



Fair Employment (Northern Ireland) Act 1976

1976 CHAPTER 25

PART III

UNLAWFUL DISCRIMINATION

General

16 Meaning of " discrimination " and " unlawful discrimination "

- (1) In this Act " discrimination " means—
 - (a) discrimination on the ground of religious belief or political opinion; or
 - (b) discrimination by way of victimisation ;and " discriminate " shall be construed accordingly.
- (2) For the purposes of this Act a person discriminates against another person on the ground of religious belief or political opinion if, on either of those grounds, he treats that other person less favourably in any circumstances than he treats or would treat any other person in those circumstances.
- (3) For the purposes of this Act a person discriminates against another person (" the person victimised ") by way of victimisation if he treats that other person less favourably in any circumstances than he treats or would treat any other person in those circumstances, and does so by reason that the person victimised has—
 - (a) made a complaint against him or any other person under this Act of unlawful discrimination, or
 - (b) given evidence or information in connection with any such complaint or any investigation, legal proceedings or appeal under this Act, or
 - (c) alleged that he or any other person has committed an act which (whether or not the allegation so states) would amount to a contravention of this Act, or

Status: This is the original version (as it was originally enacted).

- (d) otherwise done anything under or by reference to this Act in relation to him or any other person,
or by reason that he knows the person victimised intends to do any of these things, or that he suspects the person victimised has done, or intends to do any of them.
- (4) Subsection (3) does not apply to treatment of a person by reason of any allegation made by him if the allegation was false and not made in good faith.
- (5) For the purposes of this Act a person commits unlawful discrimination against another if he does an act in relation to that other which is unlawful by virtue of this Part, or if he is treated by virtue of any provision of Part IV as doing such an act.