

*Status: This version of this provision is prospective.*

*Changes to legislation: Equality Act 2010, Section 106 is up to date with all changes known to be in force on or before 09 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*



# Equality Act 2010

## 2010 CHAPTER 15

### PART 7

#### ASSOCIATIONS

##### *Special provision for political parties*

PROSPECTIVE

#### **106 Information about diversity in range of candidates, etc.**

- (1) This section applies to an association which is a registered political party.
- (2) If the party had candidates at a relevant election, the party must, in accordance with regulations, publish information relating to protected characteristics of persons who come within a description prescribed in the regulations in accordance with subsection (3).
- (3) One or more of the following descriptions may be prescribed for the purposes of subsection (2)—
  - (a) successful applicants for nomination as a candidate at the relevant election;
  - (b) unsuccessful applicants for nomination as a candidate at that election;
  - (c) candidates elected at that election;
  - (d) candidates who are not elected at that election.
- (4) The duty imposed by subsection (2) applies only in so far as it is possible to publish information in a manner that ensures that no person to whom the information relates can be identified from that information.
- (5) The following elections are relevant elections—
  - (a) Parliamentary Elections;
  - <sup>F1</sup>(b) .....
  - (c) elections to the Scottish Parliament;

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- (d) elections to the National Assembly for Wales.
- (6) This section does not apply to the following protected characteristics—
- (a) marriage and civil partnership;
  - (b) pregnancy and maternity.
- (7) The regulations may provide that the information to be published—
- (a) must (subject to subsection (6)) relate to all protected characteristics or only to such as are prescribed;
  - (b) must include a statement, in respect of each protected characteristic to which the information relates, of the proportion that the number of persons who provided the information to the party bears to the number of persons who were asked to provide it.
- (8) Regulations under this section may prescribe—
- (a) descriptions of information;
  - (b) descriptions of political party to which the duty is to apply;
  - (c) the time at which information is to be published;
  - (d) the form and manner in which information is to be published;
  - (e) the period for which information is to be published.
- (9) Provision by virtue of subsection (8)(b) may, in particular, provide that the duty imposed by subsection (2) does not apply to a party which had candidates in fewer constituencies in the election concerned than a prescribed number.
- (10) Regulations under this section—
- (a) may provide that the duty imposed by subsection (2) applies only to such relevant elections as are prescribed;
  - (b) may provide that a by-election or other election to fill a vacancy is not to be treated as a relevant election or is to be so treated only to a prescribed extent;
  - (c) may amend this section so as to provide for the duty imposed by subsection (2) to apply in the case of additional descriptions of election.
- (11) Nothing in this section authorises a political party to require a person to provide information to it.

#### Textual Amendments

- F1** S. 106(5)(b) repealed (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 1** (as amended by [S.I. 2019/1389](#), regs. 1, 2(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](#)