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STATUTORY INSTRUMENTS

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**2005 No. 2467**

**The Employment Equality (Sex  
Discrimination) Regulations 2005**

**Territorial Extent**

**11.**—(1) Section 10 of the 1975 Act (meaning of employment at an establishment in Great Britain) is amended as follows.

(2) For subsection (1) substitute—

“(1) For the purposes of this Part and section 1 of the Equal Pay Act 1970 (“the relevant purposes”), employment is to be regarded as being at an establishment in Great Britain if—

- (a) the employee does his work wholly or partly in Great Britain, or
- (b) the employee does his work wholly outside Great Britain and subsection (1A) applies.

(1A) This subsection applies if—

- (a) the employer has a place of business at an establishment in Great Britain,
- (b) the work is for the purposes of the business carried on at that establishment, and
- (c) the employee is ordinarily resident in Great Britain—
  - (i) at the time when he applies for or is offered the employment, or
  - (ii) at any time during the course of the employment.”.

(3) In subsection 2(a), after “ship”, insert “, only if the ship is”.

(4) In subsection 2(b), after the word “hovercraft”, insert “, only if the aircraft or hovercraft is”.

(5) In subsection (3), for “, and outside any area added under subsection (5)” substitute “and subsection (1A) does not apply”.

(6) In subsection (5), for “provide that subsections (1) and (2) shall each have effect as if the last reference to Great Britain included” substitute—

“provide that subsections (1) and (3) shall have effect as if—

- (a) the reference to Great Britain in each of paragraphs (a) and (b) of subsection (1), and
- (b) each of the references to Great Britain in subsections (1A) to (3),  
included”.

(7) After subsection (7) insert—

“(8) Subsections (1) to (4) or, where an Order in Council under subsection (5) is in force, those subsections as modified by the Order, apply for the purposes of determining whether contract work, within the meaning given by section 9, is at an establishment in Great Britain, but so apply with the following modifications—

- (a) a reference to employment is to be read as a reference to work to which section 9 applies, and

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) “employee” and “employer” shall be read (respectively) as “contract worker” and “principal”, with “contract worker” and “principal” having the meaning given by section 9.”.