
STATUTORY INSTRUMENTS

2003 No. 1661

**The Employment Equality (Sexual
Orientation) Regulations 2003**

PART II

DISCRIMINATION IN EMPLOYMENT AND VOCATIONAL TRAINING

Qualifications bodies

16.—(1) It is unlawful for a qualifications body to discriminate against a person—

- (a) in the terms on which it is prepared to confer a professional or trade qualification on him;
- (b) by refusing or deliberately not granting any application by him for such a qualification; or
- (c) by withdrawing such a qualification from him or varying the terms on which he holds it.

(2) It is unlawful for a qualifications body, in relation to a professional or trade qualification conferred by it, to subject to harassment a person who holds or applies for such a qualification.

(3) Paragraph (1) does not apply to a professional or trade qualification for purposes of an organised religion where a requirement related to sexual orientation is applied to the qualification so as to comply with the doctrines of the religion or avoid conflicting with the strongly held religious convictions of a significant number of the religion's followers.

(4) In this regulation—

“qualifications body” means any authority or body which can confer a professional or trade qualification, but it does not include—

- (a) an educational establishment to which regulation 20 (institutions of further and higher education) applies, or would apply but for the operation of any other provision of these Regulations, or
- (b) a school;

“confer” includes renew or extend;

“professional or trade qualification” means any authorisation, qualification, recognition, registration, enrolment, approval or certification which is needed for, or facilitates engagement in, a particular profession or trade;

“profession” and “trade” have the same meaning as in regulation 15.