STATUTORY INSTRUMENTS

## 1998 No. 3162 (N.I. 21)

### The Fair Employment and Treatment (Northern Ireland) Order 1998

# 16th December 1998

### THE FAIR EMPLOYMENT AND TREATMENT (NORTHERN IRELAND) ORDER 1998

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1. Title and commencement

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 (1) Where the Commission proposes to issue a code of practice under Article 9(3), it...
 PART II — CODES OF PRACTICE – GENERAL

#### Revision of a code of practice

2. (1) The Commission may from time to time revise the whole or any part of...

#### Publication

3. The Commission shall— (a) publish a code of practice under Article 9 as for the...

#### Effect of code of practice

- 4. The Commission and the Department shall each take such steps as they consider necessary to...
- 5. A failure on the part of any person to observe any provision of a code...

SCHEDULE 2 — CONDUCT OF INVESTIGATIONS BY THE COMMISSION — Preliminary (1) In this Schedule "the investigation" means an investigation under Article 11 or 71....

#### Preliminary

1. In this Schedule "the investigation" means an investigation under Article...

#### Notices

2. Before holding the investigation, the Commission shall— (a) serve on every person whose practices it...

#### Procedure

- 3. The Commission shall afford to every person such as is mentioned in paragraph 2(a) an...
- 4. The investigation shall be conducted in private.
- 5. Subject to paragraphs 3 and 4, the procedure for conducting the investigation shall be such...

#### Information and evidence

- 6. For the purposes of the investigation, the Commission may obtain information from such persons and...
- 7. (1) For the purposes of the investigation the Commission may require any person who in...
- 8. For the purposes of the investigation the Commission may also require an employer or vocational...

#### Obstruction and contempt

9. (1) If any person, without lawful authority or reasonable excuse, obstructs the Commission or any...

#### Expenses

10. Without prejudice to paragraph 7(3)(c), the Commission may, if it thinks fit, pay to any...

SCHEDULE 2A — OCCUPATIONAL PENSION SCHEMES
 — Interpretation (1) (1) In this Schedule— "active member", "deferred member", "managers", "pensioner member" and "trustees...

#### Interpretation

1. (1) In this Schedule— "active member", "deferred member", "managers", "pensioner member" and "trustees or managers",...

#### Non-discrimination rule

- 2. Every occupational pension scheme shall be treated as including a provision ("the non-discrimination rule") containing...
- 3. The other provisions of the scheme are to have effect subject to the nondiscrimination rule.
- 4. The trustees or managers of an occupational pension scheme may— (a) if they do not...
- 5. Alterations made by a resolution such as is referred to in paragraph 4 may have...

#### Procedure in the Tribunal

6. Where under Article 38 a member or prospective member of an occupational pension scheme presents...

#### Remedies in the Tribunal

7. (1) This paragraph applies where— (a) under Article 38 a member or prospective member of...

Schedule 3—Amendments

SCHEDULE 4 — TRANSITIONAL PROVISIONS AND SAVINGS
 — Article 26 and Part IV (1) (1) Article 26 of this Order shall not apply...

#### Article 26 and Part IV

1. (1) Article 26 of this Order shall not apply in relation to any act done...

#### National security certificates

- In relation to any act done before the coming into operation of Article 79—

   (a)...
- In relation to any act done before the coming into operation of Article 96— (a)...
- In relation to any act done before the coming into operation of Article 98— (a)...

#### Devolution order under section 3 of the Northern Ireland Act 1998

5. If provisions of this Order come into operation before the day appointed by an Order...

#### The Commission

6. (1) If provisions of this Order come into operation before the day appointed under section...

#### The Police (Northern Ireland) Act 1998 (1998 c. 32)

7. If Article 94 comes into operation before the day appointed under section 75(1) of the...

#### Section 50(2) of the Fair Employment (Northern Ireland) Act 1989

8. The repeals effected by this Order do not affect the operation of— (a) subsection (2)...

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**Changes to legislation:** There are currently no known outstanding effects for the The Fair Employment and Treatment (Northern Ireland) Order 1998. (See end of Document for details)

— Schedule 5—Repeals

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