
DRAFT STATUTORY INSTRUMENTS

1998 No.

**The Fair Employment and Treatment
(Northern Ireland) Order 1998**

PART X

APPLICATION TO THE CROWN, THE POLICE AND PUBLIC AUTHORITIES

Application to the Crown

- 91.**—(1) Subject to the following provisions of this Part, this Order (except Part VII) applies—
- (a) to an act done by or for purposes of a Minister of the Crown or a government department; or
 - (b) to an act done on behalf of the Crown by a statutory body or a person holding a statutory office; or
 - (c) to an act done by a member of Her Majesty's forces acting as such,
- as it applies to an act done by a private person.
- (2) For the purposes of paragraph (1), in this Order (except Part VII)—
- (a) references to employment include references to—
 - (i) service for purposes of a Minister of the Crown or government department, other than service of a person holding a statutory office; and
 - (ii) service on behalf of the Crown for purposes of a person holding a statutory office or purposes of a statutory body; and
 - (iii) service as a member of Her Majesty's forces;
 - (b) references to a contract of employment include references to the terms of such service;
 - (c) references to an employee include references to a person who is seeking to become engaged in such service, who is in such service or who has ceased to be in such service; and
 - (d) references to an employer, in relation to an employee, include references to (as the case requires) the authority with power to appoint him, to fix his terms of service, to afford him any benefit, to dismiss him or to subject him to any detriment.
- (3) Paragraph (2) of Article 6 (or that paragraph as it has effect by virtue of an order under paragraph (3) of that Article) and paragraph (4) of Article 33—
- (a) shall have effect in relation to any ship, aircraft or hovercraft belonging to or possessed by Her Majesty in right of the Government of Northern Ireland as they have effect in relation to a ship, aircraft or hovercraft mentioned in sub-paragraph (a) or (b) of the paragraph in question; but
 - (b) shall not have effect in relation to any ship, aircraft or hovercraft belonging to or possessed by Her Majesty in right of the Government of the United Kingdom.
- (4) In this Part—

- (a) references to Her Majesty's forces are references to the naval, military or air forces of the Crown, but do not include references to any cadet training corps for the time being administered by the Ministry of Defence; and
- (b) service "for purposes of" a Minister of the Crown or government department does not include service in any office in Schedule 2 (Ministerial offices) to the House of Commons Disqualification Act 1975.