



Sex Discrimination Act 1975

1975 CHAPTER 65

PART II

DISCRIMINATION IN THE EMPLOYMENT FIELD

Special cases

17 Police

- (1) For the purposes of this Part, the holding of the office of constable shall be treated as employment—
 - (a) by the chief officer of police as respects any act done by him in relation to a constable or that office;
 - (b) by the police authority as respects any act done by them in relation to a constable or that office.
- (2) Regulations made under section 33, 34 or 35 of the Police Act 1964 shall not treat men and women differently except—
 - (a) as to requirements relating to height, uniform or equipment, or allowances in lieu of uniform or equipment, or
 - (b) so far as special treatment is accorded to women in connection with pregnancy or childbirth, or
 - (c) in relation to pensions to or in respect of special constables or police cadets.
- (3) Nothing in this Part renders unlawful any discrimination between male and female constables as to matters such as are mentioned in subsection (2)(a).
- (4) There shall be paid out of the police fund—
 - (a) any compensation, costs or expenses awarded against a chief officer of police in any proceedings brought against him under this Act, and any costs or expenses incurred by him in any such proceedings so far as not recovered by him in the proceedings; and

Status: This is the original version (as it was originally enacted).

- (b) any sum required by a chief officer of police for the settlement of any claim made against him under this Act if the settlement is approved by the police authority.
- (5) Any proceedings under this Act which, by virtue of subsection (1), would lie against a chief officer of police shall be brought against the chief officer of police for the time being or, in the case of a vacancy in that office, against the person for the time being performing the functions of that office; and references in subsection (4) to the chief officer of police shall be construed accordingly.
- (6) Subsections (1) and (3) apply to a police cadet and appointment as a police cadet as they apply to a constable and the office of constable.
- (7) In this section—
 - " chief officer of police "—
 - (a) in relation to a person appointed, or an appointment falling to be made, under a specified Act, has the same meaning as in the Police Act 1964,
 - (b) in relation to any other person or appointment means the officer who has the direction and control of the body of constables or cadets in question ;
 - " police authority "—
 - (a) in relation to a person appointed, or an appointment falling to be made, under a specified Act, has the same meaning as in the Police Act 1964,
 - (b) in relation to any other person or appointment, means the authority by whom the person in question is or on appointment would be paid;
 - " police cadet " means any person appointed to undergo training with a view to becoming a constable ;
 - " police fund " in relation to a chief officer of police within paragraph (a) of the above definition of that term has the same meaning as in the Police Act 1964, and in any other case means money provided by the police authority;
 - " specified Act " means the Metropolitan Police Act 1829, the City of London Police Act 1839 or the Police Act 1964.
- (8) In the application of this section to Scotland, in subsection (7) for any reference to the Police Act 1964 there shall be substituted a reference to the Police (Scotland) Act 1967, and for the reference to sections 33, 34 and 35 of the former Act in subsection (2) there shall be substituted a reference to sections 26 and 27 of the latter Act.

18 Prison officers

- (1) Nothing in this Part renders unlawful any discrimination between male and female prison officers as to requirements relating to height.
- (2) In section 7(2) of the Prison Act 1952 the words " and if women only are received in a prison the Governor shall be a woman " are repealed.

19 Ministers of religion etc.

- (1) Nothing in this Part applies to employment for purposes of an organised religion where the employment is limited to one sex so as to comply with the doctrines of the religion or avoid offending the religious susceptibilities of a significant number of its followers.
- (2) Nothing in section 13 applies to an authorisation or qualification (as defined in that section) for purposes of an organised religion where the authorisation or qualification

is limited to one sex so as to comply with the doctrines of the religion or avoid offending the religious susceptibilities of a significant number of its followers.

20 Midwives

- (1) Section 6(1) does not apply to employment as a midwife.
- (2) Section 6(2)(a) does not apply to promotion, transfer or training as a midwife.
- (3) Section 14 does not apply to training as a midwife.
- (4) In the Midwives Act 1951 the following section is inserted after section 35—

“35A Extension of Act to men.

From 1st January 1976 references in this of Act to Act to women (except to a woman in childbirth) apply equally to men.”

- (5) In the Midwives (Scotland) Act 1951 the said section 35A is inserted after section 37 of that Act as section 37A.

21 Mineworkers

- (1) The following shall be substituted for section 124(1) of the Mines and Quarries Act 1954 (which provides that no female shall be employed below ground at a mine)—
 - “(1) No female shall be employed in a job the duties of which ordinarily require the employee to spend a significant proportion of his time below ground at a mine which is being worked”
- (2) Throughout the Coal Mines Regulation Act 1908, for " workman " or " man " there is substituted " worker ", and for "workmen" or "men" there is substituted " workers ".