



# Race Relations Act 1968

## 1968 CHAPTER 71

### PART I

#### DISCRIMINATION

##### *Acts which are not unlawful*

#### **8 Exceptions in the case of employment.**

- (1) Sections 2 and 3 above shall not apply—
  - (a) during the two years beginning with the commencement of this Act, to employment with an employer who employs not more than twenty-five persons in addition to any employed for the purposes of his private household ;
  - (b) during the two years following those two years, to employment with an employer who employs not more than ten persons in addition to any employed for the purposes of his private household.
- (2) It shall not be unlawful by virtue of either of those sections to discriminate against any person with respect to the engagement for employment in, or the selection for work within, an undertaking or part of an undertaking if the act is done in good faith for the purpose of securing or preserving a reasonable balance of persons of different racial groups employed in the undertaking or that part of the undertaking, as the case may be.
- (3) In determining for the purposes of subsection (2) above whether a balance is reasonable regard shall be had to all the circumstances and, in particular, to the proportion of persons employed in those groups in the undertaking or part of the undertaking, as the case may be, and to the extent, if any, to which the employer engages, with respect to employment in the undertaking or part of the undertaking, as the case may be, in discrimination of any kind which is unlawful by virtue of this Part of this Act.
- (4) In subsection (2) above " racial group " means a group of persons defined by reference to colour, race or ethnic or national origins and for the purposes of that subsection

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*Status: This is the original version (as it was originally enacted).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

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persons wholly or mainly educated in Great Britain shall be treated as members of the same racial group.

- (5) The Secretary of State may, if it appears to him expedient to do so, by order repeal subsections (2) to (4) above, but no such order shall be made unless a draft of the order has been laid before Parliament and approved by each House of Parliament.
- (6) Those sections shall not apply to the employment of any person for the purposes of a private household.
- (7) Those sections shall not apply to any employment which is, or an application for any employment which is to be,—
  - (a) wholly or mainly in a country outside Great Britain ;
  - (b) wholly on a British ship or aircraft outside Great Britain; or
  - (c) wholly or mainly on a ship or aircraft outside Great Britain other than a British ship or aircraft;notwithstanding that the person employed or seeking employment was engaged or applied for it in Great Britain.
- (8) Without prejudice to subsection (7) above, sections 2 and 3 above shall not apply to the employment or an application for the employment of a person on a ship or aircraft if the person employed or seeking employment was engaged or applied for it outside Great Britain.
- (9) For the purposes of subsection (8) above a person brought to Great Britain with a view to his entering into an agreement in Great Britain to be employed on any ship or aircraft shall be treated as engaged for or seeking the employment outside Great Britain.
- (10) It shall not be unlawful by virtue of section 2 or 3 above to discriminate against any person in respect of employment on a ship, if compliance with either of those sections in that respect would result in persons of different colour, race or ethnic or national origins being compelled to share sleeping rooms, mess rooms or sanitary accommodation.
- (11) Section 3 above shall not render unlawful the selection of a person of a particular nationality or particular descent for employment requiring attributes especially possessed by persons of that nationality or descent.