

## 1991 No. 325

## FAIR EMPLOYMENT

**The Fair Employment (Questions and Replies) (Amendment) Regulations (Northern Ireland) 1991**

Made . . . . . 24th July 1991

Coming into operation . . . . . 25th August 1991

The Department of Economic Development(a), in exercise of the powers conferred on it by section 28(3)(a) of the Fair Employment (Northern Ireland) Act 1976(b) 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 Fair Employment (Questions and Replies) (Amendment) Regulations (Northern Ireland) 1991 and shall come into operation on 25th August 1991.

*Interpretation*

2.—(1) The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to a Measure of the Northern Ireland Assembly.

(2) In these Regulations—

“the Act of 1976” means the Fair Employment (Northern Ireland) Act 1976;

“the 1989 Regulations” means the Fair Employment (Questions and Replies) Regulations (Northern Ireland) 1989(d).

(3) In these Regulations expressions which are also used in the Act of 1976 shall have the same meaning as in that Act.

*Extended period for service of questions*

3.—(1) Notwithstanding anything in regulation 4 of the 1989 Regulations, a question to which this regulation applies shall be admissible as evidence in pursuance of section 28(2)(a) of the Act of 1976 in proceedings before the Tribunal if it was served within the period of 3 months beginning with the day on which the Fair Employment (Amendment) (Northern Ireland) Order 1991(e) comes into operation.

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(a) Formerly the Department of Manpower Services; see S.I. 1982/846 (N.I. 11) Article 3

(b) 1976 c. 25 as inserted by section 50 of the Fair Employment (Northern Ireland) Act 1989 (c. 32)

(c) 1954 c. 33 (N.I.)

(d) S.R. 1989 No. 447

(e) S.I. 1991/1713 (N.I. 18)

(2) This regulation applies to any question which, but for this regulation, would have been required by regulation 4 of the 1989 Regulations to have been served within a period ending on a date before the coming into operation of the Fair Employment (Amendment) (Northern Ireland) Order 1991.

Sealed with the Official Seal of the Department of Economic Development on 24th July 1991.

(L.S.)

*J. E. Wolstencroft*

Assistant Secretary

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

Regulation 4 of the Fair Employment (Questions and Replies) Regulations (Northern Ireland) 1989 prescribes the period within which a question must be served in order to be admissible in evidence in proceedings before the Fair Employment Tribunal in pursuance of section 28(2)(a) of the Fair Employment (Northern Ireland) Act 1976.

These Regulations provide that a question which would otherwise be required by regulation 4 of the 1989 Regulations to be served before the coming into operation of the Fair Employment (Amendment) (Northern Ireland) Order 1991 may be served within the period of 3 months from the coming into operation of that Order.