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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 350**

**EMPLOYMENT**

**THE AGENCY WORKERS REGULATIONS  
(NORTHERN IRELAND) 2011**

*Made - - - - 5th October 2011*

*Coming into operation 5th December 2011*

**THE AGENCY WORKERS REGULATIONS  
(NORTHERN IRELAND) 2011**

PART 1

General and Interpretation

1. Citation and commencement
2. Interpretation
3. The meaning of agency worker
4. The meaning of temporary work agency

PART 2

Rights

5. Rights of agency workers in relation to the basic working and employment conditions
6. Relevant terms and conditions
7. Qualifying period
8. Completion of the qualifying period and continuation of the regulation 5 rights
9. Structure of assignments
10. Permanent contracts providing for pay between assignments
11. Calculating the minimum amount of pay
12. Rights of agency workers in relation to access to collective facilities and amenities
13. Rights of agency workers in relation to access to employment

**Changes to legislation:** There are outstanding changes not yet made by the [legislation.gov.uk](https://legislation.gov.uk) editorial team to THE AGENCY WORKERS REGULATIONS (NORTHERN IRELAND) 2011. 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](#)

### PART 3

#### Liability, Protections and Remedies

14. Liability of temporary work agency and hirer
15. Restrictions on contracting out
16. Right to receive information
17. Unfair dismissal and the right not to be subjected to detriment
18. Complaints to industrial tribunals etc
19. Calculating a week's pay
20. Liability of employers and principals

### PART 4

#### Special Classes of Person

21. Crown employment and service as a member of the armed forces
22. Police Service of Northern Ireland and Police Service of Northern Ireland Reserve

### PART 5

#### Amendments to Legislation

23. Amendments to legislation  
Signature

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## SCHEDULE CONSTRUCTION OF UK WIDE STATUTORY PROVISIONS

1

1. The statutory provisions to which regulation 23(1) refers are—

## SCHEDULE CONSEQUENTIAL AMENDMENTS

2

### PART 1 — PRIMARY LEGISLATION

1. The Industrial Relations (Northern Ireland) Order 1992
2. In Article 2(2) (Interpretation), before the entry relating to “agent”...
3. In Article 39(1) (general duty of employers to disclose information)...
4. The Trade Union and Labour Relations (Northern Ireland) Order 1995
5. In Article 2(2) (Interpretation), after the entry relating to “the...”
6. In Article 44B (collective bargaining: training)— (a) after paragraph (4)...
7. (1) Schedule 1A is amended as follows.
8. The Employment Rights (Northern Ireland) Order 1996
9. In Article 59(1) (supplementary: meaning of “wages” etc), after subparagraph...
10. After Article 85 insert— Ante-natal care: agency workers Right to...
11. After Article 100 insert— Ending the supply of an agency...
12. After Article 101 insert— Calculation of remuneration (agency workers) (1) The amount of remuneration payable by a temporary work...
13. After Article 102 insert— Complaints to industrial tribunals: agency workers...

14. In Article 137 (redundancy as unfair dismissal) in paragraph (1)(c)...
15. In Article 140 (exclusion of right: qualifying period of employment)...
16. (1) Article 216 (duty of employer to consult representatives of...
17. The Industrial Tribunals (Northern Ireland) Order 1996
18. In Article 20(1) (conciliation)— (a) omit “or” immediately preceding the...

#### PART 2 — OTHER LEGISLATION

19. Management of Health and Safety at Work Regulations (Northern Ireland) 2000
20. After regulation 16 insert— Alteration of working conditions in respect...
21. After regulation 17 insert— Certificate from registered medical practitioner in...
22. After regulation 18 insert— Notification by new or expectant mothers...
23. In regulation 20(1)(a) for “regulations 16 to 18”, substitute, “regulations...”
24. The Information and Consultation of Employees Regulations (Northern Ireland) 2005
25. In regulation 2(2) (interpretation) after the definition of—
26. After regulation 3 insert— Agency Workers (1) Paragraphs (2) and (3) apply to an agency worker...
27. After regulation 8 insert— Pre-existing agreements: agency workers Where information about the employment situation is to be provided...
28. In regulation 16(1), omit the “and” at the end of...
29. In regulation 20(1)(b), after “the situation, structure and probable development...”
30. The Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006
31. In regulation 13, after paragraph (2) insert—
32. The European Public Limited-Liability Company (Employee Involvement) (Northern Ireland) Regulations 2009
33. In regulation 3 (interpretation) after the definition in paragraph (1)...
34. In regulation 5(2)— (a) omit the “and” at the end...
35. After regulation 15(3) insert— (3A) Where under the employee involvement...
36. After regulation 19(3) insert— (3A) This paragraph applies to an...
37. In the Schedule, Part 2, after paragraph 8 insert— Where under the provisions of this Part, the competent organ...  
Explanatory Note

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulation Modified by [S.R. 2020/251 art. 2](#)

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

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

- Sch.06 Pt.01 words inserted by [S.R. 2022/236 reg. 17\(2\)](#)
- reg. 6(3)(c) words inserted by [S.R. 2022/168 reg. 18\(2\)](#)
- reg. 6(3)(c) words inserted by [S.R. 2022/236 reg. 18\(2\)](#)
- reg. 6(3)(c) words inserted by [S.R. 2023/157 reg. 18\(2\)](#)
- reg. 6(3)(c) words inserted by [S.R. 2023/56 reg. 18\(2\)](#)
- reg. 18(4A) inserted by [S.R. 2020/4 Sch. para. 51](#)
- reg. 18A inserted by [S.R. 2020/4 Sch. para. 52](#)