



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

REPORT BY THE EQUALITY OF OPPORTUNITY COMMITTEE

Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006

The Committee considered the Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) Order 2006 at its meeting on 27 September 2006.

While the Committee supported the principle of the introduction of specific duties on public authorities in respect of the gender equality duty, it felt that the legislation, as drafted, undermined the progress that had been made to date in addressing gender equality in Wales.

Members were disappointed that requirements on public authorities to address pay inequalities, which had been included in the original draft Order, had been rescinded in the revised draft. In particular it was felt that the requirement for public authorities simply to '*consider the need to have objectives that address the causes of any differences between the pay of men and women that are related to their sex*', was insufficiently robust to address the gender pay gap in Wales.

Members sought clarification on:

- the implementation costs of the general and specific duty to local authorities in Wales and whether these would be met through existing budgets;
- the implications of the Assembly rejecting the Order following the Plenary on 10 October; and
- the scope for distinct legislation for Wales.

In response the following points were made:

- Since the Order imposes duties on, amongst others, persons all of whose functions are public functions in relation to Wales, the Secretary of State

would require the Assembly's consent before this draft Order, could be made. If the Assembly was to reject the Order, it would be a matter for the Secretary of State to decide on how best to proceed regarding the introduction of legislation to impose the specific duty on such persons.

- If the Order was not introduced the general duty in relation to gender equality would remain in legislation without any specific duties to support it.

The Committee took a vote on the following motion:

To propose that, if no separate Welsh Order is forthcoming, this Order should be rejected.

The motion was passed with Members voting as follows:

For: Lorraine Barrett, John Griffiths, Mark Isherwood, Helen Mary Jones, Laura Anne Jones, Jenny Randerson, Catherine Thomas, Gwenda Thomas, Leanne Wood

Against: -

Abstain: -

The Committee recommended that the Assembly reject the Order.



**Chair, Equality of Opportunity Committee
Gwenda Thomas AM**