

SCHEDULES

SCHEDULE 22

STATUTORY PROVISIONS

Protection of women

- 2 (1) A person (P) does not contravene a specified provision only by doing in relation to a woman (W) anything P is required to do to comply with—
- (a) a pre-1975 Act enactment concerning the protection of women;
 - (b) a relevant statutory provision (within the meaning of Part 1 of the [Health and Safety at Work etc. Act 1974](#)) if it is done for the purpose of the protection of W (or a description of women which includes W);
 - (c) a requirement of a provision specified in Schedule 1 to the [Employment Act 1989](#) (provisions concerned with protection of women at work).
- (2) The references to the protection of women are references to protecting women in relation to—
- (a) pregnancy or maternity, or
 - (b) any other circumstances giving rise to risks specifically affecting women.
- (3) It does not matter whether the protection is restricted to women.
- (4) These are the specified provisions—
- (a) Part 5 (work);
 - (b) Part 6 (education), so far as relating to vocational training.
- (5) A pre-1975 Act enactment is an enactment contained in—
- (a) an Act passed before the [Sex Discrimination Act 1975](#);
 - (b) an instrument approved or made by or under such an Act (including one approved or made after the passing of the 1975 Act).
- (6) If an Act repeals and re-enacts (with or without modification) a pre-1975 enactment then the provision re-enacted must be treated as being in a pre-1975 enactment.
- (7) For the purposes of sub-paragraph (1)(c), a reference to a provision in Schedule 1 to the [Employment Act 1989](#) includes a reference to a provision for the time being having effect in place of it.
- (8) This paragraph applies only to the following protected characteristics—
- (a) pregnancy and maternity;
 - (b) sex.