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STATUTORY INSTRUMENTS

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**1976 No. 1042**

**Sex Discrimination (Northern Ireland) Order 1976**

**PART VI**

**GENERAL EXCEPTIONS FROM PARTS III TO V**

**Insurance etc.**

**46.**—<sup>F1</sup>[<sup>F1</sup>(1)] <sup>F2</sup>[Nothing in Part III, Part IV (other than Article 30) or Part V] shall render unlawful the treatment of a person in relation to an annuity, life assurance policy, accident insurance policy, or similar matter involving the assessment of risk, where the treatment—

- (a) was effected by reference to actuarial or other data from a source on which it was reasonable to rely, and
- (b) was reasonable having regard to the data and any other relevant factors.

<sup>F3</sup>(2) In the case of discrimination under Article <sup>F4</sup>...31 or 32, paragraph (1) applies only in so far as that Article relates to—

- (a) an excluded matter, or
- (b) differences in premiums and benefits applicable to a person under a contract of insurance or related financial services entered into before the appropriate date.

<sup>F5</sup>(3) .....

<sup>F5</sup>(4) .....

(5) For the purposes of this Article, “ the appropriate date ” means the date on which the Sex Discrimination (Amendment of Legislation) Regulations 2008 came into force. ]

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| <b>F1</b> | Art. 46 renumbered (6.4.2008) as para. (1) by <a href="#">Sex Discrimination (Amendment of Legislation) Regulations 2008 (S.I. 2008/963)</a> , regs. 1(1), 2(2), <b>Sch. 2 para. 13</b>                        |
| <b>F2</b> | Words in art. 46(1) substituted (21.12.2012) by <a href="#">The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/462)</a> , regs. 1(1), <b>2(2)</b> (with reg. 3)      |
| <b>F3</b> | Art. 46(2)-(5) inserted (6.4.2008) by <a href="#">Sex Discrimination (Amendment of Legislation) Regulations 2008 (S.I. 2008/963)</a> , regs. 1(1), 2(2), <b>Sch. 2 para. 13</b> (with reg. 5(3))               |
| <b>F4</b> | Word in art. 46(2) omitted (21.12.2012) by virtue of <a href="#">The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/462)</a> , regs. 1(1), <b>2(3)</b> (with reg. 3) |
| <b>F5</b> | Art. 46(3)(4) omitted (21.12.2012) by virtue of <a href="#">The Sex Discrimination Order 1976 (Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/462)</a> , regs. 1(1), <b>2(4)</b> (with reg. 3)      |

**Changes to legislation:**

Sex Discrimination (Northern Ireland) Order 1976, Section 46 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](#)