

SCHEDULES

SCHEDULE 1

FORMAL INVESTIGATIONS AND NON-DISCRIMINATION NOTICES

PART III

ACTION PLANS

Action by Commission as respects inadequate action plan

17.—(1) If the Commission considers that a proposed action plan served on it is not an adequate action plan it may apply to the county court for an order under this paragraph.

(2) The Commission may not make an application under this paragraph in relation to the first proposed action plan served on it by P (even where it was served in compliance with an order of the court under paragraph 15(2)) unless—

- (a) a notice under paragraph 16 has been served on P in relation to that proposed action plan; and
- (b) P has not served a revised action plan on the Commission in response to it within the period specified in the notice under paragraph 16(1)(b).

(3) An order under this paragraph is an order—

- (a) declaring that the proposed action plan in question is not an adequate action plan;
- (b) requiring P to revise his proposals and serve on the Commission an adequate action plan within such period as the order may specify; and
- (c) containing such directions (if any) as the court considers appropriate as to the action which should be specified in the adequate action plan required by the order.

(4) If on an application under this paragraph the court does not make an order, the proposed action plan in question shall become final at the end of the prescribed period.

18.—(1) This paragraph applies where an order of the court under paragraph 17 (“the order”) requires P to serve an adequate action plan on the Commission.

(2) If, in response to the order, P serves an action plan on the Commission, that action plan shall become final at the end of the prescribed period unless the Commission has applied to a county court to enforce the order on the ground that the plan does not comply with the order (and any directions under paragraph 17(3)(c)).

(3) Where an application is made as mentioned in sub-paragraph (2)—

- (a) if the Commission withdraws its application, the action plan in question shall become final at the end of the prescribed period;
- (b) if the court considers that the action plan in question complies with the order, that action plan shall become final at the end of the prescribed period.

Changes to legislation:

There are currently no known outstanding effects for the The Equality (Disability, etc.) (Northern Ireland) Order 2000, Cross Heading: Action by Commission as respects inadequate action plan.