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STATUTORY INSTRUMENTS

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**2003 No. 1661**

**EMPLOYMENT AND TRAINING  
SEXUAL ORIENTATION DISCRIMINATION**

**The Employment Equality (Sexual  
Orientation) Regulations 2003 (revoked)<sup>F1</sup>**

*Made - - - - 26th June 2003*

*Coming into force 1st December 2003*

**THE EMPLOYMENT EQUALITY (SEXUAL  
ORIENTATION) REGULATIONS 2003 (REVOKED)**

PART I

GENERAL

1. Citation, commencement and extent
2. Interpretation
3. Discrimination on grounds of sexual orientation
4. Discrimination by way of victimisation
5. Harassment on grounds of sexual orientation

PART II

DISCRIMINATION IN EMPLOYMENT AND VOCATIONAL TRAINING

6. Applicants and employees
7. Exception for genuine occupational requirement etc
8. Contract workers
9. Meaning of employment and contract work at establishment in Great Britain
- 9A Trustees and managers of occupational pension schemes
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12. Barristers
13. Advocates
14. Partnerships
15. Trade organisations

*Changes to legislation: The Employment Equality (Sexual Orientation) Regulations 2003 (revoked) is up to date with all changes known to be in force on or before 17 December 2023. 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. (See end of Document for details) View outstanding changes*

16. Qualifications bodies
17. The provision of vocational training
18. Employment agencies, careers guidance etc
19. Assisting persons to obtain employment etc
20. Institutions of further and higher education
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#### OTHER UNLAWFUL ACTS

22. Liability of employers and principals
23. Aiding unlawful acts

### PART IV

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25. Exception for benefits dependent on a person's status
26. Exceptions for positive action

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28. Jurisdiction of employment tribunals
29. Burden of proof: employment tribunals
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32. Burden of proof: county and sheriff courts
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  37. Application to House of Commons staff
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- Signature

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### SCHEDULES

#### SCHEDULE 1 — Norwegian part of the Frigg Gas Field

1. The part of the Norwegian sector of the Continental Shelf...
2. In this Schedule, the "Dividing Line" means the dividing line...

#### SCHEDULE 1A — OCCUPATIONAL PENSION SCHEMES

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### *Interpretation*

1. (1) In this Schedule— “active member”, “deferred member”, “managers”, “pensioner...

### *Non-discrimination rule*

2. Every occupational pension scheme shall be treated as including a...
3. The other provisions of the scheme are to have effect...
4. The trustees or managers of an occupational pension scheme may—...
5. Alterations made by a resolution such as is referred to...

### *Procedure in employment tribunals*

6. Where under regulation 28 (jurisdiction of employment tribunals) a member...

### *Remedies in employment tribunals*

7. (1) This paragraph applies where— (a) under regulation 28 (jurisdiction...

## SCHEDULE 2 — Questionnaire of person aggrieved

.....  
.....

1. (1) I.....(name of questioner) of.....(address) consider that you may have...
2. Do you agree that the statement in paragraph 1(2) above...
3. Do you accept that your treatment of me was unlawful...
4. (Any other questions you wish to ask.)
5. My address for any reply you may wish to give...

## SCHEDULE 3 — Reply by respondent

.....

1. I.....(name of person questioned) of .....(address) hereby acknowledge receipt of...
2. [I agree that the statement in paragraph 1(2) of the...
3. I accept/dispute that my treatment of you was unlawful discrimination...
4. (Replies to questions in paragraph 4 of the questionnaire.)
5. I have deleted (in whole or in part) the paragraph(s)...

## SCHEDULE 4 — Validity of contracts, collective agreements and rules of undertakings

### Part 1 — Validity and revision of contracts

1. (1) A term of a contract is void where—...
2. (1) Paragraph 1(3) does not apply—
3. (1) On the application of a person interested in...

### Part 2 — Collective agreements and rules of undertakings

4. (1) This Part of this Schedule applies to—
5. A person to whom this paragraph applies may present a...
6. In the case of a complaint about—
7. In the case of a complaint about a rule made...
8. (1) When an employment tribunal finds that a complaint...
9. The avoidance by virtue of paragraph 4(2) of any term...
10. In this Schedule “collective agreement” means any agreement relating to...

## SCHEDULE 5 — Amendments to legislation

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1. The Employment Tribunals Act 1996 is amended as follows—
2. Section 126 (compensation for acts which are both unfair dismissal...
3. Sub-paragraph (b) of the definition of “an award under the...
4. In the Employment Act 2002 at the end of each...

Explanatory Note

**Changes to legislation:**

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**Commencement Orders yet to be applied to the The Employment Equality (Sexual Orientation) Regulations 2003 (revoked)**

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2011/1066 art. 2\(h\)](#) commences ([2010 c. 15](#))