
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 298

Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002

PART IV

SPECIAL CLASSES OF PERSON

Crown employment

13.—(1) Subject to regulation 14, these Regulations have effect in relation to Crown employment and persons in Crown employment as they have effect in relation to other employment and other employees.

(2) For the purposes of paragraphs (1) and (3) a person is in “Crown employment” only if –

- (a) he is in employment under or for the purposes of a government department or any officer or body exercising on behalf of the Crown functions conferred by a statutory provision, and
- (b) having regard to the terms and conditions under which he works, he would be an employee if he was not in Crown employment.

(3) For the purposes of the application of the provisions of these Regulations in relation to Crown employment and persons in Crown employment in accordance with paragraph (1) –

- (a) references to an employee shall be construed as references to a person in Crown employment;
- (b) references to a contract of employment shall be construed, in relation to a person in Crown employment, as references to the terms and conditions mentioned in paragraph (2)(b); and
- (c) references to dismissal shall be construed as references to the termination of Crown employment.

Armed forces

14. These Regulations –

- (a) do not apply to service as a member of the naval, military or air forces of the Crown, but
- (b) do apply to employment by an association established for the purposes of Part XI of the Reserve Forces Act 1996⁽¹⁾.

Police service

15.—(1) For the purposes of these Regulations, the holding, otherwise than under a contract of employment, of the office of constable or an appointment as a police cadet shall be treated as employment, under a contract of employment, by the relevant officer.

(2) In this regulation “the relevant officer” means –

(1) 1996 c. 14

- (a) in relation to a member of the Police Service of Northern Ireland or the Police Service of Northern Ireland Reserve, the Chief Constable;
- (b) in relation to a person holding office under section 9(1)(b) of the Police Act 1997⁽²⁾ (police members of the National Criminal Intelligence Service), the Director General of the National Criminal Intelligence Service; and
- (c) in relation to any other person holding the office of constable or an appointment as a police cadet, the person who has the direction and control of the body of constables or cadets in question.