

## SCHEDULES

### SCHEDULE 7

Section 80

#### EQUALITY OF TERMS: EXCEPTIONS

##### PART 1

##### TERMS OF WORK

###### *Compliance with laws regulating employment of women, etc.*

- 1 Neither a sex equality clause nor a maternity equality clause has effect in relation to terms of work affected by compliance with laws regulating—
- (a) the employment of women;
  - (b) the appointment of women to personal or public offices.

###### *Pregnancy, etc.*

- 2 A sex equality clause does not have effect in relation to terms of work affording special treatment to women in connection with pregnancy or childbirth.

##### PART 2

##### OCCUPATIONAL PENSION SCHEMES

###### *Preliminary*

- 3 (1) A sex equality rule does not have effect in relation to a difference as between men and women in the effect of a relevant matter if the difference is permitted by or by virtue of this Part of this Schedule.
- (2) “Relevant matter” has the meaning given in section 67.

###### *State retirement pensions*

- 4 (1) This paragraph applies where a man and a woman are eligible, in such circumstances as may be prescribed, to receive different amounts by way of pension.
- (2) The difference is permitted if, in prescribed circumstances, it is attributable only to differences between men and women in the retirement benefits to which, in prescribed circumstances, the man and woman are or would be entitled.
- (3) “Retirement benefits” are benefits under sections 43 to 55 of the Social Security Contributions and Benefits Act 1992 (state retirement pensions).

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*Status: This is the original version (as it was originally enacted).*

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*Actuarial factors*

- 5 (1) A difference as between men and women is permitted if it consists of applying to the calculation of the employer's contributions to an occupational pension scheme actuarial factors which—
- (a) differ for men and women, and
  - (b) are of such description as may be prescribed.
- (2) A difference as between men and women is permitted if it consists of applying to the determination of benefits of such description as may be prescribed actuarial factors which differ for men and women.

*Power to amend*

- 6 (1) Regulations may amend this Part of this Schedule so as to add, vary or omit provision about cases where a difference as between men and women in the effect of a relevant matter is permitted.
- (2) The regulations may make provision about pensionable service before the date on which they come into force (but not about pensionable service before 17 May 1990).