



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 2

#### CIVIL COURTS

#### **117 National security**

- (1) Rules of court may, in relation to proceedings on a claim within section 114, confer power as mentioned in subsections (2) to (4); but a power so conferred is exercisable only if the court thinks it expedient to do so in the interests of national security.
- (2) The rules may confer power to exclude from all or part of the proceedings—
  - (a) the claimant or pursuer;
  - (b) a representative of the claimant or pursuer;
  - (c) an assessor.
- (3) The rules may confer power to permit a claimant, pursuer or representative who has been excluded to make a statement to the court before the commencement of the proceedings, or part of the proceedings, to which the exclusion relates.
- (4) The rules may confer power to take steps to keep secret all or part of the reasons for the court's decision.
- (5) The Attorney General or, in Scotland, the Advocate General for Scotland may appoint a person to represent the interests of a claimant or pursuer in, or in any part of, proceedings to which an exclusion by virtue of subsection (2)(a) or (b) relates.
- (6) A person (P) may be appointed under subsection (5) only if—
  - (a) in relation to proceedings in England and Wales, P is a person who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to

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**Changes to legislation:** Equality Act 2010, Section 117 is up to date with all changes known to be in force on or before 10 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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an activity which constitutes the exercise of a right of audience or the conduct of litigation;

- (b) in relation to proceedings in Scotland, P is an advocate or qualified to practice as a solicitor in Scotland.

(7) P is not responsible to the person whose interests P is appointed to represent.

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**Commencement Information**

- II** S. 117 wholly in force; s. 117 not in force at Royal Assent see s. 216; s. 117(1)-(4) in force for certain purposes at 6.7.2010 by [S.I. 2010/1736](#), [art. 2](#), [Sch.](#); s. 117 in force at 1.10.2010 in so far as not already in force by [S.I. 2010/2317](#), [art. 2\(1\)\(9\)\(e\)](#) (with [art. 15](#), and subject to transitional provision in [art. 7](#))

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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](#)