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STATUTORY INSTRUMENTS

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**1997 No. 869**

**The Race Relations (Northern Ireland) Order 1997**

**PART III**

**DISCRIMINATION IN OTHER FIELDS**

*Education*

**[<sup>F1</sup>Exception from Article 20A for certain acts in immigration cases**

**20C.**—(1) Article 20A does not make it unlawful for a relevant person to discriminate against another person on grounds of ethnic or national origins in carrying out immigration functions.

(2) For the purposes of paragraph (1), “relevant person” means—

- (a) a Minister of the Crown acting personally; or
- (b) any other person acting in accordance with a relevant authorisation.

(3) In paragraph (2), “relevant authorisation” means a requirement imposed or express authorisation given—

- (a) with respect to a particular case or class of case, by a Minister of the Crown acting personally;
- (b) with respect to a particular class of case by any of the statutory provisions mentioned in paragraph (5).

(4) In paragraph (1), “immigration functions” means functions exercisable by virtue of any of the statutory provisions mentioned in paragraph (5).

(5) Those statutory provisions are—

- (a) the Immigration Acts (within the meaning of section 158 of the Nationality, Immigration and Asylum Act 2002 but excluding sections 28A to 28K of the Immigration Act 1971 so far as they relate to offences under Part III of that Act);
- (b) the Special Immigration Appeals Commission Act 1997;
- (c) provision made under section 2(2) of the European Communities Act 1972 which relates to immigration or asylum; and
- (d) any provision of Community law which relates to immigration or asylum.]

**Changes to legislation:**

The Race Relations (Northern Ireland) Order 1997, Section 20C is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 17 s.50 Sch.4 para.41](#)
- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)Sch.4 para.24](#)