1977 No. 100

SEX DISCRIMINATION

Sex Discrimination (Formal Investigations) Regulations (Northern Ireland) 1977

Made . . . . . 14*th April* 1977

Coming into operation . . . . 19*th May* 1977

The Department of Manpower Services in exercise of the powers conferred on it by Articles 2(2), 58(3), 59(1) and 67(2) of the Sex Discrimination (Northern Ireland) Order 1976(a) 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 Sex Discrimination (Formal Investigations) Regulations (Northern Ireland) 1977 and shall come into operation on 19th May 1977.

Interpretation

2. In these regulations—

"the Order" means the Sex Discrimination (Northern Ireland) Order 1976.

"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 57(3) of the Order, "the Commission" shall mean the persons, being either Commissioners or additional Commissioners, to whom those functions have been so delegated.

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;

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

(*c*) where the person is a body corporate or is a trade union or employers' association within the meaning of the Industrial Relations (Northern Ireland) Order 1976(b), 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 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.

(a) S.I. 1976/1042 (N.I. 15)
(b) S.I. 1976/1043 (N.I. 16)

Notice of holding of formal investigation

4.—(1) Where, in pursuance of Article 58 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 setting out the terms of reference.

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

Requirement to furnish or give information or produce documents

5. Where, in pursuance of Article 59(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 issued by the Commission in pursuance of Article 67(2) of the Order shall be in the form set out in Schedule 2, with such variations as the circumstances may require, and the person to whom it is directed shall be served with such notice.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 14th April 1977.

(L.S.)

J. S. Crozier
Assistant Secretary