1976 No. 322

SEX DISCRIMINATION

The Sex Discrimination (Questions and Replies) Order (Northern Ireland) 1976

Made . . . . . 1*st November* 1976

Coming into operation . . . 1*st December* 1976

To be laid before Parliament

In exercise of the powers conferred on me by Article 74 of the Sex Discrimination (Northern Ireland) Order 1976(a) (hereinafter referred to as "the Order") I hereby make the following order:—

Citation and commencement

1. This order may be cited as the Sex Discrimination (Questions and Replies) Order (Northern Ireland) 1976 and shall come into operation on 1st December 1976.

Forms for asking and answering questions

2. The forms respectively set out in Schedules 1 and 2 are, respectively, hereby prescribed pursuant to Article 74(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 admissable as evidence in pursuance of Article 74(2)(*a*) of the Order—

(*a*) where it was served before those proceedings had been instituted, if it was so served within the period of six months beginning when the act complained of was done or, in a case to which Article 66(5) of the Order applies, beginning when the restriction on the institution of proceedings imposed by that provision ceased to operate;

(*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—industrial tribunal cases

4. In proceedings before an industrial tribunal, a question shall only be admissible as evidence in pursuance of Article 74(2)(*a*) of the Order—

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

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(*b*) where it was served when a complaint had been presented to an industrial 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 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 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.

Dated this 1st November 1976.

Roy Mason
One of Her Majesty's Principal Secretaries of State

(b) S.I. 1976/1043 (N.I. 16)