STATUTORY RULES OF NORTHERN IRELAND

1997 No. 322

RACE RELATIONS

Race Relations (Questions and Replies) Order (Northern Ireland) 1997

Made - - - -	*30th June 1997*
Coming into operation	*4th August 1997*

The Department of Economic Development, in exercise of the powers conferred on it by Article 63(1) and (3) of the Race Relations (Northern Ireland) Order 1997(**1**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Race Relations (Questions and Replies) Order (Northern Ireland) 1997 and shall come into operation on 4th August 1997.

(2) In this Order—

"the Order" means the Race Relations (Northern Ireland) Order 1997; and

"tribunal" means an industrial tribunal.

Forms for asking and answering questions

2. The forms respectively set out in Schedules 1 and 2 are, respectively, hereby prescribed pursuant to Article 63(1) of the Order as forms—

(a) by which the person aggrieved may question the respondent on his reasons for doing any relevant act, or on any other matter which is or may be relevant;

(b) by which the respondent may if he so wishes reply to such questions.

Period for service of questions — county court cases

3. In proceedings before a county court a question shall only be admissible as evidence in pursuance of Article 63(2)(*a*) of the Order—

(a) where it was served before those proceedings had been instituted, if it was so served during —

(i) the period of six months beginning when the act complained of was done, or

(**1**) S.I.1997/869 (N.I. 6)

(ii) in a case to which Article 54(5) of the Order applies, the period of eight months so beginning;

(b) where it was served when those proceedings had been instituted, if it was served with the leave of, and within a period specified by, the court.

Period for service of questions — tribunal cases

4. In proceedings before a tribunal, a question shall only be admissible as evidence in pursuance of Article 63(2)(*a*) of the Order—

(a) where it was served before a complaint had been presented to a tribunal, if it was so served within the period of three months beginning when the act complained of was done;

(b) where it was served when a complaint had been presented to a tribunal, either if it was so served within the period of twenty-one days beginning with the day on which the complaint was presented or if it was so served later with leave given, and within a period specified, by a direction of the tribunal.

Manner of service of questions and replies

5. A question and any reply thereto may be served on the respondent or, as the case may be, on the person aggrieved—

(a) by delivering it to him; or

(b) by sending it by post to him at his usual or last known residence or place of business; or

(c) where the person to be served is a body corporate or is a trade union or employers' association within the meaning of the Industrial Relations (Northern Ireland) Order 1992(**2**), by delivering it to the secretary or clerk of the body, union or association at its registered or principal office or by sending it by post to the secretary or clerk at that office; or

(d) where the person to be served is acting by a solicitor, by delivering it at, or by sending it by post to, the solicitor's address for service; or

(e) where the person to be served is the person aggrieved, by delivering the reply, or sending it by post, to him at his address for reply as stated by him in the document containing the questions.

Sealed with the Official Seal of the Department of Economic Development on

30th June 1997.

G. I. O'Doherty
Assistant Secretary

(**2**) S.I. 1992/807 (N.I. 5)