
STATUTORY INSTRUMENTS

2017 No. 521

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

PART 6

INVESTIGATIONS AND SUBSEQUENT PROCEEDINGS

Special cases: investigations managed or carried out by the Commission: action by the Commission

62.—(1) On receipt of a notification under regulation 61(4), the Commission must give a notification—

- (a) in the case of a complaint, to the complainant and to every person entitled to be kept properly informed in relation to the complaint under regulation 14; and
- (b) in the case of a recordable conduct matter, to every person entitled to be kept properly informed in relation to that matter under that regulation.

(2) The notification required by paragraph (1) is one setting out—

- (a) the findings of the special report;
- (b) the Chief Executive's determination under regulation 61(2); and
- (c) the action that the Chief Executive is required to take as a consequence of that determination.

(3) Regulation 16 (exceptions to the duty to keep the complainant informed and to provide information for other persons) has effect in relation to the duties imposed on the Commission by paragraph (1) as it has effect in relation to the duties imposed on the Commission by regulations 13 and 14.

(4) Except so far as may be otherwise prohibited by regulation 16, the Commission is entitled (notwithstanding any obligation of secrecy imposed by any rule of law or otherwise) to discharge the duty to give a person mentioned in paragraph (1) notification of the findings of the special report by sending that person a copy of that report.

(5) On receipt of a memorandum under regulation 61(5), the Commission must—

- (a) consider the memorandum;
- (b) determine, in the light of that consideration, whether or not to make a recommendation under regulation 64; and
- (c) if it thinks fit to do so, make a recommendation under that regulation.

(6) If the Commission determines not to make a recommendation under regulation 64, it must notify the Chief Executive and the person investigating the complaint or matter of its determination.