
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 439

**The Equality Act (Sexual Orientation)
Regulations (Northern Ireland) 2006**

Organisations relating to religion or belief

16.—(1) Subject to paragraphs (2) and (8) this regulation applies to an organisation the purpose of which is —

- (a) to practice a religion or belief;
- (b) to advance a religion or belief;
- (c) to teach the practice or principles of a religion or belief;
- (d) to enable persons of a religion or belief to receive any benefit, or to engage in any activity, within the framework of that religion or belief.

(2) This regulation does not apply —

- (a) to an organisation whose sole or main purpose is commercial; or
- (b) in relation to regulations 9, 10 and 11 (education).

(3) Nothing in these Regulations shall make it unlawful for an organisation to which this regulation applies, or for anyone acting on behalf of or under the auspices of such an organisation to which this regulation applies —

- (a) to restrict membership of the organisation;
- (b) to restrict participation in activities undertaken by the organisation or on its behalf or under its auspices;
- (c) to restrict the provision of goods, facilities and services in the course of activities undertaken by the organisation or on its behalf or under its auspices; or
- (d) to restrict the use or disposal of premises owned or controlled by the organisation,

in respect of a person on the ground of his sexual orientation.

(4) Nothing in these Regulations shall make it unlawful for a minister —

- (a) to restrict participation in activities carried on in the performance of his functions in connection with or in respect of an organisation to which this regulation relates; or
- (b) to restrict the provision of goods, facilities or services in the course of activities carried on in the performance of his functions in connection with or in respect of an organisation to which this regulation relates,

in respect of a person on the ground of his sexual orientation.

(5) Paragraphs (3) and (4) permit a restriction only if imposed —

- (a) if it is necessary to comply with the doctrine of the organisation; or
- (b) so as to avoid conflicting with the strongly held religious convictions of a significant number of the religions followers.

(6) In paragraph (4) the reference to a minister is a reference to a minister of religion, or other person, who —

- (a) performs functions in connection with a religion or belief to which an organisation, to which this regulation applies, relates; and
 - (b) holds an office or appointment in, or is accredited, approved or recognised for purposes of, an organisation to which this regulation applies.
- (7) For the purposes of paragraph (3)(d), “disposal” shall not include disposal of an estate in premise by way of sale where the estate being disposed of is —
- (a) the estate in fee simple absolute in possession; or
 - (b) the entire estate in the premises in respect of which the organisation has power of disposal.
- (8) This regulation shall not apply where an organisation —
- (a) makes provision of a kind referred to in regulation 5; or
 - (b) makes provision of a kind referred to in regulation 12,
- on behalf of a public authority under the terms of a contract for provision of that kind made between that authority and an organisation referred to in paragraph (1).