



Race Relations Act 1976

1976 CHAPTER 74

PART VII

THE COMMISSION FOR RACIAL EQUALITY

Investigations

49 Terms of reference

- (1) The Commission shall not embark on a formal investigation unless the requirements of this section have been complied with.
- (2) Terms of reference for the investigation shall be drawn up by the Commission or, if the Commission were required by the Secretary of State to conduct the investigation, by the Secretary of State after consulting the Commission.
- (3) It shall be the duty of the Commission to give general notice of the holding of the investigation unless the terms of reference confine it to activities of persons named in them, but in such a case the Commission shall in the prescribed manner give those persons notice of the holding of the investigation.
- (4) Where the terms of reference of the investigation confine it to activities of persons named in them and the Commission in the course of it propose to investigate any act made unlawful by this Act which they believe that a person so named may have done, the Commission shall—
 - (a) inform that person of their belief and of their proposal to investigate the act in question ; and
 - (b) offer him an opportunity of making oral or written representations with regard to it (or both oral and written representations if he thinks fit);and a person so named who avails himself of an opportunity under this subsection of making oral representations may be represented—
 - (i) by counsel or a solicitor; or
 - (ii) by some other person of his choice, not being a person to whom the Commission object on the ground that he is unsuitable.

Status: This is the original version (as it was originally enacted).

- (5) The Commission or, if the Commission were required by the Secretary of State to conduct the investigation, the Secretary of State after consulting the Commission may from time to time revise the terms of reference; and subsections (1), (3) and (4) shall apply to the revised investigation and terms of reference as they applied to the original.