
STATUTORY INSTRUMENTS

1994 No. 3276

SEX DISCRIMINATION

The Sex Discrimination Act 1975 (Application to Armed Forces etc) Regulations 1994

<i>Made</i>	- - - -	<i>20th December 1994</i>
		<i>20th December 1994</i>
		<i>Coming into Force</i>
<i>Laid before Parliament</i>		<i>1st February 1995</i>

The Secretary of State, being a Minister designated for the purposes of section 2(2) of the European Communities Act 1972⁽¹⁾ in relation to measures relating to equal pay for men and women and to equal treatment for men and women in matters of employment, self-employment and vocational training⁽²⁾, in exercise of the powers conferred by that section, hereby makes the following Regulations:

1. These Regulations may be cited as the Sex Discrimination Act 1975 (Application to Armed Forces etc) Regulations 1994 and shall come into force on 1st February 1995.
2. In section 85 of the Sex Discrimination Act 1975⁽³⁾ —
 - (a) for subsection (4) there shall be substituted—

“(4) Nothing in this Act shall render unlawful an act done for the purpose of ensuring the combat effectiveness of the naval, military or air forces of the Crown.”; and
 - (b) subsection (6) shall be repealed.

20th December 1994.

Malcolm Rifkind
Secretary of State for Defence

(1) 1972 c. 68.
(2) The European Communities (Designation) (No.3) Order 1993 (S.I. 1993/2661).
(3) 1975 c. 65.

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 2(2) of the European Communities Act 1972 and amend the Sex Discrimination Act 1975 (“the 1975 Act”) so that the 1975 Act accords with the obligations arising under Council Directive [76/207/EEC](#) (OJNo. L39, 14.2.76, p40) in relation to the armed forces of the Crown.

The Regulations amend section 85(4) of the 1975 Act. The effect of that subsection was that the 1975 Act did not apply to service in the naval, military or air forces of the Crown. The wording which appeared in that subsection is now omitted (so that the Act now applies to such service); in its place is substituted wording making it clear that nothing in the 1975 Act renders unlawful an act done for the purpose of ensuring the combat effectiveness of any of those forces.

The Regulations also repeal section 85(6) of the 1975 Act; the effect of this is to apply the Act to employment in support of the armed forces.