



Fair Employment (Northern Ireland) Act 1989

1989 CHAPTER 32

PART I

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

Investigation of practices

11 Investigation of employment etc., practices

- (1) The Commission may conduct the investigations mentioned in subsection (2) below for the purpose of assisting it in considering what, if any, action for promoting equality of opportunity ought to be taken by any of the following persons, that is to say—
 - (a) any employer,
 - (b) any person who is empowered by virtue of an enactment to select or nominate another person for employment by a third person,
 - (c) any employment agency,
 - (d) any vocational organisation,
 - (e) any person who provides services in connection with training for employment in any capacity or for a particular employment (not being services provided by the employer of a person who is seeking to obtain or is receiving those services) or in connection with training for a particular occupation, and
 - (f) any person who has power to confer a qualification that is needed for, or facilitates, engagement in employment in any capacity, or in a particular employment or occupation.
- (2) The investigations referred to in subsection (1) above are investigations—
 - (a) into the composition, by reference to religious beliefs, of any of the following classes of person (or any class of person within such a class), that is to say—

Status: This is the original version (as it was originally enacted).

- (i) the employees of, or other persons who have applied for employment by, any employer or employers of any class,
 - (ii) the persons who have applied for or obtained the services of any employment agency,
 - (iii) the members of, or other persons who have applied for membership of, any vocational organisation or such an organisation of any class,
 - (iv) the persons who have sought (or on whose behalf there have been sought) or who have obtained the services of a person such as is mentioned in subsection (1)(e) above, or
 - (v) the persons who have applied to have, or have had, conferred on them any qualification such as is mentioned in subsection (1)(f) above, and
- (b) into practices—
- (i) affecting the recruitment, admission to membership or access to benefits or services of persons belonging to any class referred to in paragraph (a) above or the terms of employment or membership or provision of benefits or services applicable to such persons,
 - (ii) involving any detriment to such persons, or
 - (iii) affecting the conferring or holding of any qualification such as is mentioned in subsection (1)(f) above,
- including practices discontinued before the time of the investigation so far as relevant for explaining the composition of the class of persons in question at that time.
- (3) Schedule 1 to this Act has effect with respect to the conduct of investigations under this section.