
STATUTORY INSTRUMENTS

1998 No. 3162

The Fair Employment and Treatment
(Northern Ireland) Order 1998

PART VI

ENFORCEMENT OF PARTS III TO V

Enforcement of Part III

[^{F1}Burden of proof: Tribunal

38A. Where, on the hearing of a complaint under Article 38, the complainant proves facts from which the Tribunal could, apart from this Article, conclude in the absence of an adequate explanation that the respondent—

- (a) has committed an act of unlawful discrimination or unlawful harassment against the complainant, or
- (b) is by virtue of Article 35 or 36 to be treated as having committed such an act of discrimination or harassment against the complainant,

the Tribunal shall uphold the complaint unless the respondent proves that he did not commit or, as the case may be, is not to be treated as having committed, that act.]

Changes to legislation:

There are currently no known outstanding effects for the The Fair Employment and Treatment (Northern Ireland) Order 1998, Section 38A.