
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 395

**Conduct of Employment Agencies and Employment
Businesses Regulations (Northern Ireland) 2005**

PART I

GENERAL AND INTERPRETATION

The meaning of “connected”

- 3.—(1)** For the purposes of these Regulations a person is connected with –
- (a) his partner, minor child or stepchild;
 - (b) any individual who employs him or is his employee;
 - (c) any person who is in partnership with him;
 - (d) any company of which he is a director or other officer and any company connected with that company;
 - (e) in the case of a company –
 - (i) any person who is a director or other officer of that company;
 - (ii) any subsidiary or holding company, both as defined in Article 4 of the Companies (Northern Ireland) Order 1986(1), of that company and any person who is a director or other officer, or an employee of any such subsidiary or holding company; or
 - (iii) any company of which the same person or persons have control; and
 - (f) in the case of a trustee of a trust, a beneficiary of the trust, and any person to whom the terms of the trust confer a power that may be exercised for that person’s benefit.
- (2) For the purposes of paragraph (1)(a) “partner” means –
- (a) on and before 4th December 2005, a spouse or the person with whom a person lives as husband or wife, or the person with whom a person lives in a relationship which is between two persons of the same sex such that they would be regarded as living together as husband and wife if they were two persons of the opposite sex;
 - (b) on and after 5th December 2005, a spouse, civil partner or the person with whom a person lives as husband or wife or as if they were civil partners.
- (3) For the purposes of paragraph (1)(e)(iii) a person is to be taken as having control of a company if –
- (a) he or any person with whom he is connected is a director of that company or of another company which has control of it;
 - (b) the directors of that company or another company which has control of it (or any of them) are accustomed to act in accordance with his directions or instructions; or

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- (c) he is entitled to exercise, or control the exercise of, one third or more of the voting power at any general meeting of the company or of another company which has control of it.