

Religious Discrimination and Remedies Bill

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TO

Render unlawful religious discrimination in employment and in the provision of certain types of goods, facilities and services and to make provision for appropriate enforcement; to create new offences relating to incitement to religious hatred; and for related purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

DISCRIMINATION TO WHICH ACT APPLIES

1	Religious discrimination	5
	A person discriminates against another person in any circumstances relevant for the purposes of any provision of this Act if—	
	(a) on grounds of religious belief he treats that other less favourably than he treats or would treat other persons; or	
	(b) he applies to that other a requirement or condition which he applies or would apply equally to persons not of the same religious belief as that other but—	10
	(i) which is such that the proportion of persons of the same religious belief as that other who can comply with it is considerably smaller than the proportion of persons not of that religious belief who can comply with it; and	15
	(ii) which he cannot show to be justifiable irrespective of the religious belief of the person to whom it is applied; and	
	(iii) which is to the detriment of that other because he cannot comply with it.	20

2 Discrimination by way of victimisation

- (1) A person (“the discriminator”) discriminates against another person (“the person victimised”) in any circumstances relevant for the purposes of any provision of this Act if he treats the person victimised less favourably than in those circumstances he treats or would treat other persons, and does so by reason that the person victimised has— 5
- (a) brought proceedings against the discriminator or any other person under this Act; or
 - (b) given evidence or other information in connection with proceedings brought by any person against the discriminator or any other person under this Act; or 10
 - (c) otherwise done anything under or by reference to this Act in relation to the discriminator or any other person; or
 - (d) alleged that the discriminator or any other person has committed an act which (whether or not the allegation so states) would amount to a contravention of this Act, 15
- or by reason that the discriminator knows that the person victimised intends to do any of those things, or suspects that the person victimised has done, or intends to do, any of them.
- (2) Subsection (1) does not apply to treatment of a person by reason of any allegation made by him if the allegation was false and not made in good faith. 20

3 Meaning of “religious belief”, “religious group” etc

- (1) In this Act references to a person’s religious belief include references to his known or professed religious belief and to his supposed religious belief and to the absence or supposed absence of any, or any particular, religious belief. 25
- (2) In this Act references to a religious group include references to a group of persons who are known or supposed to have the same religious belief. The fact that a religious group comprises two or more distinct religious groups does not prevent it from constituting a particular religious group for the purposes of this Act. 30
- (3) In this Act—
- (a) references to discrimination refer to any discrimination falling within section 1 or 2; and
 - (b) references to religious discrimination refer to any discrimination falling within section 1, 35
- and related expressions shall be construed accordingly.
- (4) A comparison of the case of a person of a particular religious group with that of a person not of that group under section 1 must be such that the relevant circumstances are the same, or not materially different, in the other.

PART 2

DISCRIMINATION IN THE EMPLOYMENT FIELD

4 Discrimination by employers

- (1) It is unlawful for a person, in relation to employment by him at an establishment in Great Britain, to discriminate against another— 5
 - (a) in the arrangements he makes for the purpose of determining who should be offered that employment; or
 - (b) in the terms on which he offers him that employment; or
 - (c) by refusing or deliberately omitting to offer him that employment.
- (2) It is unlawful for a person, in the case of a person employed by him at an establishment in Great Britain, to discriminate against that employee— 10
 - (a) in the terms of employment which he affords him; or
 - (b) in the way he affords him access to opportunities for promotion, transfer or training, or to any other benefits, facilities or services, or by refusing or deliberately omitting to afford him access to them; or 15
 - (c) by dismissing him, or subjecting him to any other detriment.
- (3) Except in relation to discrimination falling within section 2, subsections (1) and (2) do not apply to employment for the purposes of a private household.
- (4) Subsection (2) does not apply to benefits, facilities or services of any description if the employer is concerned with the provision (for payment or not) of benefits, facilities or services of that description to the public, or to a section of the public comprising the employee in question, unless— 20
 - (a) that provision differs in a material respect from the provision of the benefits, facilities or services by the employer to his employee; or
 - (b) the provision of the benefits, facilities or services to the employee in question is regulated by his contract of employment; or 25
 - (c) the benefits, facilities or services relate to training.

