



Statutory Document No. 101/07

THE EMPLOYMENT ACT 2006

**THE PUBLIC INTEREST DISCLOSURE (PRESCRIBED PERSONS) ORDER
2007**

Approved by Tynwald

21st March 2007

Coming into operation

30th September 2007

In exercise of the powers conferred on the Department of Trade and Industry by section 54 of the Employment Act 2006¹, and of all other enabling powers, the following Order is hereby made:—

1. Citation and commencement

This Order may be cited as the Public Interest Disclosure (Prescribed Persons) Order 2007 and, subject to section 175(1) of the Employment Act 2006, shall come into operation on the 30th September 2007.

2. Prescribed persons

The person or persons specified in column 1 of the Schedule are prescribed for the purposes of section 54 of the Employment Act 2006 in respect of the descriptions of matters specified in relation to them in column 2 of the Schedule.

¹ 2006 c. 21
Price £1.00

Article 2

SCHEDULE

<i>Person</i>	<i>Descriptions of matters</i>
Attorney General	The proper administration of charities and of funds given or held for charitable purposes
Chief Registrar	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations (within the meaning of the Trade Unions Act 1991 ²)
Communications Commission	The provision and use of telecommunication systems, telecommunication services and telecommunication apparatus (within the meaning of the Telecommunications Act 1984 ³)
Department of Health and Social Security	Matters relating to occupational pension schemes and other private pension arrangements
	Matters relating to children's homes, child-minders, private fostering and day-care (within the meaning of the Children and Young Persons Act 2001 ⁴)
	National insurance contributions
Department of Local Government and the Environment	Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment
	Matters which may affect the health or safety of any individual at work, and matters which may affect the health or safety of any member of the public arising out of or in connection with the activities of persons at work
	Matters which may affect the health of any member of the public in relation to the consumption of food (within the meaning of the Food Act 1996 ⁵) and other matters concerning the protection of the interests of consumers in relation to food
Department of Trade and Industry	The enforcement of the minimum wage pursuant to the Minimum Wage Act 2001 ⁶

² 1991 c.20

³ 1984 c.11

⁴ 2001 c.20

⁵ 1996 c.8

⁶ 2001 c.25

<i>Person</i>	<i>Descriptions of matters</i>
Department of Transport	Compliance with the requirements of civil aviation legislation, including aviation safety
Financial Supervision Commission	The operation of building societies, industrial and provident societies and credit unions
	The carrying on of banking business (within the meaning of the Banking Act 1998 ⁷) and investment business (within the meaning of the Investment Business Act 1991 ⁸)
	The carrying on of regulated activities (within the meaning of the Corporate Service Providers Act 2000 ⁹)
	Money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Supervision Commission
Insurance and Pensions Authority	The carrying on of insurance business and insurance management business (within the meaning of the Insurance Act 1986 ¹⁰)
	The operation of a retirement benefits scheme (within the meaning of the Retirement Benefits Schemes Act 2000 ¹¹)
	The carrying on of regulated activities (within the meaning of the Insurance Intermediaries (General Business) Act 1996 ¹²)
	Money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Insurance and Pensions Authority
Isle of Man Data Protection Supervisor	Compliance with the requirements of the Data Protection Act 2002 ¹³
Isle of Man Office of Fair Trading	Matters concerning the sale of goods or the supply of services which adversely affect the interests of consumers

⁷ 1998 c.4

⁸ 1991 c.18

⁹ 2000 c.13

¹⁰ 1986 c.24

¹¹ 2000 c.14

¹² 1996 c.4

¹³ 2002 c.2

<i>Person</i>	<i>Descriptions of matters</i>
	Matters relating to unfair terms in consumer contracts and misleading advertising
	Anti-competitive practices (within the meaning of Part 2 of the Fair Trading Act 1996 ¹⁴)
	Compliance with the requirements of consumer protection legislation
	The carrying on of a business of lending money (within the meaning of Part I of the Moneylenders Act 1991 ¹⁵) otherwise than by an exempt person (within the meaning of that Act)
A public auditor (within the meaning of the Audit Act 1983 ¹⁶) or an auditor appointed under section 3 of the Audit Act 2006 ¹⁷	The proper conduct of public business, value for money, fraud and corruption in bodies, or by persons, whose accounts are required to be audited in accordance with the Audit Act 1983 or the Audit Act 2006, as the case may be
Treasury	Value added tax and duties of excise
	The import and export of prohibited or restricted goods (within the meaning of the Customs and Excise Management Act 1986 ¹⁸)
	Income tax
	Insider dealing

MADE

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Secretary M.H.H.

Minister for Trade and Industry

¹⁴ 1996 c.15

¹⁵ 1991 c. 6

¹⁶ 1983 c.20

¹⁷ 2006 c.15

¹⁸ 1986 c.34

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order prescribes persons for the purposes of section 54 of the Employment Act 2006, which relates to 'whistle-blowing'. The effect of the Order, taken with section 54, is that a worker will be protected by Part IV of that Act if in good faith he discloses an offence, breach or failure to a person specified in column 1 of the Schedule to the Order, reasonably believing that the offence, breach or failure disclosed falls within the matters specified in column 2 of the Schedule in relation to that person, and that the information disclosed, and any allegation contained in it, are substantially true.

