

**2003 No. 521**

**FAIR EMPLOYMENT**

**Fair Employment (Specification of Public Authorities)  
(Amendment) Order (Northern Ireland) 2003**

*Made - - - - - 9th December 2003*

*Coming into operation 1st January 2004*

Whereas, in accordance with Article 50(3) of the Fair Employment and Treatment (Northern Ireland) Order 1998<sup>(a)</sup> (“the 1998 Order”), each person who, by virtue of the following Order, becomes a public authority for any of the purposes of Articles 52 to 65 of the 1998 Order is:

- (1) A Minister of the Crown or a Northern Ireland Minister;
- (2) A statutory body or the holder of a statutory office; or
- (3) A person appearing to the Office of the First Minister and deputy First Minister<sup>(b)</sup> (“the Department”) to exercise functions of a public nature;

And whereas, in accordance with Article 51(4) of the 1998 Order, it appears to the Department that some or all of the people who are employed by each person, who by virtue of the following Order becomes an employer for the purposes of Articles 52 to 61 of the 1998 Order, who are in the service of the Crown for the purposes of the functions of those persons or who are treated by virtue of the following Order as so employed or as in such service, are employed or serve in Northern Ireland:

Now, therefore, the Department in exercise of the powers conferred by Article 50(1) and (2) and Article 51(2) of the 1998 Order and now vested in it<sup>(c)</sup> and of every other power enabling it in that behalf, hereby makes the following Order:

**Citation and commencement**

- 1. This Order may be cited as the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2003 and shall come into operation on 1st January 2004.

**Amendment of the Fair Employment (Specification of Public Authorities) (No. 2) Order (Northern Ireland) 2000**

- 2. The Fair Employment (Specification of Public Authorities) (No. 2) Order (Northern Ireland) 2000<sup>(d)</sup> shall be amended in accordance with Articles 3 to 5.
- 3. In paragraph (2) of Article 1, for the definition of “police force” there shall be substituted –  
“ “police” has the same meaning as in the Police (Northern Ireland) Act 2000<sup>(e)</sup>;”.

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(a) S.I. 1998/3162 (N.I. 21)  
(b) See S.R. 1999 No. 481; Article 4(a) and Part I Schedule 2  
(c) S.R. 1999 No. 481 Schedule 2, Part I  
(d) S.R. 2000 No. 371 as amended by S.R. 2001 No. 421 and S.R. 2002 No. 367  
(e) 2000 c. 32

4. In paragraph (d) of Article 2 –
- (a) for “Chief Constable of the Royal Ulster Constabulary” there shall be substituted “Chief Constable of the Police Service of Northern Ireland”; and
  - (b) the word “force” shall be deleted.
5. For the Schedule there shall be substituted the Schedule to this Order.

**Revocation**

6. The following Orders are hereby revoked –
- (a) the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2001<sup>(a)</sup>;
  - (b) the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2002<sup>(b)</sup>.

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 9th December 2003.

(L.S.)

*P. McAuley*

A Senior Officer of the Office of the First Minister and deputy First Minister

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<sup>(a)</sup> S.R. 2001 No. 421  
<sup>(b)</sup> S.R. 2002 No. 367

## SCHEDULE

## Article 5

### “SCHEDULE

#### PART I

PUBLIC AUTHORITIES FOR THE PURPOSES OF ARTICLES 52 TO 65 OF THE 1998 ORDER

Agricultural Research Institute of Northern Ireland  
Altnagelvin Hospitals Health and Social Services Trust  
Armagh and Dungannon Health and Social Services Trust  
Arts Council of Northern Ireland  
Assembly Ombudsman for Northern Ireland  
Belfast City Hospital Health and Social Services Trust  
Belfast Education and Library Board  
Belfast Harbour Commissioners  
The Board of Governors of Stranmillis University College, Belfast  
Board of Trustees of the National Museums and Galleries of Northern Ireland  
British Broadcasting Corporation  
Causeway Health and Social Services Trust  
Chief Electoral Officer for Northern Ireland  
Citybus Limited  
Coleraine Harbour Commissioners  
Commissioner for Children and Young People for Northern Ireland  
Comptroller and Auditor General for Northern Ireland  
Construction Industry Training Board  
Council for Catholic Maintained Schools  
Craigavon Area Hospital Group Health and Social Services Trust  
Craigavon and Banbridge Community Health and Social Services Trust  
Any District Council  
Down Lisburn Health and Social Services Trust  
Eastern Health and Social Services Board  
Economic Research Institute of Northern Ireland Limited  
Enterprise Ulster  
Equality Commission for Northern Ireland  
Fire Authority for Northern Ireland  
Fisheries Conservancy Board for Northern Ireland  
Flexibus Limited  
Foyle, Carlingford and Irish Lights Commission  
Foyle Health and Social Services Trust  
General Consumer Council for Northern Ireland  
General Teaching Council for Northern Ireland  
The governing body of the Armagh College of Further Education  
The governing body of the Belfast Institute of Further and Higher Education  
The governing body of the Castlereagh College of Further and Higher Education  
The governing body of the Causeway Institute of Further and Higher Education