5 Exceptions for genuine occupational qualifications

- (1) In relation to religious discrimination—
 - (a) section 4(1)(a) or (c) does not apply to any employment where being of a particular religious belief is a genuine occupational qualification for the job; and 30
 - (b) section 4(2)(b) does not apply to opportunities for promotion or transfer to, or training for, such employment.
- (2) Being of a particular religious belief is a genuine occupational qualification for a job only where— 35
 - (a) the job involves participation in acts of religious worship in a capacity for which a person of that religious belief is required for doctrinal reasons; or
 - (b) the job involves particular activities which for doctrinal reasons are required to be performed by persons of that religious belief; or 40

- (c) the holder of that job provides persons of that religious belief with personal services promoting their welfare, and those services can most effectively be provided by a person of that same religious belief.
- (3) Subsection (2) applies where some only of the duties fall within paragraph (a), (b) or (c) as well as where all of them do. 5
- (4) Paragraph (a), (b) or (c) of subsection (2) does not apply in relation to the filling of a vacancy at a time when the employer already has employees of the religious group in question—
 - (a) who are capable of carrying out the duties falling within that paragraph; and 10
 - (b) whom it would be reasonable to employ on those duties; and
 - (c) whose numbers are sufficient to meet the employer’s likely requirements in respect of those duties without undue inconvenience.

6 Discrimination against contract workers

- (1) This section applies to any work for a person (“the principal”) which is available for doing by individuals (“contract workers”) who are employed not by the principal himself but by another person, who supplies them under a contract made with the principal. 15
- (2) It is unlawful for the principal, in relation to work to which this section applies, to discriminate against a contract worker—
 - (a) in the terms on which he allows him to do that work; or
 - (b) by not allowing him to do it or continue to do it; or
 - (c) in the way in which he affords him access to any benefits, facilities or services or by refusing or deliberately omitting to afford him access to them; or 20
 - (d) by subjecting him to any other detriment. 25
- (3) The principal does not contravene subsection (2)(b) by doing any act in relation to a person not of a particular religious belief at a time when, if the work were to be done by a person taken into the principal’s employment, being of that religious belief would be a genuine occupational qualification for the job. 30
- (4) Nothing in this section shall render unlawful any act done by the principal for the benefit of a contract worker not ordinarily resident in Great Britain in or in connection with allowing him to do work to which this section applies, where the purpose of his being allowed to do that work is to provide him with training in skills which he appears to the principal to intend to exercise wholly outside Great Britain. 35
- (5) Subsection (2)(c) does not apply to benefits, facilities or services of any description if the principal is concerned with the provision (for payment or not) of benefits, facilities or services of that description to the public, or to a section of the public to which the contract worker in question belongs, unless that provision differs in a material respect from the provision of the benefits, facilities or services by the principal to his contract workers. 40

7 Partnerships

- (1) It is unlawful for a firm consisting of six or more partners, in relation to a position as partner in the firm, to discriminate against a person—
 - (a) in the arrangements they make for the purpose of determining who should be offered that position; or 5
 - (b) in the terms on which they offer him that position; or
 - (c) by refusing or deliberately omitting to offer him that position; or
 - (d) in a case where the person already holds that position—
 - (i) in the way they afford him access to any benefits, facilities or services, or by refusing or deliberately omitting to afford him access to them; or 10
 - (ii) by expelling him from that position, or subjecting him to any other detriment.
- (2) Subsection (1) shall apply in relation to persons proposing to form themselves into a partnership as it applies to a firm. 15
- (3) Subsections 1(a) and (c) do not apply to a position as partner where, if it were employment, being of a particular religious group would be a genuine occupational qualification for the job.
- (4) In the case of a limited partnership references in this section to a partner shall be construed as references to a general partner as defined in section 3 of the Limited Partnerships Act 1907 (c. 24). 20

8 Trade unions etc.

- (1) This section applies to an organisation of workers, an organisation of employers, or any other organisation whose members carry on a particular profession or trade for the purposes of which the organisation exists. 25
- (2) It is unlawful for an organisation to which this section applies, in the case of a person who is not a member of the organisation, to discriminate against him—
 - (a) in the terms on which it is prepared to admit him to membership; or
 - (b) by refusing, or deliberately omitting to accept, his application for membership. 30
- (3) It is unlawful for an organisation to which this section applies, in the case of a person who is a member of the organisation, to discriminate against him—
 - (a) 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
 - (b) by depriving him of membership, or varying the terms on which he is a member; or 35
 - (c) by subjecting him to any other detriment.

