



Sex Discrimination Act 1975 (repealed)

1975 CHAPTER 65

PART II

[^{F1}EMPLOYMENT FIELD]

Discrimination by other bodies

11 Partnerships.

- (1) It is unlawful for a firm ^{F1} . . . , in relation to a position as partner in the firm, to discriminate against a woman—
- (a) in the arrangements they make for the purpose of determining who should be offered that position, or
 - (b) in the terms on which they offer her that position, or
 - (c) by refusing or deliberately omitting to offer her that position, or
 - (d) in a case where the woman already holds that position—
 - (i) in the way they afford her access to any benefits, facilities or services, or by refusing or deliberately omitting to afford her access to them, or
 - (ii) by expelling her from that position, or subjecting her to any other detriment.

- (2) Subsection (1) shall apply in relation to persons proposing to form themselves into a partnership as it applies in relation to a firm.

[^{F2}(2A) It is unlawful for a firm, in relation to a position as partner in the firm, to subject to harassment a woman who holds or has applied for that position.]

- (3) [^{F3}Subject to subsection (3A),] Subsection (1)(a) and (c) do not apply to a position as partner where, if it were employment, being a man would be a genuine occupational qualification for the job.

[^{F4}(3A) Subsection (3) does not apply in relation to discrimination falling within section 2A.

Status: Point in time view as at 01/10/2005. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Sex Discrimination Act 1975 (repealed), Section 11. (See end of Document for details)

- (3B) In relation to discrimination falling within section 2A, subsection (1) does not make unlawful a firm's treatment of a person in relation to a position as partner where—
- (a) if it were employment—
 - (i) being a man would be a genuine occupational qualification for the job, or
 - (ii) being a woman would be a genuine occupational qualification for the job, and
 - (b) the firm can show that the treatment is reasonable in view of the circumstances relevant for the purposes of paragraph (a) and any other relevant circumstances.
- (3C) In relation to discrimination falling within section 2A, subsection (1)(a), (c) and, so far as it relates to expulsion, (d)(ii) do not apply to a position as partner where, if it were employment, there would be a supplementary genuine occupational qualification for the job.]
- [^{F5}(3D) Subsections (3B) and (3C) do not apply in relation to discrimination against a person whose gender has become the acquired gender under the Gender Recognition Act 2004.]
- (4) ^{F6}
- (5) In the case of a limited partnership references in subsection (1) to a partner shall be construed as references to a general partner as defined in section 3 of the ^{M1}Limited Partnerships Act 1907.
- [^{F7}(6) This section applies to a limited liability partnership as it applies to a firm; and, in its application to a limited liability partnership, references to a partner in a firm are references to a member of the limited liability partnership.]

Textual Amendments

- F1** Words repealed by [Sex Discrimination Act 1986 \(c. 59, SIF 106:1\)](#), ss. 1(3), 9, **Sch. Pt. II**
- F2** [S. 11\(2A\)](#) inserted (1.10.2005) by [The Employment Equality \(Sex Discrimination\) Regulations 2005 \(S.I. 2005/2467\)](#), **reg. 14(2)**
- F3** Words in [s. 11\(3\)](#) inserted (1.5.1999) by [S.I. 1999/1102](#), **reg. 4(4)**
- F4** [S. 11\(3A\)\(3B\)\(3C\)](#) inserted (1.5.1999) by [S.I. 1999/1102](#), **reg. 4(5)**
- F5** [S. 11\(3D\)](#) inserted (4.4.2005) by [Gender Recognition Act 2004 \(c. 7\)](#), ss. 14, 26, **Sch. 6 para. 5**; [S.I. 2005/54](#), **art. 2**
- F6** [S. 11\(4\)](#) omitted (1.10.2005) by virtue of [The Employment Equality \(Sex Discrimination\) Regulations 2005 \(S.I. 2005/2467\)](#), **reg. 14(3)**
- F7** [S. 11\(6\)](#) inserted (6.4.2001) by [S.I. 2001/1090](#), reg. 9, **Sch. 5 para. 6**
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Marginal Citations

- M1** 1907 c. 24.

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