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STATUTORY INSTRUMENTS

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**2016 No. 968**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2016**

<i>Made</i>	- - - -	<i>5th October 2016</i>
<i>Laid before Parliament</i>		<i>6th October 2016</i>
<i>Coming into force</i>	- -	<i>1st November 2016</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 43F of the Employment Rights Act 1996<sup>(1)</sup>.

**Citation and Commencement**

1. This Order may be cited as the Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2016 and comes into force on 1st November 2016.

**Amendments to the Public Interest Disclosure (Prescribed Persons) Order 2014**

2. In the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 2014<sup>(2)</sup>—
- (a) in the entry relating to The Bank of England, for the words in the second column substitute  
—  
“Matters relating to—
    - (a) the functioning of clearing houses (including central-counterparties);
    - (b) inter-bank payment systems;
    - (c) securities settlement systems;
    - (d) the treatment, holding and issuing of banknotes by the authorised banks (and their agents) under Part 6 of the Banking Act 2009<sup>(3)</sup>;
    - (e) the custody, distribution and processing of Bank of England banknotes under the Bank of England’s Note Circulation Scheme.”;
  - (b) in the entry relating to the Food Standards Agency, in the second column, at the end insert  
“in England, Wales or Northern Ireland.”;

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(1) 1996 c.18. Section 43F was inserted by section 1 of the Public Interest Disclosure Act 1998 (c.23).  
(2) S.I. 2104/2418, amended by S.I. 2014/3294, 2015/1407, 2015/1682 and 2015/1981.  
(3) 2009 c.1.

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- (c) in the entry relating to the Secretary of State for Business, Innovation and Skills, for the words in the first column substitute “Secretary of State for Business, Energy and Industrial Strategy”; and
- (d) at the appropriate places, insert the entries set out in the Schedule to this Order.

*Margot James*  
Minister for Small Business, Consumers and  
Corporate Responsibility  
Department for Business, Energy and Industrial  
Strategy

5th October 2016

## SCHEDULE

Article 2(d)

<i>First Column</i>	<i>Second Column</i>
<i>Persons and descriptions of persons</i>	<i>Description of matters</i>
Commissioners nominated under section 15(6) of the Local Government Act 1999(4).	Matters relating to the exercise of specified functions of a best value authority as directed by the Secretary of State.
Food Standards Scotland(5).	Matters which affect the health of any member of the public in Scotland in relation to the consumption of food and matters which concern the protection of consumers in relation to food.
Older People's Commissioner(6).	Matters relating to the rights and wellbeing of older people in Wales.
Qualifications Wales (7).	Matters in respect of which Qualifications Wales exercises functions under the Qualifications Wales Act 2015(8).
Wales Audit Office(9).	The proper conduct of public business; value for money, fraud and corruption in public bodies in Wales.

**EXPLANATORY NOTE**

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

This order amends the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 2014.

The Employment Rights Act 1996 (the "1996 Act") provides protection for workers who suffer a detriment or are dismissed as a result of blowing the whistle by making a qualifying disclosure within the meaning of section 43B of the 1996 Act in accordance with any of sections 43C to 43H of that Act. Section 43F of the 1996 Act provides that a qualifying disclosure will be protected if it is made to a prescribed person and relates to matters in respect of which that person is prescribed. The Schedule to the 2014 Order lists the prescribed persons and the matters in respect of which they are prescribed for the purposes of section 43F.

This Order amends the Schedule to the 2014 Order to include some persons not previously included and to amend the description of some persons and matters for which certain persons are prescribed.

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(4) 1999 c.27, to which there are amendments not relevant to these Regulations.

(5) Food Standards Scotland was established by section 1 of the Food (Scotland) Act 2015 asp 1.

(6) The Older People's Commissioner was established by section 1 of the Commissioner for Older People (Wales) Act 2006 c.30.

(7) Qualifications Wales was established by section 2 of the Qualifications Wales Act 2015 anaw 5.

(8) 2015 anaw 5.

(9) Wales Audit Office was established by section 13 of the Public Audit (Wales) Act 2013 anaw 3.

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A full impact assessment has not been produced for this instrument as no significant impact on the private, voluntary or public sector is foreseen.