

1999 No. 2204 (C.56)

**NORTHERN IRELAND
CONSTITUTIONAL LAW
HUMAN RIGHTS AND EQUAL OPPORTUNITIES**

**The Northern Ireland Act 1998 (Commencement No. 3)
Order 1999**

Made - - - -

28th July 1999

The Secretary of State, in exercise of the power conferred on her by section 101(3) of the Northern Ireland Act 1998(a), hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Northern Ireland Act 1998 (Commencement No. 3) Order 1999.

(2) In this Order, “the 1998 Act” means the Northern Ireland Act 1998.

PART VII OF THE 1998 ACT (HUMAN RIGHTS AND EQUAL OPPORTUNITIES)

Establishment of Equality Commission

2. The following provisions of the 1998 Act, so far as not already in force, shall come into force on 2nd August 1999:

Section 73(1), except for the purposes of paragraph 6 of Schedule 4 to the Fair Employment and Treatment (Northern Ireland) Order 1998(b)

Section 73(2) to (5)

Schedule 8.

Functions of Equality Commission

3. The following provisions of the 1998 Act shall come into force on 1st October 1999:

Section 73(1), for the purposes of paragraph 6 of Schedule 4 to the Fair Employment and Treatment (Northern Ireland) Order 1998

Section 74, for all remaining purposes

Section 75(4), so far as relating to paragraph 1(b) of Schedule 9

Section 95(5), so far as relating to paragraphs 1 and 13 of Schedule 12

Section 99, so far as relating to paragraphs 2, 16 and 19 of Schedule 13

Section 100(2), so far as relating to the entries in Schedule 15 coming into force by virtue of this Order

(a) 1998 c. 47.

(b) S.I. 1998/3162 (N.I. 21).

Paragraph 1(b) of Schedule 9, except for the purposes of paragraph 2 of that Schedule
Paragraphs 1 and 13 of Schedule 12
Paragraphs 2, 16 and 19 of Schedule 13
In Schedule 15, the entries relating to:

House of Commons Disqualification Act 1975
Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975
Sex Discrimination (Northern Ireland) Order 1976
Schedule 2 to the Commissioner for Complaints (Northern Ireland) Order 1996
Race Relations (Northern Ireland) Order 1997.

Statutory duty on public authorities

4. The following provisions of the 1998 Act, so far as not already in force, shall come into force on 1st January 2000:

Section 75
Schedule 9.

PART VIII OF THE 1998 ACT (MISCELLANEOUS)

Discrimination: certificates by Secretary of State

5. The following provisions of the 1998 Act, so far as not already in force, shall come into force on 2nd August 1999:

Sections 90 to 92
Section 100(1), so far as relating to paragraph 18 of Schedule 14
Schedule 11
Paragraph 18 of Schedule 14.

Northern Ireland Office
28th July 1999

Paul Murphy
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, on various dates, provisions of the Northern Ireland Act. The principal provisions are as follows.

The Equality Commission for Northern Ireland is established by section 73(1) of the 1998 Act, which is brought into force on 2nd August 1999. Its principal functions are conferred by section 74, which comes into force substantially on 1st October 1999. New statutory duties on public authorities in relation to the promotion of equality of opportunity and good relations are imposed by section 75, which is brought into force on 1st January 2000.

The Order also brings into force, on 2nd August 1999, sections 90 to 92 of the 1998 Act. These provisions establish a Tribunal to which a person may appeal against a certificate issued by the Secretary of State in discrimination proceedings.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 1998 Act came into force under the orders, and on the dates, indicated below.

PROVISION	ORDER	DATE
Section 49(1)	S.I. 1999/340	1 March 1999
Section 68 (for certain purposes) (for all other purposes)	” ”	15 February 1999 1 March 1999
Section 69(1), (2), (3) (partially), (6) to (11) (5)	”	1 March 1999 1 June 1999
Section 70	”	1 June 1999
Section 71(1) (partially) and (2) to (5)	”	1 June 1999
Section 72	”	1 March 1999
Section 73 (for certain purposes)	”	15 February 1999
Section 74 (for certain purposes)	S.I. 1999/1753	21 June 1999
Section 75(3)(a) and (d) (for certain purposes)	S.I. 1999/340	1 March 1999
Section 79 (partially)	”	1 March 1999
Section 82(3) to (5)	”	1 March 1999
Section 91(1) (for certain purposes) (2) to (6)	” ”	15 February 1999 1 March 1999
Section 92(3) and (4)	”	1 March 1999
Section 97	”	1 March 1999
Section 100 (partially)	”	1 March 1999 and 1 June 1999
Schedule 7	”	15 February 1999 and 1 March 1999

PROVISION	ORDER	DATE
Schedule 8 (partially)	”	15 February 1999
Schedule 10 (partially)	”	1 March 1999
Schedule 11 (partially)	”	15 February 1999
Schedule 14 (partially)	”	1 June 1999
Schedule 15 (partially)	”	1 March 1999

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