
STATUTORY INSTRUMENTS

2007 No. 1263

The Equality Act (Sexual Orientation) Regulations 2007

Charities

18.—(1) Nothing in these Regulations shall make it unlawful for a person to provide benefits only to persons of a particular sexual orientation, if—

- (a) he acts in pursuance of a charitable instrument, and
- (b) the restriction of benefits to persons of that sexual orientation is imposed by reason of or on the grounds of the provisions of the charitable instrument.

(2) Nothing in these Regulations shall make it unlawful for the Charity Commission for England and Wales or the holder of the office of the Scottish Charity Regulator to exercise a function in relation to a charity in a manner which appears to the Commission or to the holder to be expedient in the interests of the charity, having regard to the provisions of the charitable instrument.

(3) In this regulation—

“charitable instrument”—

- (a) means an instrument establishing or governing a charity, and
- (b) includes a charitable instrument made before these Regulations come into force; and

“charity”—

- (a) in relation to England and Wales, has the meaning given by the Charities Act 2006⁽¹⁾,
- (b) in relation to Scotland, means a body entered in the Scottish Charity Register⁽²⁾.

(1) 2006 c 50.

(2) See [The Charities and Trustee Investment \(Scotland\) Act 2005 asp10](#).