Sex Discrimination (Election Candidates) Act 2002

2002 CHAPTER 2

An Act to exclude from the operation of the Sex Discrimination Act 1975 and the Sex Discrimination (Northern Ireland) Order 1976 certain matters relating to the selection of candidates by political parties. [26th February 2002]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Exclusion of candidate selection from 1975 Act

At the beginning of Part 5 of the Sex Discrimination Act 1975 (c. 65) insert—

"42A Selection of candidates

(1) Nothing in Parts 2 to 4 shall—
  (a) be construed as affecting arrangements to which this section applies, or
  (b) render unlawful anything done in accordance with such arrangements.

(2) This section applies to arrangements made by a registered political party which—
  (a) regulate the selection of the party's candidates in a relevant election, and
  (b) are adopted for the purpose of reducing inequality in the numbers of men and women elected, as candidates of the party, to be members of the body concerned.

(3) The following elections are relevant elections for the purposes of this section—

(a) parliamentary elections;
(b) elections to the European Parliament;
(c) elections to the Scottish Parliament;
(d) elections to the National Assembly for Wales;
(e) local government elections within the meaning of section 191, 203 or 204 of the Representation of the People Act 1983 (c. 2) (excluding any election of the Mayor of London).

(4) In this section "registered political party" means a party registered in the Great Britain register under Part 2 of the Political Parties, Elections and Referendums Act 2000 (c. 41) .".

2 Exclusion of candidate selection from 1976 Order

At the beginning of Part 6 of the Sex Discrimination (Northern Ireland) Order 1976 (S.I.1976/1042 (N.I. 15)) insert—

"43A Selection of election candidates

(1) Nothing in Parts 3 to 5 shall—
(a) be construed as affecting arrangements to which this Article applies, or
(b) render unlawful anything done in accordance with such arrangements.

(2) This Article applies to arrangements made by a registered political party which—
(a) regulate the selection of the party's candidates in a relevant election, and
(b) are adopted for the purpose of reducing inequality in the numbers of men and women elected, as candidates of the party, to be members of the body concerned.

(3) The following elections are relevant elections for the purposes of this Article—
(a) parliamentary elections;
(b) elections to the European Parliament;
(c) elections to the Northern Ireland Assembly;
(d) elections to a district council.

(4) In this Article "registered political party" means a party registered in the Northern Ireland register under Part 2 of the Political Parties, Elections and Referendums Act 2000 (c. 41).".

3 Expiry

(1) This Act shall expire at the end of 2015 unless an order is made under this section.

(2) At any time before this Act expires the Secretary of State may by order provide that subsection (1) shall have effect with the substitution of a later time for the time specified there (whether originally or by virtue of a previous order).

(3) An order under this section shall be made by statutory instrument; but no order shall be made unless a draft has been laid before, and approved by resolution of, each House of Parliament.

4 Short title and extent

(1) This Act may be cited as the Sex Discrimination (Election Candidates) Act 2002.

(2) Section 1 does not extend to Northern Ireland, and section 2 extends only to Northern Ireland.