



Fair Employment (Northern Ireland) Act 1976

1976 CHAPTER 25

PART II

EQUALITY OF OPPORTUNITY

Investigation and remedying of practices which fail to afford equality of opportunity

12 Investigation of employment, etc., practices

- (1) For the purpose of assisting the Agency in—
- (a) ascertaining the existence, nature and extent of failures to afford equality of opportunity ; and
 - (b) considering what action, if any, for promoting equality of opportunity ought to be taken by any of the following persons (" the person concerned "), that is to say.—
 - (i) any employer, or
 - (ii) any person who is empowered by virtue of an enactment to select or nominate another person for employment by a third person, or
 - (iii) any employment agency, or
 - (iv) any vocational organisation, or
 - (v) any person who provides services in connection with training for employment in any capacity, or for any particular employment, (not being services provided by the employer of a person who is seeking to obtain or is receiving those services) or any person who provides services in connection with training for a particular occupation, or
 - (vi) any person who has power to confer a qualification which is needed for, or facilitates, engagement in employment in any capacity, or in a particular employment or occupation,

the Agency may conduct the investigations mentioned in subsection (2).

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (2) Those investigations are investigations—
- (a) into the composition, by reference to religious beliefs, of any of the following classes of person (or of any class of person within such a class), that is to say—
 - (i) the employees of, or other persons who have applied for employment by, any employer or employers of any class, or
 - (ii) the persons who have applied for or obtained the services of any employment agency, or
 - (iii) the members of, or other persons who have applied for membership of, any vocational organisation or the members of such organisations of any class, or
 - (iv) the persons who have sought (or on whose behalf there have been sought) or who have obtained the services of a person such as is mentioned in subsection (1)(b)(v), or
 - (v) the persons who have applied to have, or have had, conferred on them any qualification such as is mentioned in subsection (1)(b)(vi); and
 - (b) into practices—
 - (i) affecting the recruitment, admission to membership or access to benefits or services of persons belonging to any class referred to in paragraph (a), or the terms of employment or membership or provision of services applicable to such persons, or
 - (ii) involving any detriment to such persons, or
 - (iii) affecting the conferring or holding of any qualification such as is mentioned in subsection (1)(b)(vi). including practices discontinued before the time of the investigation so far as relevant for explaining the composition of the class of person in question at that time.
- (3) Schedule 5 shall have effect with respect to the conduct of investigations under this section.