



# Race Relations Act 1968

## 1968 CHAPTER 71

### PART II

#### CONCILIATION AND ENFORCEMENT

##### *Consideration of Complaints*

#### **15 General provision as to investigation of complaints of discrimination.**

- (1) This section applies to any complaint made to the Race Relations Board or a conciliation committee that an act has been done which is unlawful by virtue of any provision of Part I of this Act, except an act mentioned in section 16 below, and any reference in the following provisions of this section to a complaint shall be construed accordingly.
- (2) It shall be the duty of the Board or a conciliation committee to receive any complaint which is made to them within two months of the act complained of and also, if the Board think that special circumstances warrant its reception, any complaint made to them or a conciliation committee after the expiration of that period, if in either case the complaint is accompanied by the name and address of the person by whom it is made and, in the case of an act of discrimination against any person, it is made by him or with his written authority, and—
  - (a) the Board may refer any complaint received by them to a conciliation committee or may direct such a committee to refer to the Board a particular complaint received by the committee or a complaint of any class so received; and
  - (b) the Board and any conciliation committee shall respectively investigate any complaint received by them and not referred to the other and any complaint referred to them.
- (3) In investigating any complaint the Board or a conciliation committee—
  - (a) shall make such inquiries as they think necessary with regard to the facts alleged in the complaint 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

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (b) in the case of a complaint that the act was one of discrimination against a particular person, shall use their best endeavours by communication with the parties 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 party against whom the complaint is made ; and
  - (c) in the case of any other complaint, shall, where appropriate, use their best endeavours to secure such an assurance as aforesaid.
- (4) If on investigating a complaint 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.
- (5) If on investigating a complaint 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 complaint themselves or, without investigating it, determine whether or not to bring proceedings under section 19 or 20 of this Act.
- (6) Where the Board or a conciliation committee investigate a complaint under subsection (2) or (5) above they shall on completing the investigation give a written notification to the parties stating—
  - (a) whether or not they have been able to form an opinion with respect to the complaint 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 subsection (3) above; and
  - (c) what action, if any, they propose to take in the matter.
- (7) Where the Board come to a determination under subsection (5) above without investigating a complaint, they shall give the parties a written notification of their determination stating what action, if any, they propose to take in the matter.