9 Qualifying bodies

- (1) It is unlawful for an authority or body which can confer an authorisation or qualification which is needed for, or facilitates, engagement in a particular profession of trade to discriminate against a person— 40

- (a) in the terms on which it is prepared to confer on him that authorisation or qualification; or
 - (b) by refusing, or deliberately omitting to grant, his application for it; or
 - (c) by withdrawing it from him or varying the terms on which he holds it.
- (2) In this section— 5
“authorisation or qualification” includes recognition, registration, enrolment, approval and certification;
“confer” includes renew or extend.

10 Persons concerned with provision of vocational training

It is unlawful, in the case of an individual seeking or undergoing training which would help to fit him for any employment, for any person who provides, or makes arrangements for the provision of, facilities for such training to discriminate against him— 10

- (a) in the term on which that person affords him access to any training courses or other facilities concerned with such training; or 15
- (b) by refusing or deliberately omitting to afford him such access; or
- (c) by terminating his training; or
- (d) by subjecting him to any detriment during the course of his training.

11 Employment agencies etc.

- (1) It is unlawful for an employment agency to discriminate against a person— 20
- (a) in the terms on which the agency offers to provide any of its services; or
 - (b) by refusing or deliberately omitting to provide any of its services; or
 - (c) in the way it provides any of its services.
- (2) It is unlawful for a local education authority or education authority or any other person to do any act in providing services in pursuance of arrangements made, or a direction given, under section 10 of the Employment and Training Act 1973 which constitutes discrimination. 25
- (3) References in subsection (1) to the services of an employment agency include guidance on careers and any other services related to employment.
- (4) This section does not apply if the discrimination only concerns employment which the employer could lawfully refuse to offer the person in question. 30
- (5) An employment agency or local education authority or other person shall not be subject to any liability under this section if it proves—
- (a) that it acted in reliance on a statement made to it by the employer to the effect that, by reason of the operation of subsection (4), its action would not be unlawful; and 35
 - (b) that it was reasonable for it to rely on the statement.
- (6) A person who knowingly or recklessly makes a statement such as is referred to in subsection (5)(a) which in a material respect is false or misleading commits an offence, and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale. 40

PART 3

DISCRIMINATION IN OTHER FIELDS

12 Goods, facilities, services and premises

- (1) It is unlawful for any person concerned with the provision (for payment or not) of goods, facilities or services to the public or a section of the public to discriminate against a person who seeks to obtain or use those goods, facilities or services—
 - (a) by refusing or deliberately omitting to provide him with any of them; or
 - (b) by refusing or deliberately omitting to provide him with goods, facilities or services of the like quality, in the like manner and on the like terms as are normal in the first-mentioned person's case in relation to other members of the public or (where the person so seeking belongs to a section of the public) to other members of that section.
- (2) The following are examples of the facilities and services mentioned in subsection (1)—
 - (a) access to and use of any place which members of the public are permitted to enter;
 - (b) accommodation in a hotel, boarding house or other similar establishment;
 - (c) facilities by way of banking or insurance or for grants, loans, credit or finance;
 - (d) facilities for education;
 - (e) facilities for entertainment, recreation or refreshment;
 - (f) facilities for transport or travel;
 - (g) the services of any profession or trade, or any local or other public authority.

13 Discrimination in disposal or management of premises

- (1) It is unlawful for a person, in relation to premises in Great Britain of which he has power to dispose, to discriminate against another—
 - (a) in the terms on which he offers him those premises; or
 - (b) by refusing his application for those premises; or
 - (c) in his treatment of him in relation to any list of persons in need of premises of that description.
- (2) It is unlawful for a person, in relation to premises managed by him, to discriminate against a person occupying the premises—
 - (a) in the way he affords him access to any benefits or facilities, or by refusing or deliberately omitting to afford him access to them; or
 - (b) by evicting him, or subjecting him to any other detriment.
- (3) Subsection (1) does not apply to a person who owns an estate or interest in the premises or wholly occupies them unless he uses the services of an estate agent for the purpose of the disposal of the premises, or publishes or causes to be published an advertisement in connection with the disposal.

14 Discrimination: consent for assignment or sub-letting

- (1) Where the licence or consent of the landlord or of any other person is required for the disposal to any person of premises in Great Britain comprised in a tenancy, it is unlawful for the landlord or other person to discriminate against a person by withholding the licence or consent for disposal of the premises to him. 5
- (2) In this section “tenancy” means a tenancy created by a lease or sub-lease, by an agreement for a lease or sub-lease or by a tenancy agreement or in pursuance of any enactment; and “disposal”, in relation to premises comprised in a tenancy, includes assignment or assignation of the tenancy and sub-letting or parting with possession of the premises or any part of the premises. 10
- (3) This section applies to tenancies created before the passing of this Act, as well as to others.

