

2009 No. 410

RACE RELATIONS

**The Race Relations Order (Amendment) Regulations (Northern
Ireland) 2009**

Made - - - - - *11th December 2009*

Coming into operation - *11th January 2010*

The Office of the First Minister and deputy First Minister, being a Department designated^(a) for the purposes of section 2(2) of the European Communities Act 1972^(b) in relation to discrimination, in exercise of the powers conferred on it by that section makes the following Regulations.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Race Relations Order (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 11th January 2010.

(2) The Interpretation Act (Northern Ireland) 1954^(c) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Race Relations Order

2. In Article 3(1A) of the Race Relations (Northern Ireland) Order 1997^(d) (indirect discrimination) in sub-paragraph (b), after “which puts” insert “or would put”.

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 11th December 2009.

(L.S.)

Colin Jack
A senior officer of the
Office of the First Minister and deputy First Minister

(a) European Communities (Designation) (No. 3) Order 2002 (S.I. 2002/1819)
(b) 1972 c.68
(c) 1954 c.33 (N.I.)
(d) S.I. 1997/869 (N.I. 6); Article 3(1A) was inserted by regulation 4(1) of S.R. 2003 No. 341

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Race Relations (Northern Ireland) Order 1997 (“the 1997 Order”) to give full effect in Northern Ireland to Article 2(2)(b) (indirect discrimination) of Council Directive 2000/43 EC of 29th June 2000 (“the Directive”) concerning the principle of the equal treatment between persons, irrespective of racial or ethnic origins, in the areas of employment (and related matters), social protection, social advantage, education and access to and supply of, goods and services which are available to the public, including housing.

Regulation 2 amends the Directive-based definition of indirect discrimination on grounds of race or ethnic or national origins which applies in those areas covered by the Directive. The amendment to Article 3(1A) of the 1997 Order makes clear that its provisions cover both persons who are put at a disadvantage by a discriminatory provision, criterion or practice and those that would be put at such a disadvantage.

A Regulatory Impact Assessment of the effect that these Regulations will have on business, charities and the voluntary sector and a Transposition Note showing how the relevant Article of the Directive has been implemented in Northern Ireland have been placed in the library of the Northern Ireland Assembly. Copies of each may be obtained from Racial Equality Unit, Office of the First Minister and deputy First Minister, Block 5 Knockview Buildings, Stormont Estate, Belfast, BT4 3SL.

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