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STATUTORY INSTRUMENTS

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**1976 No. 1042**

**Sex Discrimination (Northern Ireland) Order 1976**

**PART II**

**DISCRIMINATION TO WHICH ORDER APPLIES**

**[<sup>F1</sup>Discrimination on the grounds of gender reassignment**

**4A.**—(1) A person ("A") discriminates against another person ("B") in any circumstances relevant for the purposes of—

(a) any provision of Part III; <sup>F2</sup> . . .

[ Article 30, 31 or 32, except in so far as it relates to an excluded matter, or]  
<sup>F3</sup>(aa)

(b) any provision of Part IV, so far as it applies to vocational training, if he treats B less favourably than he treats or would treat other persons, and does so on the ground that B intends to undergo, is undergoing or has undergone gender reassignment.

(2) Paragraph (3) applies to arrangements made by any person in relation to another's absence from work or from vocational training.

(3) For the purposes of paragraph (1), B is treated less favourably than others under such arrangements if, in the application of the arrangements to any absence due to B undergoing gender reassignment—

(a) he is treated less favourably than he would be if the absence was due to sickness or injury; or

(b) he is treated less favourably than he would be if the absence was due to some other cause and, having regard to the circumstances of the case, it is reasonable for him to be treated no less favourably.

(4) In paragraphs (2) and (3) "arrangements" includes terms, conditions or arrangements on which employment or vocational training is offered.

(5) For the purposes of paragraph (1), a provision mentioned in that paragraph framed with reference to discrimination against women shall be treated as applying equally to the treatment of men with such modifications as are requisite.]

**F1** SR 1999/311

**F2** Word in art. 4A(1)(a) omitted (6.4.2008) by virtue of [Sex Discrimination \(Amendment of Legislation\) Regulations 2008 \(S.I. 2008/963\)](#), regs. 1(1), 2(2), **Sch. 2 para. 2(a)**

**F3** Art. 4A(1)(aa) inserted (6.4.2008) by [Sex Discrimination \(Amendment of Legislation\) Regulations 2008 \(S.I. 2008/963\)](#), regs. 1(1), 2(2), **Sch. 2 para. 2(b)**

**Status:**

Point in time view as at 06/04/2008. This version of this provision has been superseded.

**Changes to legislation:**

Sex Discrimination (Northern Ireland) Order 1976, Section 4A is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.