
DRAFT STATUTORY INSTRUMENTS

2003 No.

The Conduct of Employment Agencies and
Employment Businesses Regulations 2003

PART II

GENERAL OBLIGATIONS

Restriction on providing work-seekers in industrial disputes

7.—(1) Subject to paragraph (2) an employment business shall not introduce or supply a work-seeker to a hirer to perform—

- (a) the duties normally performed by a worker who is taking part in a strike or other industrial action (“the first worker”), or
- (b) the duties normally performed by any other worker employed by the hirer and who is assigned by the hirer to perform the duties normally performed by the first worker,

unless in either case the employment business does not know, and has no reasonable grounds for knowing, that the first worker is taking part in a strike or other industrial action.

(2) Paragraph (1) shall not apply if, in relation to the first worker, the strike or other industrial action in question is an unofficial strike or other unofficial industrial action for the purposes of section 237 of the Trade Union and Labour Relations (Consolidation) Act 1992⁽¹⁾.

⁽¹⁾ 1992 c. 52; section 237 was inserted by the Trade Union Reform and Employment Rights Act 1993 (c. 19), section 49(2) and Schedule 8, paragraph 76, and amended by the Employment Rights Act 1996 (c. 18), Schedule 1, paragraph 56(1), (15) and the Employment Relations Act 1999 (c. 26), section 9 and Schedule 4, Part III, paragraphs 1, 2(a) and (b).