The governing body of the East Antrim Institute of Further and Higher Education  
The governing body of the East Down Institute of Further and Higher Education  
The governing body of the East Tyrone College of Further and Higher Education  
The governing body of the Fermanagh College of Further and Higher Education  
The governing body of the Limavady College of Further and Higher Education  
The governing body of the Lisburn Institute of Further and Higher Education  
The governing body of the Newry and Kilkeel Institute of Further and Higher Education  
The governing body of the North Down and Ards Institute of Further and Higher Education  
The governing body of the North East Institute of Further and Higher Education  
The governing body of the North West Institute of Further and Higher Education  
The governing body of the Omagh College of Further Education  
The governing body of the Upper Bann Institute of Further and Higher Education  
Green Park Health and Social Services Trust  
Homefirst Community Health and Social Services Trust  
Ilex Urban Regeneration Company Limited  
Invest Northern Ireland  
Labour Relations Agency  
Laganside Corporation  
Livestock and Meat Commission for Northern Ireland  
Local Government Staff Commission for Northern Ireland  
Londonderry Port and Harbour Commissioners  
Mater Infirmorum Hospital Health and Social Services Trust  
Mental Health Commission for Northern Ireland  
Newry and Mourne Health and Social Services Trust  
North Eastern Education and Library Board  
North and West Belfast Health and Social Services Trust  
The North/South Language Body  
Northern Health and Social Services Board  
Northern Ireland Ambulance Service Health and Social Services Trust  
Northern Ireland Assembly Commission  
Northern Ireland Blood Transfusion Service Agency  
Northern Ireland Central Services Agency for the Health and Social Services  
Northern Ireland Commissioner for Complaints  
Northern Ireland Community Relations Council  
Northern Ireland Council for the Curriculum, Examinations and Assessment  
Northern Ireland Council for Postgraduate Medical and Dental Education  
Northern Ireland Economic Development Office  
Northern Ireland Fishery Harbour Authority  
Northern Ireland Guardian Ad Litem Agency  
Northern Ireland Health Promotion Agency  
Northern Ireland Housing Executive  
Northern Ireland Human Rights Commission  
Northern Ireland Legal Services Commission  
Northern Ireland Local Government Officers' Superannuation Committee

Northern Ireland Policing Board  
Northern Ireland Practice and Education Council for Nursing and Midwifery  
Northern Ireland Railways Company Limited  
Northern Ireland Regional Medical Physics Agency  
Northern Ireland Social Care Council  
Northern Ireland Tourist Board  
Northern Ireland Transport Holding Company  
Office of Communications  
The Police Ombudsman for Northern Ireland  
Probation Board for Northern Ireland  
Royal Group of Hospitals and Dental Hospital Health and Social Services Trust  
Royal Mail Group plc  
South and East Belfast Health and Social Services Trust  
South Eastern Education and Library Board  
Southern Education and Library Board  
Southern Health and Social Services Board  
The Special EU Programmes Body  
Sperrin Lakeland Health and Social Services Trust  
Sports Council for Northern Ireland  
Staff Commission for Education and Library Boards  
Strategic Investment Board Limited  
The Trade and Business Development Body  
Tourism Ireland Limited  
Ulster Community and Hospitals Health and Social Services Trust  
Ulster Supported Employment Limited  
Ulsterbus Limited  
United Hospitals Health and Social Services Trust  
Warrenpoint Harbour Authority  
Waterways Ireland  
Western Education and Library Board  
Western Health and Social Services Board  
Youth Council for Northern Ireland

## PART II

### PUBLIC AUTHORITIES FOR THE PURPOSES OF ARTICLES 62 TO 65 OF THE 1998 ORDER

First Secretary of State  
Secretary of State for Constitutional Affairs  
Secretary of State for Defence  
Secretary of State for Environment, Food and Rural Affairs  
Secretary of State for the Home Department  
Secretary of State for Northern Ireland  
Secretary of State for Trade and Industry  
Secretary of State for Transport  
Secretary of State for Work and Pensions

Commissioners of Customs and Excise  
Board of Inland Revenue  
The Lord Chancellor  
The Chief Constable of the Police Service of Northern Ireland  
The Comptroller of Her Majesty's Stationery Office  
The Director-General for Electricity Supply for Northern Ireland  
The Director-General of Gas for Northern Ireland  
The Director of Savings (Department for National Savings)  
Health and Safety Executive for Northern Ireland  
Northern Ireland Health and Personal Social Services Regulation and Improvement Authority  
Any Northern Ireland Department  
Any Northern Ireland Minister  
The governing body of an Institution of Further Education within the meaning of the Further Education (Northern Ireland) Order 1997 established on or after 1st January 2004  
Any Health and Social Services trust established on or after 1st January 2004 under Article 10(1) of the Health and Personal Social Services (Northern Ireland) Order 1991."

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

This Order amends the Fair Employment (Specification of Public Authorities) (No. 2) Order (Northern Ireland) 2000 (“the 2000 Order”) which specifies a number of persons or bodies as public authorities for certain purposes under Part VII of the Fair Employment and Treatment (Northern Ireland) Order 1998 (“the 1998 Order”) and provides for the persons who are to be treated for such purposes as the employees of some of those authorities.

The Schedule to the 2000 Order lists in Part I the bodies who are public authorities for the purposes of Articles 52 to 65 of the 1998 Order and in Part II the bodies who are public authorities for the purposes of Articles 62 to 65 of the 1998 Order.

Articles 3 and 4 of this Order repeat amendments included in the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2001 which, by virtue of Article 6, is now revoked as is the Fair Employment (Specification of Public Authorities) (Amendment) Order (Northern Ireland) 2002.

Article 5 of this Order substitutes a new Schedule to the 2000 Order.

The following bodies are added:

Part I Commissioner for Children and Young People for Northern Ireland

Economic Research Institute of Northern Ireland Limited

General Teaching Council for Northern Ireland

Ilex Urban Regeneration Company Limited

Northern Ireland Legal Services Commission

Office of Communications

Strategic Investment Board Limited

Tourism Ireland Limited

Part II First Secretary of State

Secretary of State for Constitutional Affairs

Secretary of State for Transport

Northern Ireland Health and Personal Social Services Regulation and Improvement Authority.

The following bodies are deleted:

Part I The Juvenile Justice Board

Part II Secretary of State for Transport, Local Government and the Regions.

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