STATUTORY RULES OF NORTHERN IRELAND

1997 No. 321

RACE RELATIONS

Race Relations (Formal Investigations) Regulations (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 Articles 2(2), 47(3), 48(1) and 55(2) of the Race Relations (Northern Ireland) Order 1997(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Race Relations (Formal Investigations) Regulations (Northern Ireland) 1997 and shall come into operation on 4th August 1997.

Interpretation

2. In these Regulations—

"the Commission" shall have the meaning assigned to it by the Order except that in regulations 4 and 5 as respects any of the functions of the Commission in relation to a formal investigation which the Commission has delegated under Article 46(3) of the Order, "the Commission" shall mean the persons, being either Commissioners or additional Commissioners, to whom those functions have been so delegated; and

"the Order" means the Race Relations (Northern Ireland) Order 1997.

Service of notices

3. Any reference to a person being served with a notice, in regulations 4, 5 and 6, is a reference to service of the notice on him being effected—

(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 is a body corporate or is a trade union or an employers' association within the meaning of the Industrial Relations (Northern Ireland) Order 1992(**2**), by delivering

(**1**) S.I.1997/869 (N.I. 6)
(**2**) S.I. 1992/807 (N.I. 5)

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 that secretary or clerk at that office; or

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

Notice of holding of formal investigation

4.—(1) Where, in pursuance of Article 47 of the Order, notice of the holding of a formal investigation falls to be given by the Commission to a person named in the terms of reference for the investigation, that person shall be served with a notice of the holding of the investigation.

(2) Where the terms of reference for a formal investigation are revised, paragraph (1) shall apply in relation to the formal investigation so revised as it applied to the original.

Requirement to furnish or give information or produce documents

5. Where, in pursuance of Article 48(1) of the Order, the Commission requires a person to furnish written information, give oral information or produce documents, that person shall be served with a notice in the form set out in Schedule 1, with such variations as the circumstances may require.

Non-discrimination notice

6. A non-discrimination notice served by the Commission in pursuance of Article 55(2) of the Order shall be in the form set out in Schedule 2, with such variations as the circumstances may require.

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

30th June 1997.

G. I. O'Doherty
Assistant Secretary