
EXPLANATORY NOTE

(This note is not part of the Order)

This Order imposes certain duties on certain bodies and other persons who are subject to the general duty under section 71(1) of the Race Relations Act 1976, to have due regard, when exercising their functions, to the need to eliminate unlawful racial discrimination and to promote equality of opportunity and good relations between persons of different racial groups. It also amends an earlier order.

The duties are imposed for the purpose of ensuring the better performance of the general duty. The Order imposes on a body or other person specified in Schedule 1 to the Order a duty to publish, by 31st May 2004, a Race Equality Scheme, that is a Scheme showing how it intends to fulfil the general duty and its duties under this Order. The Order imposes on the National Assembly for Wales a duty to have in place by 31st May 2004 arrangements for fulfilling duties to monitor, by reference to racial groups, various aspects of education and employment at educational establishments, and to fulfil those duties in accordance with such arrangements. The Order also requires bodies and other persons specified in Part III of Schedule 1A to the 1976 Act, other than those specified in article 4(5) of the Order, to have in place, by 31st May 2004, arrangements for fulfilling duties to monitor, by reference to racial groups, various aspects of employment by those bodies, and to fulfil those duties in accordance with such arrangements.

Article 5 of the Order amends an earlier order, the Race Relations Act 1976 (Statutory Duties) Order 2001 (S.I.2001/3458), by omitting from the list of bodies or other persons which are required by that Order to publish Race Equality Schemes or which are excepted from the employment monitoring duty, the bodies specified in paragraph (a) or (b) of that article, as the case may be.

By virtue of section 5 of, and Schedule 1 to, the Interpretation Act 1978, references to a person in paragraphs (2) and (3) of article 2, and in paragraphs (1),(2), (3) and (5) of article 4, include references to a body.