
STATUTORY INSTRUMENTS

2017 No. 521

The Gangmasters and Labour Abuse Authority (Complaints and Misconduct) Regulations 2017

PART 6

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

Resumption of investigation after criminal proceedings

52.—(1) Where the investigation of a conduct matter or DSI matter has been suspended until the conclusion of criminal proceedings, the Commission or Chief Executive, as the case may be, must start or resume the investigation after the conclusion of those proceedings.

(2) Where the investigation of a complaint has been suspended until the conclusion of criminal proceedings, and the complainant has not indicated after the conclusion of those proceedings the wish that the investigation start or be resumed, the Commission or Chief Executive, as the case may be, must take the steps set out in paragraph (3).

(3) The Commission or Chief Executive must take all reasonable steps to contact the complainant to ascertain whether the complainant wants the investigation to start or be resumed.

(4) If the complainant indicates the wish for the investigation to start or be resumed, the Commission or Chief Executive must start or resume the investigation.

(5) If—

(a) the complainant indicates the wish that the investigation not be started or not be resumed, or

(b) the complainant fails to reply within a period of 28 days commencing on the day after the date of a letter sent to the complainant by the Commission or Chief Executive,

the Commission or Chief Executive, as the case may be, must determine whether it is in the public interest for the complaint to be treated as a recordable conduct matter.

(6) If the Commission or Chief Executive determines that it is not in the public interest for the complaint to be treated as a recordable conduct matter, the provisions of these Regulations cease to apply to the complaint.

(7) If the Commission or Chief Executive determines that it is in the public interest for the complaint to be treated as a recordable conduct matter, the provisions of these Regulations continue to apply to the matter.

(8) Subject to paragraph (9), the Commission or Chief Executive must notify the person complained against if paragraph (6) or (7) applies.

(9) Nothing in paragraph (8) requires the Commission or Chief Executive to make a notification if the Commission or the Chief Executive, as the case may be, is of the opinion that that might prejudice any criminal investigation or proceedings or would be contrary to the public interest.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Gangmasters and Labour Abuse Authority (Complaints and Misconduct) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Commencement Information

II Reg. 52 in force at 30.4.2017, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations word omitted by [S.I. 2017/1250 reg. 36\(3\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(a\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(b\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(c\)](#)
- Regulations words substituted by [S.I. 2017/1250 reg. 36\(2\)\(d\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(3A) inserted by [S.I. 2017/1250 reg. 36\(7\)\(a\)](#)
- reg. 6A6B inserted by [S.I. 2017/1250 reg. 36\(8\)](#)
- reg. 7(6)(6A) substituted for reg. 7(6) by [S.I. 2017/1250 reg. 36\(9\)\(b\)](#)
- reg. 44(2)(2A) substituted for reg. 44(2) by [S.I. 2017/1250 reg. 36\(14\)\(a\)](#)
- reg. 67(2A)(2B) inserted by [S.I. 2017/1250 reg. 36\(18\)\(b\)](#)