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STATUTORY INSTRUMENTS

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**1997 No. 869**

**The Race Relations (Northern Ireland) Order 1997**

**PART II**

**DISCRIMINATION IN THE EMPLOYMENT FIELD**

*Discrimination by other bodies*

**Employment agencies**

- 16.**—(1) It is unlawful for an employment agency to discriminate against a person—
- (a) in the terms on which the agency offers to provide any of its services; or
  - (b) by refusing or deliberately omitting to provide any of its services; or
  - (c) in the way it provides any of its services.
- (2) References in paragraph (1) to the services of an employment agency include guidance on careers and any other services related to employment.
- (3) This Article does not apply if the discrimination only concerns employment which the employer could lawfully refuse to offer the person in question.
- (4) An employment agency shall not be subject to any liability under this Article if it proves—
- (a) that it acted in reliance on a statement made to it by the employer to the effect that, by reason of the operation of paragraph (3), its action would not be unlawful; and
  - (b) that it was reasonable for it to rely on the statement.
- (5) A person who knowingly or recklessly makes a statement such as is referred to in paragraph (4) (a) which in a material respect is false or misleading shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.