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STATUTORY INSTRUMENTS

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**1997 No. 869 (N.I. 6)**

**NORTHERN IRELAND**

**The Race Relations (Northern Ireland) Order 1997**

*Made - - - - 19th March 1997  
Coming into operation on days to be appointed  
under Article 1(2)*

**THE RACE RELATIONS (NORTHERN IRELAND) ORDER 1997**

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation
3. Racial discrimination
4. Discrimination by way of victimisation
5. Meaning of “racial grounds” “racial group” etc.

PART II

DISCRIMINATION IN THE EMPLOYMENT FIELD

*Discrimination by employers*

6. Discrimination against applicants and employees
7. Discrimination by persons with statutory power to select employees for others
8. Exceptions for genuine occupational qualifications
9. Discrimination against contract workers
10. Meaning of employment at establishment in Northern Ireland
11. Exception for seamen recruited abroad

*Discrimination by other bodies*

12. Partnerships
13. Trade unions etc.
14. Qualifying bodies
15. Persons concerned with provision of vocational training
16. Employment agencies

*Status: This is the original version (as it was originally made).*

*Police*

17. Police

PART III

DISCRIMINATION IN OTHER FIELDS

*Education*

18. Discrimination by bodies in charge of educational establishments
19. Other discrimination by education and library boards
20. General duty in public sector of education

*Goods, facilities, services and premises*

21. Discrimination in provision of goods, facilities or services
22. Discrimination in disposal or management of premises
23. Exception from Articles 21(1) and 22: small dwellings
24. Further exceptions from Articles 21(1) and 22
25. Discrimination: associations not within Article 13

*Barristers*

26. Discrimination by, or in relation to, barristers

*Extent*

27. Extent of Part III

PART IV

OTHER UNLAWFUL ACTS

28. Discriminatory practices
29. Discriminatory advertisements
30. Instructions to discriminate
31. Pressure to discriminate
32. Liability of employers and principals
33. Aiding unlawful acts

PART V

CHARITIES

34. Charities

PART VI

GENERAL EXCEPTIONS FROM PARTS II TO IV

35. Special needs of racial groups in regard to education, training or welfare
36. Provision of education or training for persons not ordinarily resident in Northern Ireland
37. Discriminatory training etc.
38. Sports and competitions
39. Indirect access to benefits etc.
40. Acts done under statutory authority etc.
41. Acts safeguarding national security

## PART VII

### THE COMMISSION FOR RACIAL EQUALITY FOR NORTHERN IRELAND

#### *General*

- 42. Establishment and duties of Commission
- 43. Assistance to organisations
- 44. Research and education

#### *Codes of practice*

- 45. Codes of practice

#### *Investigations*

- 46. Power to conduct formal investigations
- 47. Terms of reference
- 48. Power to obtain information
- 49. Recommendations and reports on formal investigations
- 50. Restriction on disclosure of information

## PART VIII

### ENFORCEMENT

#### *General*

- 51. Restriction on proceedings for breach of Order

#### *Enforcement in employment field*

- 52. Jurisdiction of industrial tribunals
- 53. Remedies on complaint under Article 52

#### *Enforcement of Part III*

- 54. Claims under Part III

#### *Non-discrimination notices*

- 55. Issue of non-discrimination notice
- 56. Appeal against non-discrimination notice
- 57. Investigation as to compliance with non-discrimination notice
- 58. Register of non-discrimination notices

#### *Other enforcement by Commission*

- 59. Persistent discrimination
- 60. Enforcement of Articles 29 to 31
- 61. Preliminary action in employment cases
- 62. Undertakings by persons contravening this Order

#### *Help for persons suffering discrimination*

- 63. Help for aggrieved persons in obtaining information etc.
- 64. Assistance by Commission

*Status: This is the original version (as it was originally made).*

*Period within which proceedings to be brought*

65. Period within which proceedings to be brought

*Evidence*

66. Evidence

PART IX

SUPPLEMENTAL

67. District councils: general statutory duty
68. Validity and revision of contracts
69. Power to amend certain provisions of Order
70. Regulations and orders
71. Application to Crown etc.
72. Government appointments outside Article 6
73. Amendments  
Signature

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SCHEDULES

SCHEDULE 1 — THE COMMISSION FOR RACIAL EQUALITY FOR  
NORTHERN IRELAND

*Incorporation and status*

1. On the appointment of the first members of the Commission,...
2. (1) The Commission is not an emanation of the Crown,...

*Tenure of office of chairman, deputy chairmen and Commissioners*

3. (1) A person shall hold and vacate his office as...

*Remuneration*

4. The Department may pay, or make such payments towards the...

*Additional Commissioners*

5. (1) Paragraphs 2(2) and 3(1) and (4) shall apply to...

*Staff*

6. (1) The Commission may with the approval of the Department...

*Proceedings*

7. (1) The Commission may regulate its own procedure and business...
8. The validity of any proceedings of the Commission shall not...

*Instruments*

9. A document purporting to be duly executed under the common...
10. Any contract or instrument which, if entered into or executed...

*Discharge of functions*

11. (1) The functions of the Commission— (a) under Article 43(1);...

*Expenses*

12. All expenditure incurred by or on behalf of the Commission—...

*Annual report and accounts*

13. (1) The Commission shall prepare in respect of the period...  
14. (1) The Commission shall keep proper accounts in such form...  
15. (1) The Commission shall, before 31st May in each year,...

SCHEDULE 2 — AMENDMENTS

*The Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

1. (1) In Part II of Schedule 1 (bodies of which...

*The Estate Agents Act 1979 (c. 38)*

2. (1) In section 5(3) (provisions not affecting power of Director...

*The Fair Employment (Northern Ireland) Act 1989 (c. 32)*

3. (1) In section 6(1) (matters relating to unfair dismissal or...

*The Broadcasting Act 1990 (c. 42)*

4. In section 108(2) (requirement of national licence as to promotion...

*The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1990 (NI 2)*

5. After Article 13 (exemption of Sikhs from requirements as to...

*The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992 (NI 6)*

6. (1) In Article 19(1) after “Article 20” insert “, 20A”....

*The Commissioner for Complaints (Northern Ireland) Order 1996 (NI 7)*

7. In Schedule 2 (bodies subject to investigation) at the appropriate...

*The Employment Rights (Northern Ireland) Order 1996 (NI 16)*

8. (1) In Article 15(3) (reinstatement or re-engagement of dismissed employee)...

*The Broadcasting Act 1996 (c. 55)*

9. In section 34(2) (requirement of certain licences as to promotion...

*The Industrial Tribunals (Northern Ireland) Order 1996 (NI 18)*

10. In Article 20(1)(a) (conciliation) at the end add or

Explanatory Note