



Fair Employment (Northern Ireland) Act 1989

1989 CHAPTER 32

PART II

NEW DUTIES OF EMPLOYERS IN RESPECT OF THEIR WORKFORCES

Public authorities

25 Power to specify public authorities by order

- (1) In this Part of this Act “public authority” means a person specified in an order made by the Department.
- (2) The order may provide for a person to be a public authority for all or any of the purposes of this Part of this Act.
- (3) The Department shall not exercise the power conferred by this section so that a person becomes a public authority for any of the purposes of this Part of this Act unless the person is—
 - (a) a Minister of the Crown or the head of a Northern Ireland department,
 - (b) a body created by a statutory provision within the meaning of the Interpretation Act (Northern Ireland) 1954 or the holder of any office so created, or
 - (c) a person appearing to the Department to exercise functions of a public nature.

26 Certain public authorities to be treated as employers

- (1) For the purposes of sections 27 to 37 of this Act, any reference to an employer includes any person who is a public authority for the purposes of those sections.
- (2) For the purposes of those sections, in relation to any such authority—

Status: This is the original version (as it was originally enacted).

- (a) “employee” includes any person in the service of the Crown for the purposes of the functions of the authority, but an order under section 25 of this Act may specify the persons who are to be treated for the purposes of those sections as the employees of that authority, and
 - (b) “concern” means the activities of those who are the employees of the authority for the purposes of those sections.
- (3) Those sections shall apply in relation to a person who becomes an employer for the purposes of those sections by virtue of an order under section 25 of this Act as if his concern were a registered concern and the description of his concern had been entered in the register on the commencement of the order (without prejudice to the effect of any previous order).
- (4) The Department shall not exercise the power conferred by section 25 of this Act so that a person becomes an employer for the purposes of those sections unless it appears to the Department that any of the people—
- (a) who are employed by that person or are in the service of the Crown for the purposes of the functions of that person, or
 - (b) who are to be treated by virtue of the order as so employed or as in such service,
- are employed or serve in Northern Ireland.