

*These notes refer to the Sex Discrimination (Election Candidates)
Act 2002 (c.2) which received Royal Assent on 26 February 2002*

SEX DISCRIMINATION (ELECTION CANDIDATES) ACT 2002

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

3. The key objective for this Act is to enable a political party, should it wish to do so, to adopt measures which regulate the selection of candidates for certain elections in order to reduce inequality in the numbers of men and women elected as candidates of the party.
4. The Sex Discrimination Act 1975 (“the 1975 Act”) does not specifically cover the selection of candidates. However, in the case of *Jepson v The Labour Party* in 1996, an employment tribunal held that section 13 of the 1975 Act did cover the selection of candidates by political parties and constrained the parties’ ability to take positive action to increase, in that case, the number of women elected to the House of Commons.
5. The Act amends the 1975 Act (which applies to Great Britain) to provide that Parts II to IV of the 1975 Act do not apply to measures adopted by a party to reduce inequality in the numbers of men and women elected as its candidates. Equivalent amendments are made to the Sex Discrimination (Northern Ireland) Order 1976 (‘the 1976 Order’), which covers Northern Ireland.
6. The legislation is permissive not prescriptive, and allows political parties to decide whether and in what way they wish to reduce the inequality.