



Sex Discrimination Act 1975

CHAPTER 65

SEX DISCRIMINATION ACT 1975

PART I

DISCRIMINATION TO WHICH ACT APPLIES

- 1 Direct and indirect discrimination against women
- 2 Sex discrimination against men.
- 2A “Discrimination on the grounds of gender reassignment.”
- 3 Direct and indirect discrimination against married persons in employment field
- 3A Discrimination on the ground of pregnancy or maternity leave
- 3B Discrimination on the ground of pregnancy or maternity: goods, facilities, services or premises
- 4 Discrimination by way of victimisation.
- 4A Harassment, including sexual harassment
- 5 Interpretation.

PART II

EMPLOYMENT FIELD

Discrimination by employers

- 6 Discrimination against applicants and employees.
- 6A Exception relating to terms and conditions during maternity leave
- 7 Exception where sex is a genuine occupational qualification.
- 7A “Corresponding exception relating to gender reassignment.”
- 7B “Supplementary exceptions relating to gender reassignment.”
- 8 Equal Pay Act 1970.
- 9 Discrimination against contract workers.
- 10 Meaning of employment at establishment in Great Britain.

Status: Point in time view as at 01/09/2005.

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- 10A Offices and posts to which section 10B applies
- 10B Office-holders

Discrimination by other bodies

- 11 Partnerships.
- 12 Trade unions etc.
- 13 Qualifying bodies.
- 14 Persons concerned with provision of vocational training.
- 15 Employment agencies.
- 16 Manpower Services Commission etc.

Special case

- 17 Police.
- 18 Prison officers.
- 19 Ministers of religion etc.
- 20 Midwives.

Relationships which have come to an end

- 20A Relationships which have come to an end
- 21 Mineworkers.
- 21A Public authorities

PART III

DISCRIMINATION IN OTHER FIELDS

Education

- 22 Discrimination by bodies in charge of educational establishments.
- 22A Meaning of pupil in section 22.
- 23 Other discrimination by local education authorities.
- 23A Discrimination by Further Education and Higher Education Funding Councils
- 23B Discrimination by Scottish Further and Higher Education Funding Councils.
- 23BA Discrimination by Scottish Further and Higher Education Funding Council
- 23C Discrimination by Funding Agency for Schools or Schools Funding Council for Wales.
- 23D Discrimination by Training and Development Agency for Schools.
- 24 Designated establishments.
- 25 General duty in public sector of education.
- 25A General duty: post-16 education and training etc.
- 26 Exception for single-sex establishments.
- 27 Exception for single-sex establishments turning co-educational.
- 28 Exception for physical training.

Goods, facilities, services and premises

- 29 Discrimination in provision of goods, facilities or services.
- 30 Discrimination in disposal or management of premises.
- 31 Discrimination: consent for assignment or sub-letting.
- 32 Exception for small dwellings.

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- 33 Exception for political parties.
- 34 Exception for voluntary bodies.
- 35 Further exceptions from ss. 29(1) and 30.
- 35ZA Excluded matters

Barristers

- 35A Discrimination by, or in relation to, barristers.

Advocates

- 35B Discrimination by, or in relation to, advocates.

Relationships which have come to an end

- 35C Relationships which have come to an end

Extent

- 36 Extent of Part III.

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- 37 Discriminatory practices.
- 38 Discriminatory advertisements.
- 39 Instructions to discriminate.
- 40 Pressure to discriminate.
- 41 Liability of employers and principals.
- 42 Aiding unlawful acts.

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GENERAL EXCEPTIONS FROM PARTS II TO IV

- 42A Selection of candidates
- 43 Charities.
- 44 Sport etc.
- 45 Insurance etc.
- 46 Communal accommodation.
- 47 Discriminatory training by certain bodies.
- 48 Other discriminatory training etc.
- 49 Trade unions etc.: elective bodies.
- 50 Indirect access to benefits etc.
- 51 Acts done for purposes of protection of women.
- 51A Acts done under statutory authority to be exempt from certain provisions of Part III.
- 52 Acts safeguarding national security.
- 52A Construction of references to vocational training.

PART VI

EQUAL OPPORTUNITIES COMMISSION

- 53 Establishment and duties of Commission.
- 54 Research and education.
- 55 Review of discriminatory provisions in health and safety legislation.

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56 (1) As soon as practicable after the end of each...

Codes of practice

56A Codes of practice.

Investigations

57 Power to conduct formal investigations.
58 Terms of reference.
59 Power to obtain information.
60 Recommendations and reports on formal investigations.
61 Restriction on disclosure of information.

PART VII

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62 Restriction of proceedings for breach of Act.

Enforcement in employment field

63 Jurisdiction of **employment tribunals**.
63A Burden of proof: employment tribunals
64 Conciliation in employment cases.
65 Remedies on complaint under section 63.

