



Race Relations Act 1976 (Repealed)

1976 CHAPTER 74

PART III

DISCRIMINATION IN OTHER FIELDS

Education

17 ^{F1} . . . bodies in charge of educational establishments.

^{F2(1)} It is unlawful, in relation to an educational establishment falling within column 1 of the following table, for a person indicated in relation to the establishment in column 2 (the "responsible body") to discriminate against a person—

- (a) in the terms on which it offers to admit him to the establishment as a pupil; or
- (b) by refusing or deliberately omitting to accept an application for his admission to the establishment as a pupil; or
- (c) where he is a pupil of the establishment—
 - (i) in the way it affords him access to any benefits, facilities or services, or by refusing or deliberately omitting to afford him access to them; or
 - (ii) by excluding him from the establishment or subjecting him to any other detriment.

Table

Establishment	Responsible body
ENGLAND AND WALES	
1. Educational establishment maintained by a local education authority.	Local education authority or ^{F3} managers or ^{F4} governing body], according to which of them has the function in question.
2. Independent school not being a special school.	Proprietor.

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3. Special school not maintained by a local education authority. Proprietor.

F5

F5

. . .

. . .

[^{F6}3B. Institution within the further education sector (within the meaning of section 91(3) of the further and Higher Education Act 1992).]

[^{F6}Governing body]

4. University.

Governing body.

[^{F7}4A. Institution, other than a university, within the higher education sector (within the meaning of section 91(5) of the Further and Higher Education Act 1992).]

[^{F7}Governing body.]

5. Establishment (not falling within paragraphs 1 [^{F8}to 4A]) providing full-time or part-time education, being an establishment designated under section 24(1) of the Sex Discrimination Act 1975 for the purposes of paragraph 5 of the corresponding table in section 22 of that Act.

Governing body.

SCOTLAND

6. Educational establishment managed by an education authority.

Education authority.

7. Educational establishment in respect of which the managers are for the time being receiving grants under section [^{F9}[^{F10}73 (d)] of the Education (Scotland) Act 1980].

Managers of the educational establishment.

[^{F11}7AA. A grant aided school, within the meaning of section 135 of the Education (Scotland) Act 1980.]

[^{F11}The managers of the school.]

[^{F12}7A. Self-governing school.]

[^{F12}Board of management.]

[^{F13}7B. College of further education within the meaning of section 36(1) of the Further and Higher Education (Scotland) Act 1992 under the management of a board of management.]

[^{F13}Board of management.]

[^{F14}7C. Designated institution within the meaning of Part II of the Further

[^{F14}Governing body.]

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and Higher Education (Scotland)
Act 1992.]

8. University

Governing body.

9. Independent school.

Proprietor.

10. Any other educational
establishment (not falling within
paragraphs 6, 7 and 9) providing
full or part-time school education or
further education.

Managers of the educational
establishment.

[^{F15}(2) It is unlawful for a responsible body, in relation to an establishment falling within column 1 of the table in subsection (1), to subject to harassment—

- (a) a person who applies for admission to the establishment as a pupil; or
- (b) a pupil at the establishment.]

