



Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 2

CIVIL COURTS

119 Remedies

- (1) This section applies if a county court or the sheriff finds that there has been a contravention of a provision referred to in section 114(1).
- (2) The county court has power to grant any remedy which could be granted by the High Court—
 - (a) in proceedings in tort;
 - (b) on a claim for judicial review.
- (3) The sheriff has power to make any order which could be made by the Court of Session—
 - (a) in proceedings for reparation;
 - (b) on a petition for judicial review.
- (4) An award of damages may include compensation for injured feelings (whether or not it includes compensation on any other basis).
- (5) Subsection (6) applies if the county court or sheriff—
 - (a) finds that a contravention of a provision referred to in section 114(1) is established by virtue of section 19, but
 - (b) is satisfied that the provision, criterion or practice was not applied with the intention of discriminating against the claimant or pursuer.

Status: This is the original version (as it was originally enacted).

- (6) The county court or sheriff must not make an award of damages unless it first considers whether to make any other disposal.
- (7) The county court or sheriff must not grant a remedy other than an award of damages or the making of a declaration unless satisfied that no criminal matter would be prejudiced by doing so.