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STATUTORY INSTRUMENTS

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**1997 No. 869**

**The Race Relations (Northern Ireland) Order 1997**

**PART II**

**[<sup>F1</sup>DISCRIMINATION AND HARASSMENT IN THE EMPLOYMENT FIELD]**

*[<sup>F1</sup>Discrimination and harassment by employers]*

**Exception for seamen recruited abroad**

**11.**—(1) Nothing in Article 6 shall render unlawful any act done by an employer in or in connection with employment by him on any ship in the case of a person who applied or was engaged for that employment outside Northern Ireland<sup>[F1]</sup> to the extent that the act—

- (a) relates to the pay the person receives in respect of his employment, and
- (b) amounts to discrimination against the person on the basis of his nationality.]

(2) Nothing in Article 9 shall, as regards work to which that Article applies, render unlawful any act done by the principal in or in connection with such work on any ship in the case of a contract worker who was engaged outside Northern Ireland by the person by whom he is supplied<sup>[F1]</sup> to the extent that the act—

- (a) relates to the pay the person receives in respect of the work, and
- (b) amounts to discrimination against the person on the basis of his nationality.]

(3) Paragraphs (1) and (2) do not apply to employment or work concerned with exploration of the sea bed or subsoil or the exploitation of their natural resources in any area for the time being designated under section 1(7) of the Continental Shelf Act 1964 in which the law of Northern Ireland applies.

(4) For the purposes of paragraph (1) a person brought to Northern Ireland with a view to his entering into an agreement in Northern Ireland to be employed on any ship shall be treated as having applied for the employment outside Northern Ireland.

[<sup>F1</sup>(5) In this Article—

“pay” includes retirement or death benefit;

“retirement or death benefit” means a pension, annuity, lump sum, gratuity or other similar benefit which will be paid or given to the employee or contract worker or a member of his family or household in the event of his retirement or death.]

**Status:**

Point in time view as at 01/01/2006. This version of this provision has been superseded.

**Changes to legislation:**

The Race Relations (Northern Ireland) Order 1997, Section 11 is up to date with all changes known to be in force on or before 17 May 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.