



# Sex Discrimination Act 1975 (repealed)

## 1975 CHAPTER 65

### PART I

#### DISCRIMINATION TO WHICH ACT APPLIES

#### [<sup>F1</sup>1 Direct and indirect discrimination against women

- (1) In any circumstances relevant for the purposes of any provision of this Act, other than a provision to which subsection (2) applies, a person discriminates against a woman if—
- (a) on the ground of her sex he treats her less favourably than he treats or would treat a man, or
  - (b) he applies to her a requirement or condition which he applies or would apply equally to a man but—
    - (i) which is such that the proportion of women who can comply with it is considerably smaller than the proportion of men who can comply with it, and
    - (ii) which he cannot show to be justifiable irrespective of the sex of the person to whom it is applied, and
    - (iii) which is to her detriment because she cannot comply with it.
- (2) In any circumstances relevant for the purposes of a provision to which this subsection applies, a person discriminates against a woman if—
- (a) on the ground of her sex, he treats her less favourably than he treats or would treat a man, or
  - [<sup>F2</sup>(b) he applies to her a provision, criterion or practice which he applies or would apply equally to a man, but—
    - (i) which puts or would put women at a particular disadvantage when compared with men,
    - (ii) which puts her at that disadvantage, and
    - (iii) which he cannot show to be a proportionate means of achieving a legitimate aim.]

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*Status: Point in time view as at 01/01/2010. This version of this provision has been superseded.*

**Changes to legislation:** *There are currently no known outstanding effects for the Sex Discrimination Act 1975 (repealed), Section 1. (See end of Document for details)*

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- (3) Subsection (2) applies to—
  - (a) any provision of Part 2,
    - <sup>F3</sup>(aa) [ sections 29 to 31, except in so far as they relate to an excluded matter,]
  - (b) sections 35A and 35B <sup>F4</sup>, and
  - (c) any other provision of Part 3, so far as it applies to vocational training.
- (4) <sup>F5</sup>.....]

**Textual Amendments**

- F1** S. 1 substituted (12.10.2001) by S.I. 2001/2660, **reg. 3**
- F2** S. 1(2)(b) substituted (1.10.2005) by The Employment Equality (Sex Discrimination) Regulations 2005 (S.I. 2005/2467), **reg. 3(1)**
- F3** S. 1(3)(aa) inserted (6.4.2008) by The Sex Discrimination (Amendment of Legislation) Regulations 2008 (S.I. 2008/963), reg. 2(1), **Sch. 1 para. 1**
- F4** Sections 35A and 35B were inserted by the Courts and Legal Services Act 1990 (c. 41), **sections 64** and 65.
- F5** S. 1(4) repealed (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 251(3), 261(4), 263, **Sch. 30**; S.I. 2005/3175, **art. 2(1)**, Sch. 1

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Sex Discrimination Act 1975 (repealed), Section 1.