Textual Amendments

- F1** S. 17: words in heading omitted (19.7.2003) by virtue of [The Race Relations Act 1976 \(Amendment\) Regulations 2003 \(S.I. 2003/1626\)](#), [reg. 18\(1\)](#)
- F2** S. 17 renumbered (19.7.2003) as s. 17(1) by virtue of [The Race Relations Act 1976 \(Amendment\) Regulations 2003 \(S.I. 2003/1626\)](#), [reg. 18\(2\)](#)
- F3** Words repealed (E.W.) by [Education Act 1980 \(c. 20, SIF 41:1\)](#), [Sch. 1 para. 28](#)
- F4** Words in s. 17 Table substituted (1.9.1999) by 1998 c. 31, s. 140(1), [Sch. 30 para. 7](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#)
- F5** Words in s. 17 Table repealed (1.9.1999) by 1998 c. 31, s. 140(3), [Sch. 31](#) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), [Sch. 1](#)
- F6** S. 17 Table para. 3B inserted (6.5.1992) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93(1), [Sch. 8 Pt. II para. 85\(1\)\(2\)](#); S.I. 1992/831, art. 2, [Sch. 1](#).
- F7** S. 17 Table para. 4A substituted (6.5.1992) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93(1), [Sch. 8 Pt. II para. 85\(3\)](#); S.I. 1992/831, art. 2, [Sch. 1](#).
- F8** Words in s. 17 Table para. 5 substituted (6.5.1992) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93(1), [Sch. 8 Pt. II para. 85\(4\)](#); S.I. 1992/831, art. 2, [Sch. 1](#).
- F9** Words substituted by [Education \(Scotland\) Act 1980 \(c. 44, SIF 41:2\)](#), [Sch. 3 para. 12](#)
- F10** Words in para. 7 of Table in s. 17 substituted (2.4.2001) by 2000 c. 34, s. 9(1), [Sch. 2 para. 1\(a\)](#) (with s. 10(5)); S.I. 2001/566, [art. 2\(1\)](#)
- F11** Para. 7AA of Table in s. 17 inserted (2.4.2001) by 2000 c. 34, s. 9(1), [Sch. 2 para. 1\(b\)](#) (with s. 10(5)); S.I. 2001/566, [art. 2\(1\)](#)
- F12** Para. 7A of Table in s. 17 repealed (S.) (31.12.2004) by 2000 asp. 6, ss. 60(2), 61(2), Sch. 3; S.S.I. 2004/528, [art. 2](#)
- F13** S. 17 Table para. 7B inserted (16.5.1992) by [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#), s. 62(2), [Sch. 9 para. 5\(2\)\(a\)](#); S.I. 1992/817, art. 3(2), [Sch. 1](#).
- F14** S. 17 Table para. 7C inserted (16.5.1992) by [Further and Higher Education \(Scotland\) Act 1992 \(c. 37\)](#), s. 62(2), [Sch. 9 para. 5\(2\)\(b\)](#); S.I. 1992/817, art. 3(2), [Sch. 1](#).
- F15** S. 17(2) inserted (19.7.2003) by [The Race Relations Act 1976 \(Amendment\) Regulations 2003 \(S.I. 2003/1626\)](#), [reg. 18\(2\)](#)

Modifications etc. (not altering text)

- C1** S. 17 applied (1.4.1994) by S.I. 1994/653, [reg. 42\(1\)](#), [Sch. Pt. I](#)
S. 17 applied (9.5.1994) by S.I. 1994/1084, [reg. 8\(1\)](#), [Sch. 2 Pt. I](#)

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[^{F16}17A Meaning of pupil in section 17.

For the purposes of section 17, “pupil” includes, in England and Wales, any person who receives education at a school or institution to which that section applies.]

Textual Amendments

F16 S. 17A inserted (1.8.1993) by Further and Higher Education Act 1992 (c. 13), s. 93(1), **Sch. 8 Pt. II para.86**; S.I. 1992/831, art. 2, **Sch.4**.

18 Other discrimination [^{F17} etc.] by local education authorities.

- (1) It is unlawful for a local education authority, in carrying out such of its functions under [^{F18}the Education Acts]as do not fall under section 17, to do any act which constitutes racial discrimination [^{F19}or harassment] .
- (2) It is unlawful for an education authority, in carrying out such of its functions under [^{F20}the Education (Scotland) [^{F21}Act 1980]] as do not fall under section 17, to do any act which constitutes racial discrimination [^{F19}or harassment] .

Textual Amendments

- F17** S. 18: word in heading inserted (19.7.2003) by The Race Relations Act 1976 (Amendment) Regulations 2003 (S.I. 2003/1626), **reg. 19(1)**
- F18** Words in s. 18(1) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 39** (with ss. 1(4), 561, 562, Sch. 39 paras. 30, 36, 39)
- F19** Words in s. 18 inserted (19.7.2003) by The Race Relations Act 1976 (Amendment) Regulations 2003 (S.I. 2003/1626), **reg. 19(3)**
- F20** Words substituted by Education Act 1980 (c. 20, SIF 41:1), **s. 33(2)**
- F21** Words substituted (S.) by Education (Scotland) Act 1980 (c. 44, SIF 41:2), **Sch. 4 para. 13**

[^{F22}18A ^{F23} . . . Further Education and Higher Education Funding Councils

It is unlawful for [^{F24}the Learning and Skills Council for England, the National Council for Education and Training for Wales,] the Higher Education Funding Council for England or the Higher Education Funding Council for Wales in carrying out their functions under [^{F25}the Education Acts][^{F26}and the Learning and Skills Act 2000], to do any act which constitutes racial discrimination [^{F27}or harassment] .]

