph (1) on a previous occasion is not required to be referred again, unless the Commission so directs.

Duties of the Commission on references under regulation 36

37.—(1) The Commission must, in the case of every DSI matter referred to it by the Chief Executive, determine whether or not it is necessary for the matter to be investigated.

(2) Where the Commission determines under this regulation that it is not necessary for a DSI matter to be investigated, it may if it thinks fit refer the matter back to the Chief Executive to be dealt with by the Chief Executive in such manner (if any) as the Chief Executive may determine.