



# Northern Ireland Act 1998

## 1998 CHAPTER 47

### PART VIII

#### MISCELLANEOUS

##### *Discrimination: certificates by Secretary of State*

#### **92 Appeals from the Tribunal.**

- (1) Where the Tribunal has determined an appeal under section 90—
  - (a) any party to the appeal; or
  - (b) where the Secretary of State was not a party to the appeal, the Secretary of State,may bring a further appeal to the Court of Appeal in Northern Ireland on any question of law material to the Tribunal's determination.
- (2) An appeal under this section may be brought only with the leave of the Tribunal or, if such leave is refused, with the leave of the Court of Appeal in Northern Ireland.
- (3) The Lord Chancellor may [<sup>F1</sup>, after consultation with the Lord Chief Justice of Northern Ireland,] make rules regulating, and prescribing the procedure to be followed on, applications to the Tribunal for leave to appeal under this section.
- [<sup>F2</sup>(3A) The Lord Chief Justice may nominate any of the following to exercise his functions under subsection (3)—
  - (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
  - (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]
  - (4) Rules under this section may include provision enabling an application for leave to appeal to be heard by a single member of the Tribunal.

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*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 92. (See end of Document for details)*

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#### Textual Amendments

- F1** Words in s. 92(3) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 5 para. 107(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 12(b)
- F2** S. 92(3A) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, **Sch. 5 para. 107(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 12(b)

#### Modifications etc. (not altering text)

- C1** S. 92 applied (1.3.1999) by S.I. 1998/3162 (N.I. 21), **arts. 80(5)**, 96, 98; S.R. 1999/81, **art. 3(1)**
- C2** S. 92 applied (N.I.) (1.10.2006) by The Employment Equality (Age) Regulations (Northern Ireland) 2006 (S.R. 2006/261), **reg. 30(5)** (with reg. 50)
- C3** S. 92 applied (N.I.) (1.1.2007) by The Equality Act (Sexual Orientation) Regulations (Northern Ireland) 2006 (S.R. 2006/439), **reg. 51(5)** (with regs. 5(4), 16(3)(4), 26, 53)

#### Commencement Information

- I1** S. 92 wholly in force at 2.8.1999; s. 92 not in force at Royal Assent see s. 101(3); s. 92(3)(4) in force at 1.3.1999 by S.I. 1999/340, **art. 2(3)**, **Sch. Pt. 3**; s. 92 in force at 2.8.1999 insofar as not already in force by S.I. 1999/2204, **art. 5**

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 92.