15 Discrimination by, or in relation to, barristers

- (1) It is unlawful for a barrister or barrister’s clerk, in relation to any offer of a pupillage or tenancy, to discriminate against a person— 15
 - (a) in the arrangements which are made for the purpose of determining to whom it should be offered;
 - (b) in respect of any terms on which it is offered; or
 - (c) by refusing, or deliberately omitting, to offer it to him. 20
- (2) It is unlawful for a barrister or barrister’s clerk, in relation to a pupil or tenant in the chambers in question, to discriminate against him—
 - (a) in respect of any terms applicable to him as a pupil or tenant;
 - (b) in the opportunities for training, or gaining experience which are afforded or denied to him; 25
 - (c) in the benefits, facilities or services which are afforded or denied to him; or
 - (d) by terminating his pupillage or by subjecting him to any pressure to leave the chambers or other detriment.
- (3) It is unlawful for any person, in relation to the giving, withholding or acceptance of instructions to a barrister, to discriminate against any person. 30
- (4) In this section—
“barrister’s clerk” includes any person carrying out the functions of a barrister’s clerk; and
“pupil”, “pupillage”, “tenancy” and “tenant” have the meanings commonly associated with their use in the context of a set of barrister’s chambers. 35

16 Discrimination by, or in relation to, advocates

- (1) It is unlawful for an advocate, in relation to taking any person as his pupil, to discriminate against a person—
 - (a) in the arrangements which are made for the purpose of determining whom he shall take as his pupil; 40

- (b) in respect of any terms on which he offers to take any person as his pupil; or
 - (c) by refusing, or deliberately omitting, to take a person as his pupil.
- (2) It is unlawful for an advocate, in relation to a person who is a pupil, to discriminate against him— 5
 - (a) in respect of any terms applicable to him as a pupil;
 - (b) in the opportunities for training, or gaining experience which are afforded or denied to him;
 - (c) in the benefits, facilities or services which are afforded or denied to him; or 10
 - (d) by terminating the relationship or by subjecting him to any pressure to terminate the relationship or other detriment.
- (3) It is unlawful for any person, in relation to the giving, withholding or acceptance of instructions to an advocate, to discriminate against any person.
- (4) In this section— 15
 - “advocate” means a member of the Faculty of Advocates practising as such; and
 - “pupil” has the meaning commonly associated with its use in the context of a person training to be an advocate.
- (5) This section does not apply to England and Wales.

PART 4

20

OTHER UNLAWFUL ACTS

17 Discriminatory advertisements

- (1) It is unlawful to publish or cause to be published an advertisement which indicates, or might reasonably be understood as indicating, an intention by a person to do an act of discrimination, whether the doing of that act by him would be lawful or, by virtue of Part 2 or 3, unlawful. 25
- (2) Subsection (1) does not apply to an advertisement if the intended act would be lawful by virtue of any other section of this Act.
- (3) The publisher of an advertisement made unlawful by subsection (1) shall not be subject to any liability under that subsection in respect of the publication of the advertisement if he proves— 30
 - (a) that the advertisement was published in reliance on a statement made to him by the person who caused it to be published to the effect that, by reason of the operation of subsection (2), the publication would not be unlawful; and
 - (b) that it was reasonable for him to rely on the statement. 35
- (4) A person who knowingly or recklessly makes a statement such as is referred to in subsection (3)(a) which in a material respect is false or misleading commits an offence, and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

18 Instructions to discriminate

It is unlawful for a person—

- (a) who has authority over another person; or
- (b) in accordance with whose wishes that other person is accustomed to act,

to instruct him to do any act which is unlawful by virtue of Part 2 or 3, or procure or attempt to procure the doing by him of any such act. 5

19 Pressure to discriminate

- (1) It is unlawful to induce, or attempt to induce a person to do any act which contravenes Part 2 or 3.
- (2) An attempted inducement is not prevented from falling within subsection (1) because it is not made directly to the person in question, if it is made in such a way that he is likely to hear of it. 10

20 Liability of employers and principals

- (1) Anything done by a person in the course of his employment shall be treated for the purposes of this Act (except as regards offences thereunder) as done by his employer as well as by him, whether or not it was done with the employer's knowledge or approval. 15
- (2) Anything done by a person as agent for another person with the authority (whether express or implied, and whether precedent or subsequent) of that other person shall be treated for the purposes of this Act (except as regards offences thereunder) as done by that other person as well as by him. 20
- (3) In proceedings brought under this Act against any person in respect of an act alleged to have been done by an employee of his it shall be a defence for that person to prove that he took such steps as were reasonably practicable to prevent the employee from doing that act, or from doing in the course of his employment acts of that description. 25

