



Race Relations Act 1976

1976 CHAPTER 74

PART VIII

ENFORCEMENT

Other enforcement by Commission

62 Persistent discrimination

- (1) If, during the period of five years beginning on the date on which any of the following became final in the case of any person, namely—
- (a) a non-discrimination notice served on him ; or
 - (b) a finding by a tribunal or court under section 54 or 57 ; that he has done an unlawful discriminatory act; or
 - (c) a finding by a court in proceedings under section 19 or 20 of the Race Relations Act 1968 that he has done an act which was unlawful by virtue of any provision of Part I of that Act,

it appears to the Commission that unless restrained he is likely to do one or more acts falling within paragraph (b), or contravening section 28, the Commission may apply to a designated county court for an injunction, or to a sheriff court for an order, restraining him from doing so; and the court, if satisfied that the application is well-founded, may grant the injunction or order in the terms applied for or in more limited terms.

- (2) In proceedings under this section the Commission shall not allege that the person to whom the proceedings relate has done an act falling within subsection (1)(b) or contravening section 28 which is within the jurisdiction of an industrial tribunal unless a finding by an industrial tribunal that he did that act has become final.