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STATUTORY INSTRUMENTS

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**2003 No. 3319**

**The Conduct of Employment Agencies and  
Employment Businesses Regulations 2003**

**PART II**

**GENERAL OBLIGATIONS**

**Prohibition on employment businesses withholding payment to work-seekers on certain grounds**

**12.** An employment business shall not, in respect of a work-seeker whom it supplies to a hirer, withhold or threaten to withhold from the work-seeker (whether by means of the inclusion of a term in a contract with the work-seeker or otherwise) the whole or any part of any payment in respect of any work done by the work-seeker on any of the following grounds—

- (a) non-receipt of payment from the hirer in respect of the supply of any service provided by the employment business to the hirer;
- (b) the work-seeker's failure to produce documentary evidence authenticated by the hirer of the fact that the work-seeker has worked during a particular period of time, provided that this provision shall not prevent the employment business from satisfying itself by other means that the work-seeker worked for the particular period in question;
- (c) the work-seeker not having worked during any period other than that to which the payment relates; or
- (d) any matter within the control of the employment business.

**Changes to legislation:**

There are currently no known outstanding effects for the The Conduct of Employment Agencies and Employment Businesses Regulations 2003, Section 12.