

**EXPLANATORY MEMORANDUM TO**  
**THE SEX DISCRIMINATION ORDER 1976 (AMENDMENT)**  
**REGULATIONS (NORTHERN IRELAND) 2018**

**SR 2018 No. 194**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Executive Office to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under powers conferred by Section 2 of the European Communities Act and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1. The Regulations amend Regulation 4 of the Sex Discrimination Order 1976 (Amendment) Regulations 2012 to substitute Department for Communities for the Office of the First Minister and deputy First Minister.

**3. Background**

- 3.1. The Regulations are being made to remove any ambiguity about the power of the Department for Communities to carry out a review (and publish the conclusions in a report) of the regulatory system established by the 1976 Order insofar as it implements Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

**4. Consultation**

- 4.1. These Regulations involve a technical change; the transfer of a review from the Executive Office to the Department for Communities. The review power transferred to the Department of Communities under the Departments (Transfer of Functions) Order (Northern Ireland) 2016. However, a review of the legislation advised that specific Regulations should be made to avoid any ambiguity that the review power has transferred to the Department for Communities. No consultation is therefore required.

**5. Equality Impact**

- 5.1. Consideration has been given to compliance with section 75 of the Northern Ireland Act 1998. However these Regulations simply involve a technical change. The review power transferred to the Department of Communities under the Departments (Transfer of Functions) Order (Northern Ireland) 2016. However, review of the legislation advised that specific Regulations should be made to avoid any ambiguity that the review power has transferred to the Department for Communities. The Regulations do not raise any equality issues.

## **6. Regulatory Impact**

- 6.1. These Regulations merely confirm that a transfer of a review power has taken place between two Departments and therefore there should be no costs or administrative burden on business or the voluntary and community sectors.

## **7. Financial Implications**

- 7.1. There are no associated financial implications with these Regulations.

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The Department is content that these Regulations are compliant with section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

- 9.1. Not applicable.

## **10. Parity or Replicatory Measure**

- 10.1. Not applicable.

## **11. Additional Information**

- 11.1. Not applicable.