
DRAFT STATUTORY INSTRUMENTS

2011 No.

**The Equality Act 2010 (Public Authorities and
Consequential and Supplementary Amendments) Order 2011**

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Equality Act 2010 (Public Authorities and Consequential and Supplementary Amendments) Order 2011.

(2) This Order comes into force on 4th April 2011 except for article 5 which comes into force on 5th April 2011.

(3) In this Order “the Act” means the Equality Act 2010.

Amendment of Schedule 19 to the Act

2.—(1) Schedule 19 to the Act is amended in accordance with paragraphs (2) and (3).

(2) Schedule 1 to this Order (which amends Part 1 of Schedule 19) has effect.

(3) After Part 3 (public authorities: relevant Scottish authorities), insert Part 4 set out in Schedule 2 to this Order.

Consequential amendments

3.—(1) The Act is amended in accordance with paragraphs (2) and (3).

(2) In Schedule 26 (amendments) after paragraph 106 of Part 2(1), insert—

“Housing (Scotland) Act 2006

106A. In section 194(1) of the Housing (Scotland) Act 2006(2) (interpretation), in the definition of “disabled person”, for “Disability Discrimination Act 1995 (c. 50)(3)” substitute “Equality Act 2010”.”.

(3) In Schedule 27 (repeals and revocations)—

(a) before Part 2, insert Part 1A set out in Schedule 3 to this Order;

(b) after Part 2, insert Part 3 set out in Schedule 4 to this Order.

4. In consequence of the repeal of sections 19B, 19D and 19E of the Race Relations Act 1976(4), in the Nationality, Immigration and Asylum Act 2002(5)—

(1) Paragraph 106 of Part 2 of Schedule 26 to the Act was inserted by paragraph 6 of Schedule 1 to [S.I. 2010/2279](#).

(2) [2006 asp 1](#).

(3) The Disability Discrimination Act 1995 was repealed by Part 1 of Schedule 27 to the Act, as amended by Schedule 2 to [S.I. 2010/2279](#). The repeal of the Disability Discrimination Act 1995 came into force by virtue of [S.I. 2010/2317 \(C. 112\)](#) except in respect of sections 49A to 49D.

(4) [1976 c. 74](#); sections 19B, 19D and 19E were inserted by section 1 of the Race Relations (Amendment) Act 2000 (c. 34) which was partially repealed by Schedule 27 to the Act, as amended by Schedule 2 to [S.I. 2010/2279](#).

(5) [2002 c. 41](#); section 6(1) to (4) amended sections 19D and 19E of the Race Relations Act 1976, which was repealed by Part 1 of Schedule 27 to the Act, as amended by Schedule 2 to [S.I. 2010/2279](#). The repeal of the Race Relations Act 1976 came into force by virtue of [S.I. 2010/2317 \(C. 112\)](#) except in respect of sections 71 to 71B and Schedule 1A. Section 84(1)(b) of the Nationality, Immigration and Asylum Act 2002 was amended by [S.R. \(NI\) 2003 No. 341](#).

- (a) omit section 6(1) to (4), and
- (b) in section 84(1)(b), omit “section 19B of the Race Relations Act 1976 (c. 74) or”.

Consequential amendment coming into force on 5th April 2011

5. In paragraph 6 of Schedule 5 to the School Standards and Framework Act 1998⁽⁶⁾ (adjudicators: procedure), for paragraph (a) substitute—

“(a) section 149 of the Equality Act 2010.”.

Supplementary amendments

6.—(1) The Act is amended in accordance with paragraphs (2) and (3).

(2) In paragraph 20(1)(b) of Part 3 of Schedule 8 (work: limitations on the duty to make reasonable adjustments where there is lack of knowledge of disability, etc.), for “in any other case referred to in this Part of this Schedule” substitute “in any case referred to in Part 2 of this Schedule”.

(3) In paragraph 14(4) of Part 4 of Schedule 17 (disabled pupils: enforcement in relation to exclusions), after “enabling an appeal to be made by” insert “the person or”.

7. In section 27(1) of the Equality Act 2006⁽⁷⁾ (disputes in relation to which the Commission for Equality and Human Rights may make arrangements for the provision of conciliation services), after “section 114” insert “or 116”.

Date *Name*
Secretary of State for the Home Department

(6) 1998 c. 31; paragraph 6 of Schedule 5 was amended by paragraph 45 of Schedule 26 to the Act, as inserted by paragraph 5 of Schedule 1 to S.I. 2010/2279.

(7) 2006 c.3; section 27(1) was substituted by paragraph 16 of Schedule 26 to the Act; paragraph 16 was renumbered as paragraph 71 of Schedule 26 by paragraph 1(e) of Schedule 1 to S.I. 2010/2279.