



Fair Employment (Northern Ireland) Act 1989 ^{F1}(repealed 1.3.1999)

CHAPTER 32

FAIR EMPLOYMENT (NORTHERN IRELAND) ACT 1989 (REPEALED 1.3.1999)

PART I

THE FAIR EMPLOYMENT COMMISSION, THE FAIR EMPLOYMENT TRIBUNAL AND THE FUNCTIONS OF THE COMMISSION AND THE TRIBUNAL

The Fair Employment Commission for Northern Ireland

- 1 The Fair Employment Commission.

The Fair Employment Tribunal for Northern Ireland

- 2 Constitution of the Tribunal.
- 3 The President and Vice-President.
- 4 Remuneration and allowances.
- 5 Tribunal procedure.
- 6 Complaints involving matters within the jurisdiction of employment tribunal.

Code of practice

- 7 Code of practice for the promotion of equality of opportunity.
- 8 Contents of the code.
- 9 Approval of code.

Identification of patterns and trends of employment, etc.

- 10 Survey of employment, etc., patterns.

Changes to legislation: There are currently no known outstanding effects for the Fair Employment (Northern Ireland) Act 1989 (repealed 1.3.1999). (See end of Document for details)

Investigation of practices

- 11 Investigation of employment etc., practices.

Undertakings or directions for promoting equality of opportunity

- 12 Undertaking following investigation under section 11.
13 Voluntary undertakings.
14 Directions under sections 12 and 13.

Appeals and legal proceedings in relation to undertakings and directions

- 15 Appeal to Tribunal against directions under section 12 or 13.
16 Order of Tribunal to enforce undertaking or directions.
17 Failure to comply with order of Tribunal.
18 Appeal to Court of Appeal from certain decisions of Tribunal.

Confidentiality of information

- 19 Confidentiality of information.

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- 20 Meaning of “equality of opportunity”.
21 Interpretation of Part I.

PART II

NEW DUTIES OF EMPLOYERS IN RESPECT OF THEIR WORKFORCES

The register

- 22 The register of concerns in which people are employed.
23 Employers to apply for registration.
24 Rectification of the register.

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- 25 Power to specify public authorities by order.
26 Certain public authorities to be treated as employers.

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- 27 Monitoring returns.
28 Regulations as to monitoring.
29 Monitoring applicants.
30 Confidentiality of monitoring information.

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- 31 Periodic reviews by employers.

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- 32 Enquiries by the Commission.
33 Undertakings in connection with monitoring and reviews.
34 Directions.
35 Application of sections 15 to 18.

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- 36 Notices about goals and timetables.
- 37 Power to secure further undertakings or issue further directions.

Employers in default and connected persons: restrictions on dealing with them or giving them financial assistance

- 38 Employers in default: notice stating they are not qualified.
- 39 Notice stating that connected and other persons are not qualified.
- 40 Appeals against decisions of Tribunal under sections 38 and 39.
- 41 Restriction on execution of works, etc. by unqualified persons.
- 42 Enforcement at instance of Commission and actions for breach of duty.
- 43 Denial of financial assistance to unqualified persons.

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- 44 Offences by bodies corporate and partnerships.
- 45 Additional powers of Commission to obtain information.
- 46 Procedure in case of default by Crown bodies.
- 47 Interpretation of Part II.
- 48 Index to Part II.

PART III

DISCRIMINATION

- 49 Meaning of “discrimination”.
- 50 Complaints of unlawful discrimination.
- 51 Power of High Court to revise contracts.
- 52 Discriminatory advertisements.
- 53 Provision of training.
- 54 Redundancy.
- 55 Measures to encourage applications etc. from under-represented community.

PART IV

MISCELLANEOUS AND GENERAL

- 56 Restriction on proceedings for contravention of legislation.
- 57 Regulations and orders.
- 58 Meaning of “affirmative action”.
- 59 Minor and consequential amendments and repeals.
- 60 Citation, commencement and extent.

SCHEDULES

SCHEDULE 1 — Conduct of investigations by the Commission

Preliminary

- 1 In this Schedule “the investigation” means an investigation under section...

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Notices

- 2 Before holding the investigation, the Commission shall—

Procedure

- 3 The Commission shall afford to every person such as is...
 4 The investigation shall be conducted in private.
 5 Subject to paragraphs 3 and 4 above, the procedure for...

Information and evidence

- 6 For the purposes of the investigation, the Commission may obtain...
 7 (1) For the purposes of the investigation the Commission may...
 8 For the purposes of the investigation the Commission may also...

Obstruction and contempt

- 9 (1) If any person, without lawful authority or reasonable excuse,...

Expenses

- 10 Without prejudice to paragraph 7(3)(c) above, the Commission may, if...

SCHEDULE 2 — Minor and consequential amendments

The Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969 (c.7 (N.I.))

- 1 In section 2(1) of the Superannuation (Miscellaneous Provisions) Act (Northern...)

The Northern Ireland Constitution Act 1973 (c.36)

- 2 In section 20(2)(dd) of the Northern Ireland Constitution Act 1973...

The House of Commons Disqualification Act 1975 (c.24)

- 3 In Part II of Schedule 1 to the House of...

The Northern Ireland Assembly Disqualification Act 1975 (c.25)

- 4 In Part II of Schedule 1 to the Northern Ireland...

The Fair Employment (Northern Ireland) Act 1976 (c.25)

- 5 In section 1 of the Fair Employment (Northern Ireland) Act...
 6 In section 2 of that Act— (a) for “Agency”, wherever...
 7 In section 16(3) of that Act— (a) in paragraph (b)...
 8 In section 37 of that Act— (a) in subsection (1)...
 9 In section 38 of that Act— (a) for “Agency”, wherever...
 10 In sections 39(1)(b) and 40(1) of that Act for “this...
 11 In section 41(1) of that Act for “this Act”, where...
 12 In section 42(1) of that Act for “This Act” there...
 13 (1) Section 49 of that Act is amended as follows....
 14 In section 50 of that Act, in subsections (1) and...
 15 In section 51 of that Act— (a) for “section 30”,...
 16 (1) Section 52 of that Act is amended as follows....
 17 (1) Section 53 of that Act is amended as follows....

- 18 (1) Section 54 of that Act is amended as follows....
- 19 In section 55(1) of that Act for “this Act” there...
- 20 In section 56 of that Act— (a) in subsection (2),...
- 21 In section 57(1) of that Act— (a) after the definition...
- 22 In Schedule 1 to that Act for paragraph 1 there...
- 23 In Schedule 1 to that Act for “Agency” wherever it...
- 24 In paragraph 6(1) of Schedule 1 to that Act for...
- 25 In paragraph 10(1) of Schedule 1 to that Act for...
- 26 In paragraph 11 of Schedule 1 to that Act the...
- 27 In paragraph 13 of Schedule 1 to that Act—
- 28 In paragraph 14 of Schedule 1 to that Act—

The Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042(N.I.15))

- 29 At end of Article 49 of the Sex Discrimination (Northern...
- 30 At the end of Article 63 of that Order there...

The Industrial Relations (Northern Ireland) Order 1976 (S.I.1976/1043 (N.I.16))

- 31 In Article 29(2)(a) of the Industrial Relations (Northern Ireland) Order...
- 32 In Article 32(3) of that Order at the end there...
- 33 In Article 38(2) of that Order for “court” there is...

SCHEDULE 3 — Repeals

Changes to legislation:

There are currently no known outstanding effects for the Fair Employment (Northern Ireland) Act 1989 (repealed 1.3.1999).