



Race Relations Act 1976 (Repealed)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)**

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

^{F29}

Textual Amendments

- F28** 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)**
- F29** S. 18B repealed (S.) (3.10.2005) by Further and Higher Education (Scotland) Act 2005 (asp 6), s. 32, **Sch. 3 para. 4(a)**; S.S.I. 2005/419, **art. 2(1)**

[^{F30} **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

- F30** 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)**

^{F31} **18C**

Textual Amendments

- F31** 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**

[^{F34} **18D** ^{F32} . . . [^{F33} **Training and Development Agency for Schools**].

It is unlawful for the [^{F33} Training and Development Agency for Schools] in carrying out their functions under [^{F35} any enactment] to do any act which constitutes racial discrimination [^{F36} or harassment] .]

Textual Amendments

- F32** 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)**
- F33** Words in s. 18D substituted (1.9.2005) by Education Act 2005 (c. 18), s. 98, **Sch. 14 para. 7(a)**
- F34** S. 18D inserted (21.9.1994) by 1994 c. 30, s. 24, **Sch. 2 para. 6(3)**; S.I. 1994/2204, **art. 2(1)**

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- F35** Words in s. 18D substituted (1.9.2005) by Education Act 2005 (c. 18), s. 98, **Sch. 14 para. 7(b)**
- F36** Words in s. 18D inserted (19.7.2003) by The Race Relations Act 1976 (Amendment) Regulations 2003 (S.I. 2003/1626), **reg. 19(3)**

F37 **19**

Textual Amendments

- F37** 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)**

F38 **19ZA**

Textual Amendments

- F38** 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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