Enforcement of Part III

66 Claims under Part III.
66A Burden of proof: county and sheriff courts
66B National security

Non-discrimination notices

67 Issue of non-discrimination notice.
68 Appeal against non-discrimination notice.
69 Investigation as to compliance with non-discrimination notice.
70 Register of non-discrimination notices.

Other enforcement by Commission

71 Persistent discrimination.
72 Enforcement of ss. 38 to 40.
73 Preliminary action in employment cases.

Help for persons suffering discrimination

74 Help for aggrieved persons in obtaining information etc.
75 Assistance by Commission.

Period within which proceedings to be brought

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PART VIII

SUPPLEMENTAL

- 76A Public authorities: general statutory duty
- 76B Specific duties
- 76C Specific duties: Scotland
- 76D Specific duties: enforcement
- 76E Codes of practice
- 77 Validity and revision of contracts.
- 78 Educational charities in England and Wales.
- 79 Educational endowments etc. to which Part VI of the Education (Scotland) Act 1962 applies.
- 80 Power to amend certain provisions of Act.
- 81 Orders.
- 82 General interpretation provisions.
- 83 Transitional and commencement provisions, amendments and repeals.
- 84 Financial provisions.
- 85 Application to Crown.
- 85A Application to House of Commons staff.
- 85B Application to House of Lords staff.
- 86 Government appointments outside section 6.
- 87 Short title and extent.

SCHEDULES

SCHEDULE 1 — EQUAL PAY ACT 1970

PART I — AMENDMENTS OF ACT

- 1 (1) In section 1(6), paragraph (b) is repealed and the...
- 2 (1) The following is substituted for section 2(1)—
- 3 In section 6 the following is substituted for subsection (1)—...
- 4 Section 8 is repealed.
- 5 in section 9(1), the words “Except as provided by subsection...
- 6 (1) For references to an equal pay clause in each...

PART II — ACT AS AMENDED

1970 CHAPTER 41

- 1 (1) If the terms of a contract under which a...
- 2 Disputes as to, and enforcement of, requirement of equal treatment.
- 3 Collective agreements and pay structures.
- 4 Wages regulation orders.
- 5 Agricultural wages orders.
- 6 Exclusion from ss. 1 to 5 of pensions etc.
- 7 Service pay.
- 9 Commencement.
- 10 Preliminary references to Industrial Arbitration Board.
- 11 Short title, interpretation and extent.

SCHEDULE 2 — Transitional Exemption Orders for Educational Admissions

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Public sector (England and Wales)

- 1 Where under section 35, 41 or 259 of the Education...
- 2
- 3 Regulations under section 485 of the Education Act 1996 may...
- 4 Regulations under section 218 of the Education Reform Act 1988...
- 4A Where, under section 113A of the Learning and Skills Act...

Private sector (England and Wales)

- 5 (1) In the case of an establishment in England and...

Public and private sectors (Scotland)

- 6 Any application for a transitional exemption order made by the...
- 7 An application under paragraph 6 shall specify the transitional period...
- 8 The Secretary of State on any application under paragraph 6...
- 9 The Commission on any application under paragraph 6 may if...

SCHEDULE 3 — Equal Opportunities Commission

Incorporation and status

- 1 On the appointment by the Secretary of State of the...
- 2 (1) The Commission is not an emanation of the Crown,...

Tenure of office of Commissioners

- 3 (1) A Commissioner shall hold and vacate his office in...

Tenure of office of chairman and deputy chairmen

- 4 (1) The chairman and each deputy chairman shall hold and...

Remuneration of Commissioners

- 5 The Secretary of State may pay, or make such payments...
- 6 Where a person ceases to be a Commissioner otherwise than...

Additional Commissioners

- 7 (1) Paragraphs 2(2), 3(1) and (6), and 6 shall apply...

Staff

- 8 The Commission may, after consultation with the Secretary of State,...
- 9 (1) Employment with the Commission shall be included among the...
- 10 The Employers' Liability (Compulsory Insurance) Act 1969 shall not require...

Proceedings and business

- 11 (1) Subject to the provisions of this Act, the Commission...
- 12 The validity of any proceedings of the Commission shall not...
- 13 The quorum for meetings of the Commission shall in the...

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Finance

- 14 The Secretary of State shall pay to the Commission expenses...
- 15 (1) The accounting year of the Commission shall be the...

Disqualification Acts

- 16 (1) In Part II of Schedule 1 to the House...

SCHEDULE 4 — Transitional Provisions

- 1 Section 12 does not apply, as respects any organisation,—
- 2 Until 1st January 1978, section 12(2) does not apply to...
- 3 (1) Until a date specified by order made by the...
- 4 (1) If the responsible body for any educational establishment which...
- 5 (1) Section 6 of the Equal Pay Act 1970 (as...

SCHEDULE 5 — MINOR AND CONSEQUENTIAL AMENDMENTS

Factories Act 1961 (c. 34)

- 1 In section 15(2) (unfenced machinery : operations carried out by...
- 2
- 3
- 4

SCHEDULE 6 — FURTHER REPEALS

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