
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 497

**Employment Equality (Sexual Orientation)
Regulations (Northern Ireland) 2003**

**PART VI
ENFORCEMENT**

Burden of proof: industrial tribunals

35.—(1) This regulation applies to any complaint presented under regulation 34 to an industrial tribunal.

(2) Where, on the hearing of the complaint, the complainant proves facts from which the tribunal could, apart from this regulation, conclude in the absence of an adequate explanation that the respondent –

- (a) has committed against the complainant an act to which regulation 34 applies; or
- (b) is by virtue of regulation 24 (liability of employers and principals) or 25 (aiding unlawful acts) to be treated as having committed against the complainant such an act,

the tribunal shall uphold the complaint 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.