



# Equality Act 2010

## 2010 CHAPTER 15

### PART 2

#### EQUALITY: KEY CONCEPTS

### CHAPTER 2

#### PROHIBITED CONDUCT

#### *Discrimination*

#### [<sup>F1</sup>19A Indirect discrimination: same disadvantage

- (1) A person (A) discriminates against another (B) if—
  - (a) A applies to B a provision, criterion or practice,
  - (b) A also applies, or would apply, the provision, criterion or practice to—
    - (i) persons who share a relevant protected characteristic, and
    - (ii) persons who do not share that relevant protected characteristic,
  - (c) B does not share that relevant protected characteristic,
  - (d) the provision, criterion or practice puts, or would put, persons with the relevant protected characteristic at a particular disadvantage when compared with persons who do not share the relevant protected characteristic,
  - (e) the provision, criterion or practice puts, or would put, B at substantively the same disadvantage as persons who do share the relevant protected characteristic, and
  - (f) A cannot show that the provision, criterion or practice is a proportionate means of achieving a legitimate aim.
- (2) The relevant protected characteristics for the purposes of this section are—
  - age;
  - disability;

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**Changes to legislation:** Equality Act 2010, Section 19A is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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gender reassignment;  
marriage and civil partnership;  
race;  
religion or belief;  
sex;  
sexual orientation.]

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#### **Textual Amendments**

**F1** S. 19A inserted (1.1.2024) by [The Equality Act 2010 \(Amendment\) Regulations 2023 \(S.I. 2023/1425\)](#), regs. 1(2), **3(2)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)