

## SCHEDULE 1

Regulation 8

Discrimination by public authorities: exceptions  
Regulation 8(3)(a)

### PART 1

#### Bodies to which regulation 8 does not apply

1. The House of Commons.
  2. The House of Lords.
  3. The authorities of either House of Parliament.
  4. The Security Service.
  5. The Secret Intelligence Service.
  6. The Government Communications Headquarters.
  7. A part of the armed forces of the Crown which is, in accordance with a requirement of the Secretary of State, assisting the Government Communications Headquarters.
- Regulation 8(3)(b)

### PART 2

#### Functions and actions to which regulation 8 does not apply

1. The exercise of a judicial function (whether in connection with a court or a tribunal).
2. Anything done on behalf of or on the instructions of a person exercising a judicial function (whether in connection with a court or tribunal).
3. Preparing, passing (or making), confirming, approving or considering an enactment (including legislation made by or by virtue of a Measure of the General Synod of the Church of England).
4. The making of an instrument by a Minister of the Crown under an enactment.
5. The making of an instrument by the Scottish Ministers or a member of the Scottish Executive under an enactment.
6. A decision not to institute or continue criminal proceedings (and anything done for the purpose of reaching, or in pursuance of, such a decision).
7. Action which—
  - (a) is unlawful by virtue of another provision of these Regulations, or
  - (b) would be unlawful by virtue of another provision of these Regulations other than regulation 4, but for an express exception.
8. Action which—
  - (a) is unlawful by virtue of a provision of the Employment Equality (Sexual Orientation) Regulations 2003(1), or
  - (b) would be unlawful by virtue of a provision of those Regulations but for an express exception.

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(1) [S.I. 2003/1661](#).

**Status:** This is the original version (as it was originally made).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

SCHEDULE 2

Regulation 24

Information: Forms

Regulation 24(1)(a)

PART 1

Form of Questions by Claimant or Potential Claimant

To.....(name of person to be questioned) of .....(address)

1.-(1) I .....(name of questioner) of .....(address) consider that you may have discriminated against me contrary to the Equality Act (Sexual Orientation) Regulations 2007.

(2) (Give date, approximate time and a factual description of the treatment received and of the circumstances leading up to the treatment.)

(3) I consider that this treatment may have been unlawful (because ..... (complete if you wish to give reasons, otherwise delete)).

2. Do you agree that the statement in paragraph 1(2) above is an accurate description of what happened? If not, in what respect do you disagree or what is your version of what happened?

3. Do you accept that your treatment of me was unlawful discrimination?

If not—

(a) why not,

(b) for what reason did I receive the treatment accorded to me, and

(c) how far did considerations of sexual orientation affect your treatment of me?

4. (Any other questions you wish to ask?)

5. My address for any reply you may wish to give to the questions raised above is (that set out in paragraph 1(1) above)(the following address .....).

.....(signature of questioner)

.....(date)

N.B. By virtue of regulation 24 of the Equality Act (Sexual Orientation) Regulations 2007 this questionnaire and any reply are (subject to the provisions of that regulation) admissible in proceedings under the Regulations. A court or tribunal may draw an inference from a failure to reply within eight weeks of service of this questionnaire or from an evasive or equivocal reply.

Regulation 24(2)(a)

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## PART 2

### Form of Reply by Respondent or Potential Respondent

To .....(name of questioner) of .....(address)

1. I .....(name of person questioned) of .....(address) hereby acknowledge receipt of the questionnaire signed by you and dated ..... which was served on me on .....(date).

2. (I agree that the statement in paragraph 1(2) of the questionnaire is an accurate description of what happened.)

(I disagree with the statement in paragraph 1(2) of the questionnaire in that .....)

3. I accept/dispute that my treatment of you was unlawful discrimination by me against you.

(My reasons for so disputing are .....The reason why you received the treatment accorded to you and the answers to the other questions in paragraph 3 of your questionnaire are.....)

4. (Replies to questions in paragraph 4 of the questionnaire.)

(5. I have deleted (in whole or in part) the paragraph(s) numbered ..... above, since I am unable/unwilling to reply to the relevant questions in the correspondingly numbered paragraph(s) of the questionnaire for the following reasons.....)

.....(signature of person questioned)

.....(date)

### SCHEDULE 3

Regulation 7

#### Responsible bodies of Educational Establishments

<i>Establishment</i>	<i>Responsible body</i>
ENGLAND AND WALES	
School maintained by a local education authority	Local education authority or governing body
Independent school (other than a special school)	Proprietor
Special school (not maintained by a local education authority)	Proprietor
SCOTLAND	

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<i>Establishment</i>	<i>Responsible body</i>
Public School	Education authority
Grant-aided school	Manager
Independent school	Proprietor