## SCHEDULE 1

Regulation 8

Discrimination by public authorities: exceptions

Regulation 8(3)(a)

## PART 1

Bodies to which regulation 8 does not apply

- 1. The House of Commons.
- 2. The House of Lords.
- **3.** The authorities of either House of Parliament.
- 4. The Security Service.
- 5. The Secret Intelligence Service.
- **6.** The Government Communications Headquarters.
- 7. A part of the armed forces of the Crown which is, in accordance with a requirement of the Secretary of State, assisting the Government Communications Headquarters. Regulation 8(3)(b)

## PART 2

Functions and actions to which regulation 8 does not apply

- 1. The exercise of a judicial function (whether in connection with a court or a tribunal).
- **2.** Anything done on behalf of or on the instructions of a person exercising a judicial function (whether in connection with a court or tribunal).
- **3.** Preparing, passing (or making), confirming, approving or considering an enactment (including legislation made by or by virtue of a Measure of the General Synod of the Church of England).
  - **4.** The making of an instrument by a Minister of the Crown under an enactment.
- **5.** The making of an instrument by the Scottish Ministers or a member of the Scottish Executive under an enactment.
- **6.** A decision not to institute or continue criminal proceedings (and anything done for the purpose of reaching, or in pursuance of, such a decision).
  - 7. Action which—
    - (a) is unlawful by virtue of another provision of these Regulations, or
    - (b) would be unlawful by virtue of another provision of these Regulations other than regulation 4, but for an express exception.
  - 8. Action which—
    - (a) is unlawful by virtue of a provision of the Employment Equality (Sexual Orientation) Regulations 2003(1), or
    - (b) would be unlawful by virtue of a provision of those Regulations but for an express exception.

1

<sup>(1)</sup> S.I. 2003/1661.

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