21 Aiding unlawful acts

- (1) A person who knowingly aids another person to do an act made unlawful by this Act shall be treated for the purposes of the Act as himself doing an unlawful act of the like description. 30
- (2) For the purposes of subsection (1) an employer or agent for whose act the employer or principal is liable under section 20 (or would be so liable but for section 20(3)) shall be deemed to aid the doing of the act by the employer or principal.
- (3) A person does not under this section knowingly aid another to do an unlawful act if— 35
 - (a) he acts in reliance on a statement made to him by another person that, by reason of any other provision of this act, the act which he aids would not be unlawful; and
 - (b) it is reasonable for him to rely on the statement. 40

- (4) A person who knowingly or recklessly makes a statement such as is referred to in subsection (3)(a) which in a material respect is false or misleading commits an offence, and shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

22 Charities

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- (1) Nothing in Part 2 or in this Part shall—
(a) be construed as affecting a provision to which this subsection applies; or
(b) render unlawful an act which is done in order to give effect to such a provision.

- (2) Subsection (1) applies to any provision which is contained in a charitable instrument (whenever that instrument took or takes effect) and which provides for conferring benefits on persons of a class defined by reference to religious belief. 10

- (3) In this section “charitable instrument” means an enactment or other instrument passed or made for charitable purposes, or an enactment or other instrument so far as it relates to charitable purposes, and in Scotland includes the governing instrument of an endowment as defined in section 135(1) of the Education (Scotland) Act 1962 (c. 47). 15

- (4) In the application of this section to England and Wales, “charitable purposes” means purposes which are exclusively charitable according to the law of England and Wales. 20

PART 5

GENERAL EXCEPTIONS FROM PARTS 2 TO 4

23 Special needs of religious groups in regard to education, training or welfare

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Nothing in Parts 2 to 4 shall render unlawful any act done in affording persons of a particular religious group access to facilities or services to meet the special needs of persons of that religious group in regard to their education, training or welfare, or any ancillary benefits.

24 Indirect access to benefits etc.

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- (1) References in this Act to the affording by any person of access to benefits, facilities or services are not limited to benefits, facilities or services provided by that person himself, but include any means by which it is in that person’s power to facilitate access to benefits, facilities or services provided by any other person (the “actual provider”). 35

- (2) Where by any provision of this Act the affording by any person of access to benefits, facilities or services in a discriminatory way is in certain circumstances prevented from being unlawful, the effect of the provision shall extend also to the liability under this Act of any provider.

25 Acts done under statutory authority etc.

- (1) Nothing in Parts 2 to 4 shall render unlawful any act of discrimination done—
 - (a) in pursuance of any enactment or Order in Council; or
 - (b) in pursuance of any instrument made under any enactment by a Minister of the Crown; or
 - (c) in order to comply with any condition or requirement imposed by a Minister of the Crown (whether before or after the passing of this Act) by virtue of any enactment.
- (2) References in this section to an enactment, Order in Council or instrument include an enactment, Order in Council or instrument passed or made after the passing of this Act.

26 Acts safeguarding national security

Nothing in Parts 2 to 4 shall render unlawful an act done for the purpose of safeguarding national security.

PART 6

INCITEMENT TO RELIGIOUS HATRED

27 Use of words or behaviour or display of written material

- (1) A person who uses threatening, abusive or insulting words or behaviour or who displays any written material which is threatening, abusive or insulting is guilty of an offence if—
 - (a) he intends thereby to stir up hatred against a group of persons in Great Britain defined by reference to religious belief, or
 - (b) having regard to all the circumstances such hatred is likely to be stirred up thereby.
- (2) An offence under this section may be committed in a public or in a private place, except that no offence is committed where the words or behaviour are used, or the written material is displayed, by a person inside a dwelling and are not heard or seen except by other persons in that or another dwelling.
- (3) A constable may arrest without warrant anyone he reasonably suspects is committing an offence under this section.
- (4) In proceedings for an offence under this section it is a defence for the accused to prove that he was inside a dwelling and had no reason to believe that the words or behaviour used, or the written material displayed, would be heard or seen by a person outside that or any other dwelling.
- (5) This section does not apply to words or behaviour used, or written material displayed, solely for the purpose of being included in a programme broadcast or included in a cable programme service.

