
DRAFT STATUTORY INSTRUMENTS

2000 No.

Equality (Disability, etc.) (Northern Ireland) Order 2000

PART II

DISABILITY DISCRIMINATION

Conciliation of disputes under Part III of the 1995 Act

12. For section 28 of the 1995 Act (arrangements with a view to the settlement of disputes under Part III) there shall be substituted the following section—

“28 Conciliation of disputes.

(1) The Commission may make arrangements with any other person for the provision of conciliation services by, or by persons appointed by, that person in relation to disputes arising under this Part.

(2) In deciding what arrangements (if any) to make, the Commission shall have regard to the desirability of securing, so far as reasonably practicable, that conciliation services are available for all disputes arising under this Part which the parties may wish to refer to conciliation.

(3) No member or employee of the Commission may provide conciliation services in relation to disputes arising under this Part.

(4) The Commission shall ensure that any arrangements under this section include appropriate safeguards to prevent the disclosure to members or employees of the Commission of information obtained by a person in connection with the provision of conciliation services in pursuance of the arrangements.

(5) Subsection (4) does not apply to information relating to a dispute which is disclosed with the consent of the parties to that dispute.

(6) Subsection (4) does not apply to information which—

- (a) is not identifiable with a particular dispute or a particular person; and
- (b) is reasonably required by the Commission for the purpose of monitoring the operation of the arrangements concerned.

(7) Anything communicated to a person while providing conciliation services in pursuance of any arrangements under this section is not admissible in evidence in any proceedings except with the consent of the person who communicated it to that person.

(8) In this section—

“the Commission” means the Equality Commission for Northern Ireland; and

“conciliation services” means advice and assistance provided by a conciliator to the parties to a dispute with a view to promoting its settlement otherwise than through the courts.”