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STATUTORY INSTRUMENTS

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**1997 No. 869**

**The Race Relations (Northern Ireland) Order 1997**

**PART V  
CHARITIES**

**Charities**

**34.—**(1) A provision which is contained in a charitable instrument and which provides for conferring benefits on persons of a class defined by reference to colour shall have effect for all purposes as if it provided for conferring the same benefits—

(a) on persons of the class which results if the restriction by reference to colour is disregarded;  
or

(b) where the original class is defined by reference to colour only, on persons generally.

(2) Nothing in paragraph (1) shall be taken to alter the effect of any provision as regards any time before the coming into operation of that paragraph.

(3) Nothing in Parts II to IV shall—

(a) affect any provision which is contained in a charitable instrument and which provides for conferring benefits on persons of a class defined otherwise than by reference to colour (including a class resulting from the operation of paragraph (1));

(b) render unlawful an act which is done in order to give effect to such a provision.

[<sup>F1</sup>(3A) Sub-paragraph (3)(b) does not apply to an act which is unlawful, on grounds of race or ethnic or national origins, by virtue of Article 6, 7 or 9.]

(4) In this Article “charitable instrument” means a statutory provision or other instrument (whenever taking effect) so far as it relates to purposes which are exclusively charitable according to the law of Northern Ireland.

**Changes to legislation:**

The Race Relations (Northern Ireland) Order 1997, PART V is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 17 s.50 Sch.4 para.41](#)
- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para.24](#)