
EXPLANATORY NOTE

(This note is not part of the Order)

Section 9 of the Race Relations Act 1976 contains an exception to the prohibition on racial discrimination in the field of employment. As originally enacted the section permits racial discrimination when an employer engages a seafarer for employment on a ship and the seafarer applied for the employment, or was engaged, outside Great Britain. The ships in question are ships registered at a port of registry in Great Britain.

This Order amends section 9 of the 1976 Act. The amendments reduce the scope of the exception so that the only aspect of a person's employment in which there may be discrimination is pay (which includes retirement or death benefits) and the only ground on which there may be discrimination is the ground of nationality. To the extent the amendments remove from the exception discrimination on grounds of racial or ethnic origin they give effect to Council Directive [2000/43/EC](#) of 29th June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (O.J. L 180, 19.7.2000, p. 22).