

Status: Point in time view as at 02/04/2001.

Changes to legislation: There are currently no known outstanding effects for the Race Relations (Amendment) Act 2000, Cross Heading: Race Relations Act 1976 (c.74). (See end of Document for details)

SCHEDULES

SCHEDULE 2

Race Relations Act 1976 (c.74)

1 In section 17 of the 1976 Act (prohibition on discrimination by certain education bodies), in the Table—

- (a) in paragraph 7 for “73(c) or (d)” there is substituted “ 73(d) ”; and
- (b) after paragraph 7 there is inserted—

“7AA. A grant-aided school, within The managers of the school.”
the meaning of section 135 of the
Education
M1
(Scotland) Act 1980.

Marginal Citations

M1 1980 c. 44.

2 In section 27(1) of the 1976 Act (extent of Part III), for “19” there is substituted “ 18D ”.

3 After section 27(1) of that Act, there is inserted—

“(1A) In its application in relation to granting entry clearance (within the meaning of the ^{M2}Immigration Act 1971) section 19B applies in relation to acts done outside the United Kingdom, as well as those done within Great Britain.”

Marginal Citations

M2 1971 c. 77.

4 In section 53(1) of that Act (restriction of proceedings for breach of Act), after first “Act” there is inserted “ or the ^{M3}Special Immigration Appeals Commission Act 1997 or Part IV of the ^{M4}Immigration and Asylum Act 1999 ”.

Marginal Citations

M3 1997 c. 68.

M4 1999 c. 33.

5 After section 53(3) of that Act (judicial review to be available for government appointments outside the employment field), there is added—

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“(4) Subsections (2) and (3) do not, except so far as provided by section 76, apply to any act which is unlawful by virtue of section 76(5) or (9) or by virtue of section 76(10)(b) and (11).”

6 In section 57(5) of that Act (claims under Part III in relation to certain educational bodies)—

- (a) for the words “section 19(1)” there is substituted “ subsection (5A) ”; and
- (b) the words from “and” to the end of the subsection are omitted.

7 After section 57(5) of that Act, there is inserted—

“(5A) This subsection applies to—

- (a) local education authorities in England and Wales;
- (b) education authorities in Scotland; and
- (c) any body which is a responsible body in relation to an establishment falling within paragraph 3, 3B or 7B of the table in section 17.”

8 In section 59(1)(b) of that Act (appeal against non-discrimination notice), after “the court” there is inserted “ (ignoring section 57A) ”.

9 In section 62(1) of that Act (persistent discrimination), after “or” at the end of paragraph (b) there is inserted—

“(ba) a finding under the ^{M5}Special Immigration Appeals Commission Act 1997 or Part IV of the ^{M6}Immigration and Asylum Act 1999 that he has done an act which was unlawful by virtue of section 19B; or”.

Marginal Citations

M5 1997 c. 68.

M6 1999 c. 33.

10 After section 65(6) of that Act (help for aggrieved persons in obtaining information etc.), there is added—

“(7) This section does not apply in relation to any proceedings under—

- (a) the Special Immigration Appeals Commission Act 1997; or
- (b) Part IV of the Immigration and Asylum Act 1999.”

11 After section 66(7) of that Act (assistance by Commission), there is added—

“(8) This section (except for subsection (4)) applies to proceedings or prospective proceedings under the Special Immigration Appeals Commission Act 1997 or Part IV of the Immigration and Asylum Act 1999 so far as they relate to acts which may be unlawful by virtue of section 19B as it applies to proceedings or prospective proceedings under this Act.

(9) In this section as it applies by virtue of subsection (8) “rules and regulations” means—

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- (a) in relation to proceedings under the Act of 1997, rules under section 5 or 8 of that Act;
- (b) in relation to proceedings under Part IV of the Act of 1999, rules under paragraph 3 or 4 of Schedule 4 to that Act.”
- 12 After section 67(3) of that Act (extension of jurisdiction of county courts and sheriff courts), there is inserted—
- “(3A) A designated county court or a sheriff court shall have jurisdiction to entertain proceedings under this Act with respect to an act done outside the United Kingdom where section 19B applies in relation to such an act by virtue of section 27(1A).”
- 13 In section 68(2) of that Act (period within which proceedings to be brought), at the beginning there is inserted “ Subject to subsection (2A) ”.
- 14 After section 68(2) of that Act, there is inserted—
- “(2A) In relation to an immigration claim within the meaning of section 57A, the period of six months mentioned in subsection (2)(a) begins on the expiry of the period during which, by virtue of section 57A(1)(a), no proceedings may be brought under section 57(1) in respect of the claim.”
- 15 In section 69(2) of that Act (evidence), after “Act” there is inserted “ or any enactment mentioned in section 19D(5) ”.
- 16 In section 73(1)(b) of that Act (power to amend certain provisions of Act), after “or (2),” there is inserted “ 19B, ”.
- 17 After section 75(2) of that Act (application to Crown etc.), there is inserted—
- “(2A) Subsections (1) and (2) do not apply in relation to the provisions mentioned in subsection (2B).
- (2B) Sections 19B to 19F, sections 71 to 71E (including Schedule 1A) and section 76 bind the Crown; and the other provisions of this Act so far as they relate to those provisions shall be construed accordingly (including, in particular, references to employment in Part IV).”
- 18 In section 75(3) of that Act—
- (a) for “and (2)” there is substituted “ to (2B) ”; and
- (b) for “section 16” there is substituted “ sections 76A and 76B ”.
- 19 In section 78(1) of that Act (general interpretation provisions), at the appropriate places, there are inserted—
- ““body” includes an unincorporated association;”
- ““criminal investigation” has the meaning given by section 57(4B);”
- and
- ““criminal proceedings” includes—
- (a) proceedings on dealing summarily with a charge under the ^{M7}Army Act 1955 or the ^{M8}Air Force Act 1955 or on summary trial under the ^{M9}Naval Discipline Act 1957;
- (b) proceedings before a summary appeal court constituted under any of those Acts;

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- (c) proceedings before a court-martial constituted under any of those Acts or a disciplinary court constituted under section 52G of the Act of 1957;
- (d) proceedings before the Courts-Martial Appeal Court; and
- (e) proceedings before a Standing Civilian Court;”.

Marginal Citations

M7 1955 c. 18.

M8 1955 c. 19.

M9 1957 c. 53.

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