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**Changes to legislation:** Equality Act 2010, Paragraph 8 is up to date with all changes known to be in force on or before 23 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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## SCHEDULES

### SCHEDULE 1 **E+W+S**

#### DISABILITY: SUPPLEMENTARY PROVISION

#### **PART 1** **E+W+S**

##### DETERMINATION OF DISABILITY

###### *Progressive conditions*

- 8 (1) This paragraph applies to a person (P) if—
- (a) P has a progressive condition,
  - (b) as a result of that condition P has an impairment which has (or had) an effect on P's ability to carry out normal day-to-day activities, but
  - (c) the effect is not (or was not) a substantial adverse effect.
- (2) P is to be taken to have an impairment which has a substantial adverse effect if the condition is likely to result in P having such an impairment.
- (3) Regulations may make provision for a condition of a prescribed description to be treated as being, or as not being, progressive.

#### **Commencement Information**

- II** [Sch. 1 para. 8](#) wholly in force at 1.10.2010; [para. 8](#) not in force at Royal Assent see [s. 216](#); [para. 8](#) in force for certain purposes at 6.7.2010 by [S.I. 2010/1736](#), [art. 2](#), [Sch.](#); [Sch. 1](#) in force at 1.10.2010 in so far as not already in force by [S.I. 2010/2317](#), [art. 2\(1\)\(2\)\(g\)](#) (with [art. 15](#))

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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](#)