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STATUTORY INSTRUMENTS

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**1990 No. 246**

**The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1990**

*Overriding of provisions requiring discrimination as respects employment or training*

**Power to repeal statutory provisions requiring discrimination as respects employment or training**

- 4.—(1) Where it appears to the Department that a relevant provision, namely any provision of—
- (a) an enactment enacted before this Order; or
  - (b) an instrument made or approved under such an enactment (including one made or approved after the making of this Order),

requires the doing of an act which would (within the meaning of the 1976 Order) constitute an act of discrimination in circumstances relevant for the purposes of any of the provisions of that Order falling within Article 3(2), it may by order make such provision (whether by amending, repealing or revoking the relevant provision or otherwise) as it considers appropriate for removing any such requirement.

(2) Paragraph (1) shall have effect in relation to a provision to which Article 3(1) applies as if the reference to a relevant provision requiring the doing of an act were a reference to its so requiring but for the operation of Article 3(1).

(3) Any order under this Article which makes any amendment, repeal or revocation of a relevant provision within the meaning of paragraph (1) may (without prejudice to the generality of Article 18(4)) amend or repeal any provision of this Order by virtue of which acts done in pursuance of the relevant provision are not to be unlawful for the purposes of provisions of the 1976 Order.

(4) Where an enactment enacted after this Order re-enacts (with or without modification) a provision of an enactment enacted before this Order, that provision as re-enacted shall be treated for the purposes of paragraph (1) as if it continued to be contained in an enactment enacted before this Order.