
STATUTORY INSTRUMENTS

1997 No. 869

The Race Relations (Northern Ireland) Order 1997

PART VIII

ENFORCEMENT

Enforcement in employment field

Jurisdiction of industrial tribunals

52.—(1) A complaint by any person (“the complainant”) that another person (“the respondent”) —

- (a) has committed an act of discrimination against the complainant which is unlawful by virtue of Part II; or
- (b) is by virtue of Article 32 or 33 to be treated as having committed such an act of discrimination against the complainant,

may be presented to an industrial tribunal.

(2) Paragraph (1) does not apply to a complaint under Article 14(1) of an act in respect of which an appeal, or proceedings in the nature of an appeal, may be brought under any statutory provision.

(3) Where a complaint is presented to an industrial tribunal under paragraph (1) and it appears to the tribunal that the act to which the complaint relates is one in respect of which (as being unlawful discrimination within the meaning of the Fair Employment (Northern Ireland) Act 1976)—

- (a) a complaint could be made to the Fair Employment Tribunal for Northern Ireland under Part III of that Act; or
- (b) such a complaint has been made, but the proceedings under that Act have not been disposed of,

the tribunal shall not proceed further under this Order in relation to the complaint unless all proceedings which can be taken under that Act in respect of the act have been disposed of.