



Equality Act 2010

2010 CHAPTER 15

PART 16

GENERAL AND MISCELLANEOUS

Subordinate legislation

207 Exercise of power

- (1) A power to make an order or regulations under this Act is exercisable by a Minister of the Crown, unless there is express provision to the contrary.
- (2) Orders, regulations or rules under this Act must be made by statutory instrument.
- (3) Subsection (2) does not apply to—
 - (a) a transitional exemption order under Part 1 of Schedule 11,
 - (b) a transitional exemption order under Part 1 of Schedule 12, or
 - (c) an order under paragraph 1(3) of Schedule 14 that does not modify an enactment.
- (4) Orders or regulations under this Act—
 - (a) may make different provision for different purposes;
 - (b) may include consequential, incidental, supplementary, transitional, transitory or saving provision.
- (5) Nothing in section 163(4), 174(4) [^{F1}, 181A(5), 181B(6)] or 182(3) affects the generality of the power under subsection (4)(a).
- (6) The power under subsection (4)(b), in its application to section 37, [^{F2}139A,] 153, 154(2), 155(5), 197 or 216 or to paragraph 7(1) of Schedule 11 or paragraph 1(3) or 2(3) of Schedule 14, includes power to amend an enactment (including, in the case of section [^{F2}139A,] 197 or 216, this Act).
- (7) In the case of section 216 (commencement), provision by virtue of subsection (4) (b) may be included in a separate order from the order that provides for the

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commencement to which the provision relates; and, for that purpose, it does not matter—

- (a) whether the order providing for the commencement includes provision by virtue of subsection (4)(b);
 - (b) whether the commencement has taken place.
- (8) A statutory instrument containing an Order in Council under section 82 (offshore work) is subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** Words in s. 207(5) inserted (26.6.2018) by [Bus Services Act 2017 \(c. 21\)](#), **ss. 17(2)**, 26(2); S.I. [2018/758](#), [reg. 2](#)
- F2** Words in s. 207(6) inserted (25.4.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 98(3)**, 103(1)

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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](#)