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## No 85 of 25 June 2018

### Act on Equal Treatment irrespective of Race and Ethnic Origin

Entered into force on 1 September 2018.

If mention is made in this Act of a Minister or Ministry without further specification, this shall be understood to mean the **Prime Minister** or the **Prime Minister's Office**, under whose auspices this Act is administered.

#### I. Chapter I Scope, Objective and Glossary.

##### ■ Article 1 *Scope.*

□ This Act applies to the equal treatment of persons irrespective of their race and ethnic origin in all fields of society, with the exception of the labour market, *cf.* the Act on Equal Treatment in the Labour Market.

□ This Act shall not apply to the unequal treatment of persons on grounds of their nationality or statelessness. Furthermore, this Act shall not prevail over the provisions of an act of law making the rights of persons contingent on their residence in Iceland. Moreover, this Act shall not apply to private and family life.

##### ■ Article 2 *Objective.*

□ The objective of this Act is to combat discrimination and establish and maintain the equal treatment of persons irrespective of their race and ethnic origin in all fields of society, with the exception of the labour market, *cf.* Act on Equal Treatment in the Labour Market.

##### ■ Article 3 *Glossary.*

□ For the purposes of this Act, the following definitions shall apply:

1. *Equal treatment:* When individuals suffer neither direct nor indirect discrimination based on their race or ethnic origin.

2. *Direct discrimination:* When an individual receives treatment less favourable than another individual receives, has received or would receive in comparable situations based on his or her race or ethnic origin.

3. *Indirect discrimination:* When an apparently neutral provision, criterion or practice would put some individuals at a disadvantage on grounds of their race or ethnic origin, compared with others, unless this can be objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.

4. *Harassment:* Conduct which is unwelcome to the person affected by it and is intended to violate the dignity of the person concerned, particularly when the conduct results in situations that are intimidating, hostile, degrading, humiliating or offensive.

5. *Affirmative action:* Special temporary measures intended to improve the position of persons in fields where they are at a disadvantage, with the exception of the labour market, based on their race or ethnic origin, for the purpose of promoting equal treatment.

#### II. Chapter II Administration.

##### ■ Article 4 *Supervision.*

□ The Minister shall exercise supervision pursuant to this Act.

##### ■ Article 5 *The Centre for Gender Equality.*

□ The Centre for Gender Equality shall be in charge of the implementation of this Act, and Article 4 of the Gender Equality Act shall apply, as appropriate, including the provisions of paragraphs 5 to 11 on *per diem* fines.

##### ■ Article 6 *Authorisation to appeal.*

□ Individuals, companies, institutions or non-governmental organisations that consider that violations of this Act have been committed against them or their members may, in their own name or that of their members, as appropriate, submit their case to the Gender Equality Complaints Committee. Articles 5 to 7 of the Gender Equality Act shall apply, as