



# Gangmasters (Licensing) Act 2004

## 2004 CHAPTER 11

### *Miscellaneous and general*

#### **23 Annual report**

The Secretary of State shall each year lay a report before each House of Parliament on the operation of this Act.

#### **24 Financial provision**

- (1) The Secretary of State may make payments to the Authority of such amounts, at such times and on such conditions (if any) as he considers appropriate.
- (2) The Authority shall (unless the Secretary of State directs otherwise) pay to the Secretary of State all sums received by it in the course of, or in connection with, the carrying out of its functions.
- (3) Any sums received by the Secretary of State under subsection (2) shall be paid into the Consolidated Fund.

#### **25 Regulations, rules and orders**

- (1) In this Act, unless otherwise indicated, “prescribed” means prescribed by regulations made by the Secretary of State.
- (2) Any power to make regulations or rules under this Act includes power to make different provision for different cases.
- (3) Any power of the Secretary of State to make regulations or orders under this Act is exercisable by statutory instrument.
- (4) Any power of the Authority to make rules under this Act is exercisable by statutory instrument.
- (5) A statutory instrument containing regulations made by the Secretary of State under—
  - (a) section 1(5) (regulations as to status, constitution, etc. of the Authority), or

(b) section 3(5)(b) (regulations extending work to which this Act applies), must not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

- (6) A statutory instrument containing—
- (a) regulations made by the Secretary of State under any other provision of this Act, or
  - (b) rules made by the Authority under section 8 (general power of Authority to make rules),
- is subject to annulment in pursuance of a resolution of either House of Parliament.

## **26 Meaning of “worker”**

- (1) In this Act “worker” means an individual who does work to which this Act applies.
- (2) A person is not prevented from being a worker for the purposes of this Act by reason of the fact that he has no right to be, or to work, in the United Kingdom.

## **27 Exclusion of provisions relating to employment agencies and businesses**

- (1) The Employment Agencies Act 1973 (c. 35) does not apply to an employment agency or an employment business in so far as it consists of activities for which a licence is required under this Act.
- (2) In subsection (1) “employment agency” and “employment business” have the same meaning as in that Act.

## **28 Application of Act to Northern Ireland**

The provisions of Schedule 2 to this Act have effect with respect to the application of this Act to Northern Ireland.

## **29 Commencement and transitional provision**

- (1) The provisions of this Act come into force on such day as the Secretary of State may by order appoint.
- (2) Different days may be appointed for different purposes and for different areas.
- (3) The Secretary of State may by order make such transitional provision as he considers appropriate in connection with the coming into force of any provision of this Act.

## **30 Short title and extent**

- (1) This Act may be cited as the Gangmasters (Licensing) Act 2004.
- (2) This Act extends to England and Wales, Scotland and Northern Ireland.