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STATUTORY RULES OF NORTHERN IRELAND

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**2006 No. 439**

**The Equality Act (Sexual Orientation)  
Regulations (Northern Ireland) 2006**

**Burden of proof: county court**

**52.**—(1) This regulation applies where a claim is brought under regulation 36 and the claim is that the respondent —

- (a) has committed an act of discrimination, on the ground of sexual orientation which is unlawful by virtue of any provision of these Regulations; or
- (b) has committed an act of harassment.

(2) Where on hearing the claim, the claimant proves facts from which a court could, apart from this regulation, conclude in the absence of an adequate explanation from the respondent —

- (a) has committed such an act of discrimination or harassment against the claimant; or
- (b) is by virtue of regulation 23 or 24 to be treated as having committed such an act of discrimination or harassment against the claimant,

the court shall uphold the claim 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.