

*These notes refer to the Race Relations (Amendment) Act 2000  
(c.34) which received Royal Assent on 30 November 2000*

# RACE RELATIONS (AMENDMENT) ACT 2000

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## EXPLANATORY NOTES

### COMMENTARY

#### *Section 3: Certain Appointment Functions Outside the Employment Field*

42. Section 4 of the 1976 Act covers discrimination against applicants and employees.

Section 76 of the 1976 Act covers discrimination in relation to government appointments where section 4 does not apply. Before the 2000 Act, section 76 was limited to appointments made by a Minister or government department. Section 3 of the 2000 Act **inserts sections 76(3) to (15) into the 1976 Act** to cover additionally appointments, dignities and honours made or conferred on the recommendation or with the approval of a Minister or government department. This includes, for example, appointments or conferrals by the Queen which are made on the recommendation of a Minister.

#### **Sections 76(3) to (11)**

43. New sections 76(3) to (11) make it **unlawful** for a Minister or government department to discriminate on race grounds in making a recommendation, or giving or refusing an approval, or making arrangements for determining who should be recommended or approved, for appointment to an office or post where section 4 of the Act does not apply, or for conferring dignities and honours.

#### **Sections 76(12) to (15)**

44. **Sections 76(12) to (15)** provide that the **remedy** for unlawful discrimination under sections 76(5), 76(9) and 76(11) is by way of an application to the High Court, or in Scotland the Court of Session.