

2006 No. 630

RACE RELATIONS

**The Race Relations Code of Practice relating to Employment
(Appointed Day) Order 2006**

<i>Made</i>	- - - -	<i>6th March 2006</i>
<i>Laid before Parliament</i>		<i>15th March 2006</i>
<i>Coming into force</i>	-	<i>6th April 2006</i>

Under section 47(1) of the Race Relations Act 1976(a) (“the 1976 Act”) the Commission for Racial Equality (“the Commission”) may issue Codes of Practice containing such practical guidance as the Commission think fit for a number of purposes, including the elimination of discrimination in the field of employment and the promotion of equality of opportunity in that field between persons of different racial groups.

Under section 47(9) of the 1976 Act the Commission may from time to time revise the whole or any part of such a Code of Practice and issue the revised Code.

In accordance with section 47(2) of the 1976 Act, the Commission prepared and published in draft a revised Code of Practice for the purposes referred to above and considered representations made to them about the draft.

In accordance with section 47(3) of the 1976 Act the Commission consulted with organisations or associations of organisations representative of employers and workers and such other organisations or bodies as appeared to the Commission to be appropriate.

In accordance with section 47(4) of the 1976 Act the Commission transmitted the draft revised Code of Practice to the Secretary of State who then laid the draft before both Houses of Parliament.

In accordance with section 47(5) of the 1976 Act the draft revised Code of Practice lay before each House of Parliament for a period of forty days during which period neither House resolved against the taking of further proceedings on the draft.

In accordance with section 47(7) of the 1976 Act the Commission issued the revised Code of Practice in the form of the draft in November 2005.

Accordingly the Secretary of State, in exercise of the powers conferred by section 47(7) and (8) of the 1976 Act, as applied by section 47(9), makes the following Order:

(a) 1976 c.74; subsection (3) was amended by section 137 of the Housing Act 1988 (c.50).

1. This Order may be cited as the Race Relations Code of Practice relating to Employment (Appointed Day) Order 2006 and shall come into force on 6th April 2006.

2. Subject to article 3, the day appointed for the coming into effect of the revised Code of Practice on Racial Equality in Employment, which was issued by the Commission under subsections (1), (7) and (9) of section 47 of the Race Relations Act 1976 (“the 1976 Act”) in November 2005, is 6th April 2006.

3.—(1) This article applies where a court or tribunal is hearing any proceedings arising from a complaint (whenever presented) alleging that a person has, before 6th April 2006, committed an act which is unlawful discrimination for the purposes of any provision of the 1976 Act.

(2) Where this article applies—

- (a) the revised Code of Practice referred to in article 2(1) shall not have effect for the purpose of section 47(10) of the 1976 Act; and
- (b) the Code of Practice for the elimination of racial discrimination and the promotion of equality of opportunity in employment which came into effect on 1st April 1984 will continue to have effect for the purposes of section 47(10) of the 1976 Act.

4. The Race Relations Code of Practice Order 1983(a) is revoked.

Home Office
6th March 2006

Paul Goggins
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 6th April 2006 as the date upon which the revised Code of Practice on racial equality in employment comes into effect. This revised Code replaces the Code of Practice for the elimination of racial discrimination and the promotion of equality of opportunity in employment, which was brought into force on 1st April 1984 by the Race Relations Code of Practice Order 1983 (“the 1983 Order”).

Article 3 of the Order contains a saving provision, the effect of which is that the previous Code will continue to apply in the case of proceedings relating to any alleged act of unlawful discrimination committed before 6th April 2006.

Article 4 revokes the 1983 Order.

(a) S.I. 1983/1081.

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