
STATUTORY INSTRUMENTS

2003 No. 3319

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

PART IV

**REQUIREMENTS TO BE SATISFIED IN RELATION TO THE
INTRODUCTION OR SUPPLY OF A WORK-SEEKER TO A HIRER**

Provision of information to work-seekers and hirers

21.—(1) Subject to [F1 paragraphs (3), (4) and (5)], an agency or employment business shall ensure that at the same time as—

- (a) it proposes a particular work-seeker to a hirer—
 - (i) it gives to the hirer (whether orally or otherwise) all information it has been provided with about the matters referred to in regulation 19; and
 - (ii) in the case of an employment business, the information it gives to the hirer (whether orally or otherwise) includes whether the work-seeker to be supplied will be employed by it under a contract of service or apprenticeship or a contract for services;
- (b) it offers a work-seeker a position with a hirer—
 - (i) it gives to the work-seeker (whether orally or otherwise) all information it has been provided with about the matters referred to in paragraphs (a) to (e) and, where applicable, paragraph (f) of regulation 18; and
 - (ii) in the case of an employment business that has not agreed a rate of remuneration in accordance with regulation 15(d)(i), it informs the work-seeker (whether orally or otherwise) of the rate of remuneration it will pay him to work in that position.

(2) Where any of the information referred to in paragraph (1) is not given to the work-seeker or hirer, as the case may be, in paper form or by electronic means at the time referred to in paragraph (1), the agency or employment business shall confirm such information in paper form or by electronic means to the work-seeker or hirer, as the case may be, as soon as possible and in any event no later than the end of the third business day following the day on which it was given to the work-seeker or hirer in accordance with paragraph (1).

(3) Paragraph (1) shall not apply where—

- (a) an agency or employment business intends to introduce or supply a work-seeker to a hirer to work in the same position with that hirer as he has worked within the previous five business days; and
- (b) the information which that agency or employment business would be required to give the work-seeker and hirer by virtue of this regulation (other than that required by regulation 18(b)), would be the same as the information which the work-seeker and hirer have already received,

unless the work-seeker or hirer requests otherwise.

[^{F2}(4) Subject to paragraphs (3) and (5), where an employment business intends to introduce or supply a work-seeker to a hirer for an assignment of five consecutive business days' duration or less—

- (a) paragraph (1)(a)(i) may be satisfied by the employment business giving to the hirer (whether orally or otherwise) the name of the work-seeker to be supplied and a written confirmation by the employment business that it has complied with regulation 19; and
- (b) paragraph (1)(b) may be satisfied, where the employment business has previously provided the work-seeker with the information referred to under that paragraph and that information remains unchanged, by the employment business giving to the work-seeker in paper form or by electronic means the information referred to in regulation 18(a) and (b).

(5) Where, after it has started, an assignment to which paragraph (4) applies is extended beyond a duration of five business days, the information referred to in paragraph (1) which has not already been provided shall be provided in paper form or by electronic means by the end of the eighth business day of the assignment, or by the end of the assignment if sooner.]

- F1** Words in [reg. 21\(1\)](#) substituted (6.4.2008) by [The Conduct of Employment Agencies and Employment Businesses \(Amendment\) Regulations 2007 \(S.I. 2007/3575\)](#), regs. 1, **5(a)**
- F2** [Reg. 21\(4\)\(5\)](#) inserted (6.4.2008) by [The Conduct of Employment Agencies and Employment Businesses \(Amendment\) Regulations 2007 \(S.I. 2007/3575\)](#), regs. 1, **5(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Conduct of Employment Agencies and Employment Businesses Regulations 2003, Section 21.