



# Employment Act 1989

## 1989 CHAPTER 38

### *Discrimination as respects training*

#### **8 Power to exempt discrimination in favour of lone parents in connection with training.**

- (1) The Secretary of State may by order provide with respect to—
- (a) any specified arrangements made under section 2 of the <sup>M1</sup>Employment and Training Act 1973 (functions of the Secretary of State as respects employment and training) [<sup>F1</sup>or under section 2(3) of the Enterprise and New Towns (Scotland) Act 1990 (arrangements by Scottish Enterprise and Highlands and Islands Enterprise in connection with training etc.)], or
  - (b) any specified class or description of training for employment provided otherwise than in pursuance of [<sup>F2</sup>that section][<sup>F2</sup>either of those sections], or
  - <sup>F3</sup>(c) .....

that this section shall apply to such special treatment afforded to or in respect of lone parents in connection with their participation in those arrangements, or in that training or scheme, as is specified or referred to in the order.

- (2) Where this section applies to any treatment afforded to or in respect of lone parents, neither the treatment so afforded nor any act done in the implementation of any such treatment shall be regarded [<sup>F4</sup>for the purposes of the Equality Act 2010 as giving rise to any contravention of Part 5 of that Act, so far as relating to marriage and civil partnership discrimination (within the meaning of that Act).]
- (3) An order under subsection (1) above may specify or refer to special treatment afforded as mentioned in that subsection—
- (a) whether it is afforded by the making of any payment or by the fixing of special conditions for participation in the arrangements, training or scheme in question, or otherwise, and
  - (b) whether it is afforded by the Secretary of State or by some other person;
- and, without prejudice to the generality of paragraph (b) of that subsection, any class or description of training for employment specified in such an order by virtue of that

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paragraph may be framed by reference to the person, or the class or description of persons, by whom the training is provided.

(4) In this section—

- (a) “employment” and “training” have the same meaning as in the <sup>M2</sup>Employment and Training Act 1973; and
- [<sup>F5</sup>(b) “couple” has the meaning given by section 39(1) of the Welfare Reform Act 2012; and
- (c) “lone parent” means a person who—
  - (i) is not a member of a couple, and
  - (ii) is responsible for, and a member of the same household as, a child.]

#### Textual Amendments

- F1** Words inserted (1.4.1991) by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(1), [Sch. 4 para. 18\(a\)](#)
- F2** “either of those sections substituted (1.4.1991) for “that section by [Enterprise and New Towns \(Scotland\) Act 1990 \(c. 35, SIF 64\)](#), s. 38(1), [Sch. 4 para. 18\(b\)](#)
- F3** S. 8(1)(c) and preceding word repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 8](#)
- F4** Words in s. 8(2) substituted by 2010 c. 15 Sch. 26 Pt. 1 para. 14 (as inserted) (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), art. 1(2), [Sch. 1 para. 3](#) (see S.I. 2010/2317, art. 2)
- F5** S. 8(4)(b)(c) substituted for s. 8(4)(b) (29.4.2013) by [The Universal Credit \(Consequential, Supplementary, Incidental and Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/630\)](#), regs. 1(2), 7

#### Modifications etc. (not altering text)

- C1** S.8: transfer of certain functions (1.7.1999) by [S.I. 1999/672](#), art. 2, [Sch. 1](#)

#### Marginal Citations

- M1** 1973 c. 50.
- M2** 1973 c. 50.

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