



Race Relations Act 1976

1976 CHAPTER 74

PART X

SUPPLEMENTAL

78 General interpretation provisions

(1) In this Act, unless the context otherwise requires—

" access " shall be construed in accordance with section 40;

" act " includes a deliberate omission ;

" advertisement " includes every form of advertisement or notice, whether to the public or not, and whether in a newspaper or other publication, by television or radio, by display of notices, signs, labels, showcards or goods, by distribution of samples, circulars, catalogues, price lists or other material, by exhibition of pictures, models or films, or in any other way, and references to the publishing of advertisements shall be construed accordingly;

" the Commission " means the Commission for Racial Equality;

" Commissioner " means a member of the Commission ;

" designated county court " has the meaning given by section 67(1);

" discrimination " and related terms shall be construed in accordance with section 3(3);

" dispose ", in relation to premises, includes granting a right to occupy the premises, and any reference to acquiring premises shall be construed accordingly ;

" education " includes any form of training or instruction ;

" education authority " and " educational establishment " have for Scotland the same meaning as they have respectively in section 145(16) and (17) of the Education (Scotland) Act 1962;

" employment " means employment under a contract of service or of apprenticeship or a contract personally to execute any work or labour, and related expressions shall be construed accordingly ;

Status: This is the original version (as it was originally enacted).

" employment agency " means a person who, for profit or not, provides services for the purpose of finding employment for workers or supplying employers with workers;

" estate agent " means a person who, by way of profession or trade, provides services for the purpose of finding premises for persons seeking to acquire them or assisting in the disposal of premises ;

" final " shall be construed in accordance with subsection (4);

" firm " has the meaning given by section 4 of the Partnership Act 1890;

" formal investigation " means an investigation under section 48;

" further education " has for England and Wales the meaning given by section 41(a) of the Education Act 1944, and for Scotland the meaning given by section 145(21) of the Education (Scotland) Act 1962 ;

" general notice ", in relation to any person, means a notice published by him at a time and in a manner appearing to him suitable for securing that the notice is seen within a reasonable time by persons likely to be affected by it;

" genuine occupational qualification " shall be construed in accordance with section 5 ;

" Great Britain " includes such of the territorial waters of the United Kingdom as are adjacent to Great Britain ;

" independent school " has for England and Wales the meaning given by section 114(1) of the Education Act 1944, and for Scotland the meaning given by section 145(23) of the Education (Scotland) Act 1962;

" industrial tribunal " means a tribunal established under section 12 of the Industrial Training Act 1964 ;

" managers " has for Scotland the same meaning as in section 145(26) of the Education (Scotland) Act 1962;

" Minister of the Crown " includes the Treasury and the Defence Council;

" nationality " includes citizenship;

" near relative " shall be construed in accordance with subsection (5);

" non-discrimination notice " means a notice under section 58;

" notice " means a notice in writing ;

" prescribed " means prescribed by regulations made by the Secretary of State ;

" profession " includes any vocation or occupation ;

" proprietor ", in relation to a school, has for England and Wales the meaning given by section 114(1) of the Education Act 1944, and for Scotland the meaning given by section 145(37) of the Education (Scotland) Act 1962;

" pupil " in Scotland includes a student of any age ;

" racial grounds " and " racial group " have the meaning given by section 3(1);

" school " has for England and Wales the meaning given by section 114(1) of the Education Act 1944, and for Scotland the meaning given by section 145(42) of the Education (Scotland) Act 1962 ;

" school education " has for Scotland the meaning given by section 145(43A) of the Education (Scotland) Act 1962;

" trade " includes any business;

" training " includes any form of education or instruction ;

" university " includes a university college and the college, school or hall of a university ;

" upper limit of compulsory school age " for England and Wales means, subject to section 9 of the Education Act 1962, the age that is that limit by virtue of section 35 of the Education Act 1944 and the Order in Council made under that section.

- (2) It is hereby declared that in this Act " premises ", unless the context otherwise requires, includes land of any description.
- (3) Any power conferred by this Act to designate establishments or persons may be exercised either by naming them or by identifying them by reference to a class or other description.
- (4) For the purposes of this Act a nondiscrimination notice or a finding by a court or tribunal becomes final when an appeal against the notice or finding is dismissed, withdrawn or abandoned or when the time for appealing expires without an appeal having been brought; and for this purpose an appeal against a non-discrimination notice shall be taken to be dismissed if, notwithstanding that a requirement of the notice is quashed on appeal, a direction is given in respect of it under section 59(3).
- (5) For the purposes of this Act a person is a near relative of another if that person is the wife or husband, a parent or child, a grandparent or grandchild, or a brother or sister of the other (whether of full blood or half-blood or by affinity), and " child " includes an illegitimate child and the wife or husband of an illegitimate child.
- (6) Except so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended by or under any other enactment, including this Act.
- (7) In this Act, except where otherwise indicated—
 - (a) a reference to a numbered Part, section or Schedule is a reference to the Part or section of, or the Schedule to, this Act so numbered ; and
 - (b) a reference in a section to a numbered subsection is a reference to the subsection of that section so numbered ; and
 - (c) a reference in a section, subsection or Schedule to a numbered paragraph is a reference to the paragraph of that section, subsection or Schedule so numbered; and
 - (d) a reference to any provision of an Act (including this Act) includes a Schedule incorporated in the Act by that provision.