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STATUTORY INSTRUMENTS

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**2003 No. 1626**

**The Race Relations Act 1976 (Amendment) Regulations 2003**

**Government appointments outside section 4**

- 50.** In section 76 of the 1976 Act (government appointments outside section 4)—
- (a) in subsection (10) for the words “subsection (11) applies” substitute “subsections (11) and (11B) apply”;
  - (b) after subsection (11) insert—
    - “(11A) In subsection (11)(c) reference to the termination of the appointment includes, where the act is committed on the grounds of race or ethnic or national origins, reference—
      - (a) to the termination of the appointment by the expiration of any period (including a period expiring by reference to an event or circumstance), not being a termination immediately after which the appointment is renewed on the same terms and conditions; and
      - (b) to the termination of the appointment by any act of the person appointed (including the giving of notice) in circumstances such that he is entitled to terminate the appointment by reason of the conduct of the Minister or the department, as the case may be.
    - (11B) It is unlawful for a Minister of the Crown or government department to subject to harassment a person who has been appointed, or who is seeking or being considered for, the appointment.”;
  - (c) in subsection (12), for the words “contravened subsection (5)” to the end substitute—
    - “contravened—
      - (a) subsection (5);
      - (b) subsection (9);
      - (c) in relation to an appointment falling within subsection (10)(b), subsection (11); or
      - (d) subsection (11B),and may award damages in respect of the contravention”;
  - (d) for subsection (14) substitute—
    - “(14) The provision made by subsection (12) in respect of judicial review does not affect the ability, where an act on grounds of race or ethnic or national origins, or harassment, is alleged, to present a complaint to an employment tribunal under section 54A(1).”.