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## STATUTORY INSTRUMENTS

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# 1997 No. 869

## The Race Relations (Northern Ireland) Order 1997

### PART VIII ENFORCEMENT

#### *Other enforcement by Commission*

#### **Persistent discrimination**

**59.**—(1) If, during the period of 5 years beginning on the date on which either of the following became final in the case of any person, namely—

- (a) a non-discrimination notice served on him, or
- (b) a finding by a tribunal or court under Article 52 or 54 that he has done an unlawful<sup>[F1]</sup> act of discrimination or harassment],<sup>[F1]</sup> or]
- <sup>[F1]</sup>(c) a finding under the Special Immigration Appeals Commission Act 1997 or Part 5 of the Nationality, Immigration and Asylum Act 2002 that he has done an act which was unlawful by virtue of Article 20A.]

it appears to the Commission that unless restrained he is likely to do one or more acts falling within sub-paragraph (b), or contravening Article 28, the Commission may apply to a county court for an injunction restraining him from doing so; and the court, if satisfied that the application is well-founded, may grant the injunction in the terms applied for or in more limited terms.

(2) In proceedings under this Article the Commission shall not allege that the person to whom the proceedings relate has done an act falling within paragraph (1)(b) or contravening Article 28 which is within the jurisdiction of an industrial tribunal unless a finding by an industrial tribunal that he did that act has become final.

**Changes to legislation:**

The Race Relations (Northern Ireland) Order 1997, Section 59 is up to date with all changes known to be in force on or before 08 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 17 s.50 Sch.4 para.41](#)
- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para.24](#)