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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 191**

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

**Insertion of Article 4B into the 1976 Order**

7. After Article 4A (discrimination on the ground of gender reassignment), insert the following—

**“Indirect discrimination on the ground of gender reassignment**

**4B.—(1)** A person (“A”) discriminates against another person (“B”) in any circumstances relevant for the purposes of—

- (a) any provision of Part 3; or
- (b) any provision of Part 4, so far as it applies to vocational training,

if A applies to B a provision, criterion or practice which is discriminatory in relation to B’s gender reassignment.

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

- (a) A applies, or would apply, it to persons who do not intend to undergo, are not undergoing or have not undergone gender reassignment;
- (b) it puts, or would put, persons who intend to undergo, are undergoing or have undergone gender reassignment at a particular disadvantage when compared with persons who do not intend to undergo, are not undergoing or have not undergone gender reassignment;
- (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.”.