



Northern Ireland Act 1998

1998 CHAPTER 47

PART VII

HUMAN RIGHTS AND EQUAL OPPORTUNITIES

Equality of opportunity

75 Statutory duty on public authorities.

- (1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity—
- (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;
 - (b) between men and women generally;
 - (c) between persons with a disability and persons without;
- and
- (d) between persons with dependants and persons without.
- (2) Without prejudice to its obligations under subsection (1), a public authority shall in carrying out its functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group.
- (3) In this section “public authority” means—
- (a) any department, corporation or body listed in Schedule 2 to the ^{M1}Parliamentary Commissioner Act 1967 (departments, corporations and bodies subject to investigation) and designated for the purposes of this section by order made by the Secretary of State;
 - [^{F1}(b) any authority (other than the Equality Commission, the board of governors of a grant-aided school, the Comptroller and Auditor General, a general health care provider or an independent provider of health and social care) listed in Schedule 3 to the Public Services Ombudsman Act (Northern Ireland) 2016 (listed authorities);]

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998, Section 75. (See end of Document for details)

- [^{F2}(ba) the Independent Commission for Reconciliation and Information Recovery;]
 [^{F3}(cc) ^{F4}... the Chief Constable of the Police Service of Northern Ireland and the Police Ombudsman for Northern Ireland;]
 [^{F5}(cd) the Director of Public Prosecutions for Northern Ireland;]
^{F6}(ce)
^{F7}(cf)
 (d) any other person designated for the purposes of this section by order made by the Secretary of State.

- [^{F8}(3A) An order under subsection (3)(a) or (d) may provide that the designated department, corporation, body or other person—
 (a) is not subject to, or is only subject to, specified obligations under subsection (1) or (2), or
 (b) is not subject to, or is only subject to, specified obligations under subsection (1) or (2)—
 (i) when exercising a specified function, or
 (ii) when exercising a specified function in specified circumstances or for specified purposes.

(3B) In subsection (3A) “specified” means specified in the order.]

- (4) Schedule 9 (which makes provision for the enforcement of the duties under this section) shall have effect.

[^{F9}(4A) The references in subsections (1) and (2) and Schedule 9 to the functions of the Director of Public Prosecutions for Northern Ireland do not include any of his functions relating to the prosecution of offences [^{F10}or any of the functions conferred on him by, or in relation to, Part 5 or 8 of the Proceeds of Crime Act 2002 (c. 29) (civil recovery of the proceeds etc. of unlawful conduct, civil recovery investigations and disclosure orders in relation to confiscation investigations)].]

- (5) In this section—
 “disability” has the same meaning as in the ^{M2}Disability Discrimination Act 1995; and
 “racial group” has the same meaning as in the ^{M3}Race Relations (Northern Ireland) Order 1997.

Textual Amendments

- F1** S. 75(3)(b) substituted for s. 75(3)(b)(c) (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 8 para. 5](#)
F2 S. 75(3)(ba) inserted (1.12.2023) by [Northern Ireland Troubles \(Legacy and Reconciliation\) Act 2023 \(c. 41\), s. 63\(4\), Sch. 13 para. 2\(2\)](#) (with s. 61)
F3 S. 75(3)(cc) inserted (4.11.2001) by [2000 c. 32, s. 78\(1\), Sch. 6 para. 24\(2\)](#); [S.R. 2001/396, art. 2 Sch.](#)
F4 Words in s. 75(3)(cc) repealed (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 9](#)
F5 S. 75(3)(cd) inserted (1.6.2006) by [2002 c. 26, ss. 38\(2\), 87\(1\)](#); [S.R. 2005/281, art. 5](#)
F6 S. 75(3)(ce) repealed (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 9](#)
F7 S. 75(3)(cf) repealed (1.4.2016) by [Public Services Ombudsman Act \(Northern Ireland\) 2016 \(c. 4\), s. 64, Sch. 9](#)

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- F8** S. 75(3A)(3B) inserted (13.3.2014) by Northern Ireland (Miscellaneous Provisions) Act 2014 (c. 13), **ss. 22(1), 28(1)(f)**
- F9** S. 75(4A) inserted (1.6.2006) by 2002 c. 26, ss. 38(3), 87(1); S.R. 2005/281, **art. 5**
- F10** Words in s. 75(4A) inserted (1.4.2008) by Serious Crime Act 2007 (c. 27), ss. 74(2), 94, **Sch. 8 para. 158(1); S.I. 2008/755, art. 2(1)(a)** (subject to arts. 3-14))

Modifications etc. (not altering text)

- C1** S. 75(1)(2) excluded (6.4.2008) by Serious Crime Act 2007 (c. 27), ss. 37, 94, **Sch. 2 para. 19; S.I. 2008/755, art. 15(1)(h)**

Commencement Information

- I1** S. 75 wholly in force at 1.1.2000; s. 75 not in force at Royal Assent see s. 101(3); s. 75(3)(a)(d) in force for specified purposes at 1.3.1999 by S.I. 1999/340, **art. 2(4)**; s. 75(4) in force for further specified purposes at 1.10.1999 by S.I. 1999/2204, **art. 3**; s. 75 in force at 1.1.2000 insofar as not already in force by S.I. 1999/2204, **art. 4**

Marginal Citations

- M1** 1967 c.13.
M2 1995 c.50.
M3 S.I. 1997/869 (N.I.6).

Changes to legislation:

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