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STATUTORY INSTRUMENTS

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**2007 No. 1263**

**The Equality Act (Sexual Orientation) Regulations 2007**

**Blood donation**

**28.**—(1) This regulation applies to any person operating a service for the collection and distribution of human blood for the purposes of medical services (“a blood service”).

(2) Subject to paragraph (3), it is unlawful for a person operating a blood service to discriminate against a person on grounds of sexual orientation in the way it affords him access to any facility for the donation of his blood.

(3) Nothing in this regulation shall make it unlawful for a person operating a blood service to refuse to accept a donation of a person’s blood where that refusal is determined by an assessment of risk to the public based on—

- (a) clinical, epidemiological and other data which was obtained from a source on which it was reasonable to rely, and
- (b) the refusal is reasonable having regard to that data, and any other relevant factors.