
DRAFT STATUTORY INSTRUMENTS

2010 No.

**The Employment Relations Act
1999 (Blacklists) Regulations 2010**

Introductory provisions

Citation, commencement and extent

1. These Regulations—
 - (a) may be cited as the Employment Relations Act 1999 (Blacklists) Regulations 2010,
 - (b) come into force on the day after the day on which they are made, and
 - (c) extend to Great Britain.

Interpretation

- 2.—(1) In these Regulations—

“employment agency” means a person who, for profit or not, provides services for the purposes of finding employment for workers or supplying employers with workers, and does not include a trade union by reason only of the services a trade union provides only for and in relation to its members;

“office”, in relation to a trade union, means any position—

 - (a) by virtue of which the holder is an official of the trade union, or
 - (b) to which Chapter 4 of Part 1 of the Trade Union and Labour Relations (Consolidation) Act 1992(1) (duty to hold elections) applies,

and “official” has the meaning given by section 119 of that Act;

“prohibited list” has the meaning given by regulation 3(2);

“services”, in relation to an employment agency, means services for the purposes of finding employment for workers or supplying employers with workers;

“use”, in relation to a prohibited list, includes use of information contained in the list.

(1) 1992 c. 52; section 46 was amended by sections 52, 57(2) and Schedule 2 of the Employment Relations Act 2004 (c. 24.); section 119, to which there are amendments not relevant to these Regulations; section 140 was amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), and by section 240 and paragraph 56(1) and (6) of Schedule 1 to the Employment Rights Act 1996 (c.18); section 149 was amended by section 1(2)(a) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8), and by section 2 and Schedule 2 of the Employment Relations Act 1999 (c.26); section 207A was inserted by section 3(1) and (2) of the Employment Act 2008 (c. 24); section 288 was amended by sections 1(2)(a) and (c), 8(3), 9(1) and (2)(c), 10(1) and (2)(c), 15 and paragraph 9(1), (2) and (3) of Schedule 1 to the Employment Rights (Dispute Resolution) Act 1998 (c. 8), by section 57, paragraph 19 of Schedule 1, and Schedule 2 of the Employment Relations Act 2004 (c. 24), by section 43 and paragraph 8(a) and (b) of Schedule 1 of the Employment Tribunals Act 1996 (c. 17), by section 39(2) and paragraph 4(a) and (b) of Schedule 6 of the Trade Union Reform and Employment Rights Act 1993 (c.19), and by section 208(1) and Schedule 21 of the Legal Services Act 2007 (c. 29); Schedule A2 was inserted by section 3(1) and (3) of the Employment Act 2008 (c. 24) and is amended by paragraph 3 of the Schedule to these Regulations; there are other amendments not relevant to these Regulations.

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The Employment Relations Act 1999 (Blacklists) Regulations 2010 ISBN 978-0-11-149104-1

(2) References in these regulations to information supplied by a person who contravenes regulation 3 include information supplied by a person who would contravene that regulation if that person's actions took place in Great Britain.