



Sex Discrimination Act 1975

1975 CHAPTER 65

PART VII

ENFORCEMENT

Other enforcement by Commission

73 Preliminary action in employment cases

- (1) With a view to making an application under section 71(1) or 72(4) in relation to a person the Commission may present to an industrial tribunal a complaint that he has done an act within the jurisdiction of an industrial tribunal, and if the tribunal considers that the complaint is well-founded they shall make a finding to that effect and, if they think it just and equitable to do so in the case of an act contravening any provision of Part II may also (as if the complaint had been presented by the person discriminated against) make an order such as is referred to in section 65(1)(a), or a recommendation such as is referred to in section 65(1)(c), or both.
- (2) Subsection (1) is without prejudice to the jurisdiction conferred by section 72(2).
- (3) Any finding of an industrial tribunal under—
 - (a) this Act, or
 - (b) the Equal Pay Act 1970,in respect of any act shall, if it has become final, be treated as conclusive—
 - (i) by the county court or sheriff court on an application under section 71(1) or 72(4) or in proceedings on an equality clause,
 - (ii) by an industrial tribunal on a complaint made by the person affected by the act under section 63 or in relation to an equality clause.
- (4) In sections 71 and 72 and this section, the acts " within the jurisdiction of an industrial tribunal" are those in respect of which such jurisdiction is conferred by sections 63 and 72 and by section 2 of the Equal Pay Act 1970.