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SCHEDULES.

SCHEDULE 3

INVESTIGATION OF UNLAWFUL CONDUCT WHERE NO COMPLAINT MADE.

PART I

NORMAL PROVISIONS AS TO INVESTIGATIONS

- 1 The Race Relations Board may themselves investigate or may refer to a conciliation committee a matter which falls to be investigated under this Part of this Schedule, and it shall be the duty of a committee to whom a matter is referred under this paragraph to investigate the matter.
- 2 In investigating any matter under this Part of this Schedule the Board or a conciliation committee—
 - (a) shall make such inquiries as they think necessary with regard thereto and form an opinion whether any person has done any act which is unlawful by virtue of any provision of Part I of this Act; and
 - (b) where the investigation relates to an act suspected of amounting to discrimination against a particular person, shall use their best endeavours by communication with the persons concerned or otherwise to secure a settlement of any difference between them and, where appropriate, a satisfactory written assurance against any repetition of the act considered to be unlawful or the doing of further acts of a similar kind by the person by whom it was done; and
 - (c) where the investigation does not so relate, shall, where appropriate, use their best endeavours to secure such an assurance as aforesaid.
- 3 If on investigating any matter the Board form the opinion that an act has been done which is unlawful by virtue of any provision of Part I of this Act and either they are unable to secure such a settlement and assurance, or, as the case may be, such an assurance, as aforesaid, or it appears to them that the act was done in breach of a relevant assurance, they shall determine whether or not to bring proceedings under section 19 or 20 of this Act.
- 4 If on investigating any matter a conciliation committee form the opinion that any such act as aforesaid has been done and either they are unable to secure such a settlement and assurance, or, as the case may be, such an assurance as aforesaid, or it appears to them that the act was done in breach of a relevant assurance, they shall make a report to that effect to the Race Relations Board and the Board shall consider the report and shall either investigate the matter themselves or, without investigating it, determine whether or not to bring proceedings under section 19 or 20 of this Act.
- 5 Where the Board or a conciliation committee investigate any matter under this Part of this Schedule they shall on completing the investigation give a written notification to the persons appearing to them to be concerned stating—

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- (a) whether or not they have been able to form an opinion with respect to the matter and, if they have, what opinion;
 - (b) whether or not they have secured such a settlement and assurance or, as the case may be, such an assurance as are mentioned in paragraph 2 above ; and
 - (c) what action if any they propose to take with respect to the matter.
- 6 Where the Board come to a determination under paragraph 4 above without investigating a matter, they shall give a written notification to the persons appearing to them to be concerned of their determination.