
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 341

**Race Relations Order (Amendment)
Regulations (Northern Ireland) 2003**

Burden of proof

43. After Article 54A of the Race Relations Order insert –

“Burden of proof: county court

54B.—(1) This Article applies where a claim is brought under Article 54 and the claim is that the respondent –

- (a) has committed an act of discrimination, on grounds of race or ethnic or national origins which is unlawful by virtue of any provision referred to in Article 3(1B) (b) to (d), or Part IV in its application to those provisions, or
- (b) has committed an act of harassment.

(2) Where, on the hearing of the claim, the claimant proves facts from which the court could, apart from this Article, conclude in the absence of an adequate explanation that the respondent –

- (a) has committed such an act of discrimination or harassment against the claimant, or
- (b) is by virtue of Article 32 or 33 to be treated as having committed such an act of discrimination or harassment against the claimant,

the court shall uphold the claim unless the respondent proves that he did not commit or, as the case may be, is not to be treated as having committed that act.”.