

---

## STATUTORY INSTRUMENTS

---

# 1976 No. 1042

## Sex Discrimination (Northern Ireland) Order 1976

### PART IV

#### DISCRIMINATION IN OTHER FIELDS

##### *Goods, facilities, services and premises*

#### **Exception for voluntary bodies**

**35.**—(1) This Article applies to a body—

- (a) the activities of which are carried on otherwise than for profit, and
- (b) which was not set up by any statutory provision.

(2) Articles 30(1) and 31 shall not be construed as rendering unlawful—

- (a) the restriction of membership of any such body to persons of one sex (disregarding any minor exceptions), or
- (b) the provision of benefits, facilities or services to members of any such body where the membership is so restricted,

even though membership of the body is open to the public, or to a section of the public.

(3) Nothing in Article 30 or 31 shall—

- (a) be construed as affecting a provision to which this paragraph applies, or
- (b) render unlawful an act which is done in order to give effect to such a provision.

(4) Paragraph (3) applies to a provision for conferring benefits on persons on one sex only (disregarding any benefits to persons of the opposite sex which are exceptional or are relatively insignificant), being a provision which constitutes the main object of a body within paragraph (1).

[<sup>F1</sup>(5) Paragraphs (2) to (4) do not apply to discrimination under [<sup>F2</sup>Article 3, 3A or 4A] in its application to Articles 30 to 32 unless the treatment mentioned in those paragraphs is—

- (a) a proportionate means of achieving a legitimate aim, or
- (b) for the purpose of preventing or compensating for a disadvantage linked to sex.]

**F1** Art. 35(5) inserted (6.4.2008) by [Sex Discrimination \(Amendment of Legislation\) Regulations 2008 \(S.I. 2008/963\)](#), regs. 1(1), 2(2), **Sch. 2 para. 7**

**F2** Words in art. 35(5) substituted (2.5.2016) by [The Sex Discrimination Order 1976 \(Amendment\) Regulations \(Northern Ireland\) 2016 \(S.R. 2016/191\)](#), regs. 1(1), **15**

**Changes to legislation:**

Sex Discrimination (Northern Ireland) Order 1976, Section 35 is up to date with all changes known to be in force on or before 15 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 17 s.50Sch.4 para.13](#)
- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para.12](#)
- Instrument rev. in pt. (saving) (prosp.) by [1998 c. 32 s.74\(2\)\(3\)Schs.56](#)

**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Act amended by [1996 c. 46 s. 22](#)
- Act amended by [1996 c. 46 s. 22](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch.3 rev. (prosp.) by [1998 c. 47 ss .99 100\(2\) Sch.13 para.2\(4\). Sch.15](#)
- Sch.6 para.2 rev. (prosp.) by [1998 c. 47 s. 100\(2\)Sch.15](#)
- art.19(6)(aa) added (prosp.) by [1997 c. 50 s.134\(1\)Sch.9 para.37](#)
- art.19(6)(aa) added (prosp.) by [1997 c. 50 s.134\(1\)Sch.9 para.37](#)
- art.54(2)(3)(4) rev. (prosp.) by [1998 c. 47 ss .99 100\(2\) Sch.13 para.2\(3\)\(b\). Sch. 15](#)