

SCHEDULE

Standard Licence Conditions

Situations where workers are provided with travel or required to live away from home

17.—(1) A licence holder may not arrange for a worker to take up a position other than as a labour user's employee (within the meaning of section 230(1) of the Employment Rights Act 1996) if, in order to take up that position, the worker must occupy accommodation other than his home, unless the conditions in sub-paragraph (2) are satisfied.

(2) The conditions referred to in sub-paragraph (1) are that the licence holder has taken all reasonably practicable steps to ensure that—

- (a) suitable accommodation will be available for the worker and details have been provided to the worker, including the terms on which it is offered and any cost; and
- (b) suitable arrangements have been made for the worker to travel to such accommodation.

(3) Where a worker is—

- (a) to be supplied to a labour user other than as the labour user's employee (within the meaning of section 230(1) of the Employment Rights Act 1996), or is under the age of 18; and
- (b) the licence holder, labour user or any intermediary has arranged free travel or payment of fares for the worker's journey to the place of work,

the licence holder must, if the work does not start or upon it ending, at his discretion arrange free travel for the worker's return journey or pay his return fare or obtain an undertaking from the labour user or any intermediary to arrange free travel or pay the return fare.

(4) The licence holder must give notice to the worker setting out the details of the free travel or payment of fares including any conditions on which the same are offered.

(5) If a labour user or intermediary does not comply with an undertaking given under sub-paragraph (3), the licence holder must either arrange free travel for the return journey of the worker or pay his fare.

(6) If a worker is under the age of 18, a licence holder may not arrange for him to any take up a position which will require him to live away from home unless the parent or guardian of the worker has consented.

(7) If a worker is loaned money by the licence holder, the labour user or any intermediary to meet travel or other expenses in order to take up a position—

- (a) he must be provided with details in writing of the amount loaned and repayment terms; and
- (b) he may not be asked to repay a greater sum than the amount loaned.