



Race Relations Act 1976

1976 CHAPTER 74

PART VIII

ENFORCEMENT

Non-discrimination notices

58 Issue of non-discrimination notice

- (1) This section applies to—
 - (a) an unlawful discriminatory act; and
 - (b) an act contravening section 28 ; and
 - (c) an act contravening section 29, 30 or 31,and so applies whether or not proceedings have been brought in respect of the act.
- (2) If in the course of a formal investigation the Commission become satisfied that a person is committing, or has committed, any such acts, the Commission may in the prescribed manner serve on him a notice in the prescribed form (" a non-discrimination notice ") requiring him—
 - (a) not to commit any such acts ; and
 - (b) where compliance with paragraph (a) involves changes in any of his practices or other arrangements—
 - (i) to inform the Commission that he has effected those changes and what those changes are; and
 - (ii) to take such steps as may be reasonably required by the notice for the purpose of affording that information to other persons concerned.
- (3) A non-discrimination notice may also require the person on whom it is served to furnish the Commission with such other information as may be reasonably required by the notice in order to verify that the notice has been complied with.
- (4) The notice may specify the time at which, and the manner and form in which, any information is to be furnished to the Commission, but the time at which any

Status: This is the original version (as it was originally enacted).

information is to be furnished in compliance with the notice shall not be later than five years after the notice has become final.

- (5) The Commission shall not serve a non-discrimination notice in respect of any person unless they have first—
- (a) given him notice that they are minded to issue a non-discrimination notice in his case, specifying the grounds on which they contemplate doing so ; and
 - (b) offered him an opportunity of making oral or written representations in the matter (or both oral and written representations if he thinks fit) within a period of not less than 28 days specified in the notice; and
 - (c) taken account of any representations so made by him.
- (6) Subsection (2) does not apply to any acts in respect of which the Secretary of State could exercise the powers conferred on him by section 19(2) and (3); but if the Commission become aware of any such acts they shall give notice of them to the Secretary of State.
- (7) Section 50(4) shall apply to requirements under subsection (2)(b), (3) and (4) contained in a non-discrimination notice which has become final as it applies to requirements in a notice served under section 50(1).