Textual Amendments

- F22** S. 18A inserted (6.5.1992) by Further and Higher Education Act 1992 (c. 13), s. 93(1), **Sch. 8 Pt. II para. 87**; S.I. 1992/831, art. 2, **Sch. 1**.
- F23** S. 18A: words in heading omitted (19.7.2003) by virtue of The Race Relations Act 1976 (Amendment) Regulations 2003 (S.I. 2003/1626), **reg. 19(2)**
- F24** Words in s. 18A substituted (28.7.2000 for specified purposes and 1.4.2001 otherwise so far as relating to England and Wales) by 2000 c. 21, ss. 149, 154(3)-(5), **Sch. 9 para. 9(a)**; S.I. 2001/654, art. 2(2), **Sch. Pt. II** (subject to savings and transitional provisions in art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I** (subject to savings and transitional provisions in art. 3)
- F25** Words in s. 18A substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), **Sch. 37 Pt. I para. 40** (with ss. 1(4), 561, 562, Sch. 39 paras. 30, 36, 39)

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- F26** Words in s. 18A inserted (28.7.2000 for specified purposes and 1.4.2001 otherwise so far as relating to England and Wales) by 2000 c. 21, ss. 149, 154(3)-(5), **Sch. 9 para. 9(b)**; S.I. 2001/654, art. 2(2), **Sch. Pt. II** (subject to savings and transitional provisions in art. 3); S.I. 2001/1274, art. 2(1), **Sch. Pt. I** (subject to savings and transitional provisions in art.3)
- F27** Words in s. 18A inserted (19.7.2003) by [The Race Relations Act 1976 \(Amendment\) Regulations 2003](#) (S.I. 2003/1626), **reg. 19(3)**

[^{F28}**18B** ^{F29} . . . **Scottish Further and Higher Education Funding Councils.**

It is unlawful for the Scottish Further Education Funding Council or the Scottish Higher Education Funding Council in carrying out any of their functions to do any act which constitutes racial discrimination [^{F30}or harassment] .]

Textual Amendments

- F28** S. 18B inserted (1.6.1992 for specified purposes and 21.11.1998 otherwise) by [Further and Higher Education \(Scotland\) Act 1992](#) (c. 37), s. 62(2), **Sch. 9 para. 5(3)**; S.I. 1992/817, art. 3(2), **Sch.2**; S.I. 1998/2886, **art. 2(c)**
- F29** S. 18B: words in heading omitted (19.7.2003) by virtue of [The Race Relations Act 1976 \(Amendment\) Regulations 2003](#) (S.I. 2003/1626), **reg. 19(2)**
- F30** Words in s. 18B inserted (19.7.2003) by [The Race Relations Act 1976 \(Amendment\) Regulations 2003](#) (S.I. 2003/1626), **reg. 19(3)**

VALID FROM 03/10/2005

[^{F31}**18BA** **Scottish Further and Higher Education Funding Council**

It is unlawful for the Scottish Further and Higher Education Funding Council in carrying out any of its functions to do any act which constitutes racial discrimination or harassment.]

Textual Amendments

- F31** S. 18BA inserted (3.10.2005) by [The Further and Higher Education \(Scotland\) Act 2005 \(Consequential Modifications\) Order 2005](#) (S.I. 2005/2077), **art. 5(a)**

^{F32}**18C**

Textual Amendments

- F32** S. 18C repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

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[^{F35}18D ^{F33} . . . [^{F34}Training and Development Agency for Schools].

It is unlawful for the [^{F34}Training and Development Agency for Schools] in carrying out their functions under [^{F36}any enactment] to do any act which constitutes racial discrimination [^{F37}or harassment] .]

Textual Amendments

- F33** S. 18D: words in heading omitted (19.7.2003) by virtue of [The Race Relations Act 1976 \(Amendment\) Regulations 2003 \(S.I. 2003/1626\)](#), [reg. 19\(2\)](#)
- F34** Words in s. 18D substituted (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 98, [Sch. 14 para. 7\(a\)](#)
- F35** S. 18D inserted (21.9.1994) by [1994 c. 30](#), s. 24, [Sch. 2 para. 6\(3\)](#); S.I. 1994/2204, [art. 2\(1\)](#)
- F36** Words in s. 18D substituted (1.9.2005) by [Education Act 2005 \(c. 18\)](#), s. 98, [Sch. 14 para. 7\(b\)](#)
- F37** Words in s. 18D inserted (19.7.2003) by [The Race Relations Act 1976 \(Amendment\) Regulations 2003 \(S.I. 2003/1626\)](#), [reg. 19\(3\)](#)

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Textual Amendments

- F38** S. 19 repealed (2.4.2001) by [2000 c. 34](#), s. 9(2), [Sch. 3](#) (with s. 10(5)); S.I. 2001/566, [art. 2\(1\)](#)

^{F39}19ZA

Textual Amendments

- F39** S. 19ZA repealed (2.4.2001) by [2000 c. 34](#), s. 9(2), [Sch. 3](#) (with s. 10(5)); S.I. 2001/566, [art. 2\(1\)](#)

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