

SCHEDULES

SCHEDULE 4

Section 79.

AMENDMENTS OF SEX DISCRIMINATION ACT 1975

- 1 After section 56 insert the cross-heading " Codes of Practice " and, below it, insert as section 56A a section in terms identical with those of section 47 of this Act except for the following adaptations, namely—
 - (a) in subsection (1), for " persons of different racial groups " substitute " men and women ";
 - (b) in subsection (8), for " section 74(3)" substitute " section 81(4) ".
- 2 (1) After section 58(3) (terms of reference of an investigation) insert as subsection (3A) a subsection in terms identical with those of section 49(4) of this Act.
(2) In section 58(4) for " and (3)" substitute " (3) and (3A) ".
- 3 For section 62 (no further sanctions for breach of Act) substitute—

“62 Restriction of proceedings for breach of Act.

 - (1) Except as provided by this Act no proceedings, whether civil or criminal, shall lie against any person in respect of an act by reason that the act is unlawful by virtue of a provision of this Act.
 - (2) Subsection (1) does not preclude the making of an order of certiorari, mandamus or prohibition.
 - (3) In Scotland, subsection (1) does not preclude the exercise of the jurisdiction of the Court of Session to entertain an application for reduction or suspension of any order or determination, or otherwise to consider the validity of any order or determination, or to require reasons for any order or determination to be stated.”.
- 4 In section 65(3)(a), after " may" insert " (subject to the limit in subsection (2)) ".
- 5 (1) In section 66(2) (claims under Part III) after " this subsection " insert " and section 62(1) ".
- (2) After section 66(5) insert—

“(5A) In Scotland, when any proceedings are brought under this section, in addition to the service on the defender of a copy of the summons or initial writ initiating the action a copy thereof shall be sent as soon as practicable to the Commission in a manner to be prescribed by Act of Sederunt.”.
- 6 In section 72(4) (enforcement of sections 38 to 40) omit " an " in the last place where it occurs.
- 7 In section 75(2), after paragraph (d) insert—

Status: This is the original version (as it was originally enacted).

“(e) any other form of assistance which the Commission may consider appropriate.”.

8 In section 76 (period within which proceedings to be brought)—

- (a) in subsection (2), for the words from " the period " onwards substitute—
- “(a) the period of six months beginning when the act complained of was done ; or
 - (b) in a case to which section 66(5) applies, the period of eight months so beginning.”;

(b) for subsection (3) substitute—

“(3) An industrial tribunal, county court or sheriff court shall not consider an application under section 72(2)(a) unless it is made before the end of the period of six months beginning when the act to which it relates was done ; and a county court or sheriff court shall not consider an application under section 72(4) unless it is made before the end of the period of five years so beginning.”.

9 For paragraph 15 of Schedule 3 (accounts) substitute—

“15 (1) The accounting year of the Commission shall be the twelve months ending on 31st March.

(2) It shall be the duty of the Commission—

- (a) to keep proper accounts and proper records in relation to the accounts ;
- (b) to prepare in respect of each accounting year a statement of accounts in such form as the Secretary of State may direct with the approval of the Treasury ; and
- (c) to send copies of the statement to the Secretary of State and the Comptroller and Auditor General before the end of the month of November next following the accounting year to which the statement relates.

(3) The Comptroller and Auditor General shall examine, certify and report on each statement received by him in pursuance of this Schedule and shall lay copies of each statement and of his report before each House of Parliament.”.