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STATUTORY INSTRUMENTS

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**2003 No. 2865**

**SEX DISCRIMINATION**

**The Code of Practice on Equal Pay Order 2003**

*Made* - - - - *7th November 2003*  
*Laid before Parliament* *10th November 2003*  
*Coming into force* - - *1st December 2003*

Whereas —

(1) under section 56A(1) of the Sex Discrimination Act 1975<sup>(1)</sup> (“the Act”) the Equal Opportunities Commission (“the Commission”) may issue codes of practice containing such practical guidance as the Commission think fit for purposes which include the elimination of discrimination in the field of employment;

(2) under section 56A(9) of the Act the Commission may from time to time revise the whole or any part of a code of practice issued under that section and issue the revised code, and subsections (2) to (8) apply to such a revised code with appropriate modifications;

(3) the Commission determined to revise the whole of the code of practice on equal pay issued on 25th March 1997 and to issue a revised code of practice on equal pay in its place;

(4) under section 56A(2) of the Act the Commission prepared and published a draft revised code of practice on equal pay (“the draft code”), considered representations that were made to them about the draft and modified the draft in the light of those representations;

(5) under section 56A(3) of the Act in the course of preparing the draft code the Commission consulted with such organisations or associations of organisations representative of employers or of workers and such other organisations or bodies as appeared to the Commission to be appropriate;

(6) under section 56A(4) of the Act the Commission transmitted the draft code to the Secretary of State who approved of it and laid it before both Houses of Parliament on 8th July 2003;

(7) under section 56A(5) the draft code lay before each House of Parliament for a period of 40 days, during which period neither House resolved against the taking of further proceedings on it;

(8) under section 56A(7) of the Act the Commission is to issue the revised code of practice in the form of the draft on 10th November 2003;

Now, therefore, the Secretary of State, in exercise of the powers conferred upon her by section 56A(7) of the Act hereby makes the following Order:

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(1) 1975 c. 65; section 56A was inserted by the Race Relations Act 1976 (c. 74), section 79(4), Schedule 4, paragraph 1 and amended by the Trade Union Reform and Employment Rights Act 1993 (c. 19), section 49(1), Schedule 7, paragraph 15 and by the Employment Rights (Dispute Resolution) Act 1998 (c. 8), section 1(2)(a), and by S.I.1999/1102, regulation 7(2).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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### **Citation and commencement**

1. This Order may be cited as the Code of Practice on Equal Pay Order 2003 and shall come into force on 1st December 2003.

### **Code of Practice**

2. The day appointed for the coming into effect of the Code of Practice on Equal Pay, to be issued by the Commission under subsections (7) and (9) of section 56A of the Act in the form of the draft laid before Parliament on 8th July 2003, is 1st December 2003.

Signed by authority of the Secretary of State for Trade and Industry

*Gerry Sutcliffe,*  
Parliamentary Under Secretary of State for  
Employment Relations, Competition and  
Consumers,  
Department of Trade and Industry

7th November 2003

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order appoints 1st December 2003 as the date on which the Code of Practice on Equal Pay, issued by the Commission on 10th November 2003 (“the revised code”), shall come into effect. The revised code (ISBNNo. 1 84206094 5) replaces the previous code of practice of the same title, issued by the Commission on 25th March 1997.

The revised code may be obtained free of charge from Communications, Equal Opportunities Commission, Arndale House, Arndale Centre, Manchester M4 3EQ.