
STATUTORY INSTRUMENTS

1990 No. 246

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

Discrimination as respects training

Prohibition of discrimination in connection with provision of training

9. The following Article shall be substituted for Article 17 of the 1976 Order—

“Persons concerned with provision of vocational training

17.—(1) It is unlawful, in the case of a woman seeking or undergoing training which would help fit her for any employment, for any person who provides, or makes arrangements for the provision of, facilities for such training to discriminate against her—

- (a) in the terms on which that person affords her access to any training course or other facilities concerned with such training; or
- (b) by refusing or deliberately omitting to afford her such access; or
- (c) by terminating her training; or
- (d) by subjecting her to any detriment during the course of her training.

(2) Paragraph (1) does not apply to—

- (a) discrimination which is rendered unlawful by Article 8(1) or (2) or Article 24 or 25; or
- (b) discrimination which would be rendered unlawful by any of those provisions but for the operation of any other provision of this Order.”.

Power to exempt discrimination in favour of lone parents in connection with training

10.—(1) The Department may by order provide with respect to—

- (a) any specified arrangements made under section 1 of the Employment and Training Act (Northern Ireland) 1950(1) (functions of the Department as respects employment and training); or
- (b) any specified class or description of training for employment provided otherwise than in pursuance of that section; or
- (c) any specified scheme set up under section 1 of the Employment Subsidies Act 1978(2) (schemes for financing employment),

that this Article shall apply to such special treatment afforded to or in respect of lone parents in connection with their participation in those arrangements, or in that training or scheme, as is specified or referred to in the order.

(1) 1950 c. 29 (N.I.)

(2) 1978 c. 6

(2) Where this Article applies to any treatment afforded to or in respect of lone parents, neither the treatment so afforded nor any act done in the implementation of any such treatment shall be regarded for the purposes of the 1976 Order as giving rise to any discrimination falling within Article 5 of that Order (discrimination against married persons for purposes of Part III of that Order).

(3) An order under paragraph (1) may specify or refer to special treatment afforded as mentioned in that paragraph—

- (a) whether it is afforded by the making of any payment or by the fixing of special conditions for participation in the arrangements, training or scheme in question, or otherwise; and
- (b) whether it is afforded by the Department or by some other person;

and, without prejudice to the generality of sub-paragraph (b) of that paragraph, any class or description of training for employment specified in such an order by virtue of that sub-paragraph may be framed by reference to the person, or the class or description of persons, by whom the training is provided.

(4) In this Article—

- (a) “employment” has the same meaning as in the Industrial Training (Northern Ireland) Order 1984(3);
- (b) “lone parent” has the same meaning as it has for the purposes of any regulations made in pursuance of Article 21(1)(a) of the Social Security (Northern Ireland) Order 1986(4) (income support);
- (c) “training” includes any education with a view to employment.

(3) 1984 NI 9
(4) 1986 NI 18