

2006 No. 458

EMPLOYMENT

**Public Interest Disclosure (Prescribed Persons) (Amendment)
Order (Northern Ireland) 2006**

Made - - - - - *17th November 2006*

Coming into operation - *10th December 2006*

The Department for Employment and Learning(a) makes the following Order in exercise of the powers conferred by Article 67F of the Employment Rights (Northern Ireland) Order 1996(b), and now vested in it(c):

Citation and commencement

1. This Order may be cited as the Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2006 and shall come into operation on 10th December 2006.

Amendment

2. For the Schedule to the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999(d) there shall be substituted the Schedule to this Order.

Revocation

3. The Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2004(e) is hereby revoked.

Sealed with the Official Seal of the Department for Employment and Learning on 17th November 2006.



D.S.S. McAuley
A senior officer of the
Department for Employment and Learning

(a) Formerly the Department of Higher and Further Education, Training and Employment; *see* 2001 c. 15 (N.I.)
(b) S.I. 1996/1919 (N.I. 16); Article 67F was inserted by Article 3 of the Public Interest Disclosure (Northern Ireland) Order 1998 (S.I. 1998/1763 (N.I. 17))
(c) *See* S.R. 1999 No. 481
(d) S.R. 1999 No. 401
(e) S.R. 2004 No. 261

SCHEDULE

Article 2

<i>Column (1)</i>	<i>Column (2)</i>
<i>Persons and description of persons</i>	<i>Descriptions of matters</i>
Certification Officer for Northern Ireland	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Chairman of the Criminal Cases Review Commission	Actual or potential miscarriages of justice.
Civil Aviation Authority	Compliance with the requirements of civil aviation legislation, including aviation safety.
Comptroller and Auditor General for Northern Ireland	The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services and health service bodies.
Department of Agriculture and Rural Development	Acts or omissions which have an actual or potential effect on the flows in rivers or on drainage of land. Acts or omissions which have an adverse or potentially adverse effect on fish in the sea and fish health.
Department of Enterprise, Trade and Investment	Fraud and other misconduct in relation to companies. Compliance with the requirements of consumer protection and fair trading legislation.
Department of the Environment	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment including those relating to pollution.
Department for Social Development	The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.
Director of the Serious Fraud Office	Serious or complex fraud.
Financial Services Authority	Matters in connection with activities relating to the Financial Services Authority such as the carrying on of investment business or of insurance business; the operation of banks and building societies, deposit-taking businesses and wholesale money market regimes; the operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies, and industrial and provident societies; the functioning of financial markets, investment exchanges and clearing houses; money laundering, crime, and other

	serious financial misconduct.
Fisheries Conservancy Board for Northern Ireland	Acts or omissions which have an adverse or potentially adverse effect on inland fisheries or on migratory salmon or trout.
Food Standards Agency	Matters which may affect the health of any member of the public in relation to the consumption of food and other related matters concerning the protection of the interests of consumers in relation to food.
Health and Safety Executive for Northern Ireland	Matters which may affect the health or safety of any individual at work; matters which may affect the health or safety of any member of the public, arising out of or in connection with the activities of persons at work.
Her Majesty's Revenue and Customs	Value added tax, insurance premium tax, excise duties and landfill tax. The import and export of prohibited or restricted goods. Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.
Information Commissioner	Compliance with the requirements of legislation relating to data protection and to freedom of information.
Local government auditors appointed by the Department of the Environment from the staff of the Northern Ireland Audit Office	The proper conduct of public business, value for money, fraud and corruption in district councils, joint committees, the Northern Ireland Local Government Officers' Superannuation Committee and the Local Government Staff Commission for Northern Ireland.
Northern Ireland Authority for Energy Regulation	The regulation of the generation, transmission, distribution and supply of electricity, and activities ancillary to these matters. The regulation of the conveyance, storage and supply of gas through pipes, and activities ancillary to these matters.
Northern Ireland Commissioner for Children and Young People	Matters relating to the rights and best interests of children and young people.
Northern Ireland District Councils	Matters which may affect the health or safety of any individual at work; matters, which may affect the health or safety of any member of the public, arising out of or in connection with the activities of persons at work. Compliance with the requirements of consumer protection legislation. Compliance with the requirements

Northern Ireland Social Care Council	<p>of food safety legislation.</p> <p>Matters relating to the registration and regulation of social care workers under the Health and Personal Social Services Act (Northern Ireland) 2001.</p> <p>The regulation of education and training in social work and social care work.</p>
Office of Communications	<p>Matters relating to —</p> <ul style="list-style-type: none"> (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.
Office of Fair Trading	<p>The regulation of the UK consumer credit market through a licensing system, and the application of consumer protection legislation where matters adversely affect the <i>collective</i> interests of UK consumers.</p> <p>The enforcement of Competition Law in the UK.</p>
Pensions Regulator	<p>Matters relating to occupational pension schemes and other private pension arrangements.</p>
Registrar of Credit Unions for Northern Ireland	<p>The operation of credit unions and industrial and provident societies.</p>
Regulation and Quality Improvement Authority	<p>Matters relating to the standard of health and social care provided by both statutory and independent providers.</p>
Secretary of State for Transport	<p>Compliance with merchant shipping law, including maritime safety.</p>
The competent authority under Part IV of the Financial Services and Markets Act 2000	<p>The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.</p>
The Loughs Agency of the Foyle, Carlingford & Irish Lights Commission	<p>Acts or omissions which have an adverse or potentially adverse effect on inland fisheries or on migratory salmon or trout.</p>
Treasury	<p>The carrying on of insurance business.</p>
<p>A person (“person A”) carrying out functions, by virtue of legislation, relating to relevant failures falling within one or more matters within a description of matters in respect of which another person (“person B”) is prescribed by this Order, where person B was</p>	<p>Matters falling within the description of matters in respect of which person B is prescribed by this Order, to the extent that those matters relate to functions currently carried out by person A.</p>

previously responsible for carrying out the same or substantially similar functions and has ceased to be so responsible.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Public Interest Disclosure (Prescribed Persons) Order (Northern Ireland) 1999 (S.R. 1999 No. 401) by replacing the Schedule to that Order. The amendments to the Schedule are the inclusion of the Northern Ireland Commissioner for Children and Young People and the Secretary of State for Transport; the inclusion of the Chairman of the Criminal Cases Review Commission in substitution for the Chief Executive of the Criminal Cases Review Commission; the deletion of the Department of Health, Social Services and Public Safety and Auditors appointed by that Department; and amendments to the description of matters for which the Comptroller and Auditor General for Northern Ireland, the Department of Agriculture and Rural Development, the local government auditors appointed by the Department of the Environment from the staff of the Northern Ireland Audit Office, the Northern Ireland Authority for Energy Regulation, Northern Ireland District Councils, the Northern Ireland Social Care Council, the Office of Communications and the Office of Fair Trading are prescribed.

The references to the Commissioners of Customs and Excise and Commissioners of the Inland Revenue have been amended to read 'Her Majesty's Revenue and Customs', the reference to the Health and Social Services Board Registration and Inspection Units has been amended to read 'Regulation and Quality Improvement Authority', and the Occupational Pensions Regulatory Authority has been amended to read 'Pensions Regulator'.