28 Publication or distribution of written material

A person who publishes or distributes written material which is threatening, abusive or insulting is guilty of an offence if—

- (a) he intends thereby to stir up hatred against a group of persons in Great Britain defined by reference to religious belief, or 5
- (b) having regard to all the circumstances such hatred is likely to be stirred up thereby.

29 Procedure and penalties

- (1) No proceedings for an offence under this Part may be instituted in England or Wales except by or with the consent of the Attorney General. 10
- (2) A person guilty of an offence under this Part is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both;
 - (b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both. 15

PART 7

SUPPLEMENTAL

30 Application to Crown etc.

- (1) This Act applies—
 - (a) to an act done by or for purposes of a Minister of the Crown or government department; or 20
 - (b) to an act done on behalf of the Crown by a statutory body, or a person holding a statutory office,as it applies to an act done by a private person.
- (2) Parts 2 and 4 apply to— 25
 - (a) service for purposes of a Minister of the Crown or government department, other than service or a person holding a statutory office; or
 - (b) service on behalf of the Crown for purposes of a person holding a statutory office or purposes of a statutory body; or
 - (c) service in the armed forces 30as they apply to employment by a private person, and shall so apply as if references to a contract of employment included references to the terms of service.
- (3) Nothing in this Act shall— 35
 - (a) invalidate any rules (whether made before or after the passing of this Act) restricting employment in the service of the Crown or by any public body prescribed for the purposes of this subsection by regulations made by the Minister for the Civil Service to persons of particular birth, nationality, descent or residence; or

- (b) render unlawful the publication, display or implementation of any such rules, or the publication of advertisements stating the gist of any such rules.
- (4) In this section “employment” includes service of any kind, and “public body” means a body or persons, whether corporate or unincorporate, carrying on a service or undertaking of a public nature. 5
- (5) The provisions of Parts 2 to 4 of the Crown Proceedings Act 1947 shall apply to proceedings against the Crown under this Act as they apply to proceedings in England and Wales which by virtue of section 23 of that Act are treated for the purposes of Part 2 of that Act as civil proceedings by or against the Crown, except that in their application to proceedings under this Act section 20 of that Act (removal of proceedings from county court to High Court) shall not apply. 10
- (6) The provisions of Part 5 of the Crown Proceedings Act 1947 shall apply to proceedings against the Crown under this Act as they apply to proceedings in Scotland which by virtue of the said Part are treated as civil proceedings by or against the Crown, except that in their application to proceedings under this Act the proviso to section 44 of that Act (removal of proceedings from the sheriff court to the Court of Session) shall not apply. 15
- 31 Application to House of Commons staff**
- (1) Parts 2 to 4 apply to an act done by a relevant member of the House of Commons staff as they apply to an act done by and to service for the purposes of a Minister of the Crown or government department. 20
- (2) In this section “relevant member of the House of Commons staff” has the same meaning as in section 195 of the Employment Rights Act 1996 (c. 18) and subsection (6) to (12) of that section apply, with any necessary modifications, for the purposes of Parts 2 to 4 as they apply by virtue of this section. 25
- 32 Application to House of Lords staff**
- (1) Parts 2 to 4 apply to an act done by a relevant member of the House of Lords staff as they apply in relation to other employment.
- (2) In this section “relevant member of the House of Lords staff” has the same meaning as in section 194 of the Employment Rights Act 1996 and subsection (7) of that section applies for the purposes of this section. 30
- 33 Government appointments outside s.4**
- (1) This section applies to any appointment by a Minister of the Crown or government department to an office or post where section 4 does not apply in relation to the appointment. 35
- (2) In making the appointment, and in making the arrangements for determining who should be offered the office or post, the Minister of the Crown or government department shall not do an act which would be unlawful under section 4 if the Crown were the employer for the purposes of this Act. 40

34 Short title and extent

- (1) This Act may be cited as the Religious Discrimination and Remedies Act 2002.
- (2) This Act does not extend to Northern Ireland.

Religious Discrimination and Remedies Bill

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B I L L

To render unlawful religious discrimination in employment and in the provision of certain types of goods, facilities and services and to make provision for appropriate enforcement; to create new offences relating to incitement to religious hatred; and for related purposes.

*Presented by Mr John Austin
supported by
Mr Terry Rooney, Fiona Mactaggart
Mr David Chidgey, Mr Khalid Mahmood,
Mr David Atkinson and Clive Efford.*

*Ordered, by The House of Commons, to
be Printed, 14th January 2002.*

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