
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 191

**The Sex Discrimination Order 1976 (Amendment)
Regulations (Northern Ireland) 2016**

Amendment of Article 3 of the 1976 Order

4.—(1) For Article 3(1) (direct and indirect discrimination against women), substitute the following—

“Direct discrimination on the ground of sex

3. In any circumstances relevant for the purposes of any provision of this Order, a person (“A”) discriminates against another (“B”) if, on the ground of sex, A treats B less favourably than A treats or would treat another person.”.

(2) After Article 3, insert the following—

“Indirect discrimination on the ground of sex

3A.—(1) In any circumstances relevant for the purposes of any provision of this Order, a person (“A”) discriminates against another person (“B”) if A applies to B a provision, criterion or practice which is discriminatory in relation to B’s sex.

(2) For the purposes of paragraph (1), a provision, criterion or practice is discriminatory in relation to B’s sex, if –

- (a) A applies, or would apply, it to persons of a different sex,
- (b) it puts, or would put, persons of the same sex as B at a particular disadvantage when compared with persons of a different sex,
- (c) it puts, or would put, B at that disadvantage, and
- (d) A cannot show it to be a proportionate means of achieving a legitimate aim.”.