



# Equality Act 2010

## 2010 CHAPTER 15

### PART 2

#### EQUALITY: KEY CONCEPTS

### CHAPTER 1

#### PROTECTED CHARACTERISTICS

## 9 Race

- (1) Race includes—
  - (a) colour;
  - (b) nationality;
  - (c) ethnic or national origins.
- (2) In relation to the protected characteristic of race—
  - (a) a reference to a person who has a particular protected characteristic is a reference to a person of a particular racial group;
  - (b) a reference to persons who share a protected characteristic is a reference to persons of the same racial group.
- (3) A racial group is a group of persons defined by reference to race; and a reference to a person's racial group is a reference to a racial group into which the person falls.
- (4) The fact that a racial group comprises two or more distinct racial groups does not prevent it from constituting a particular racial group.
- (5) A Minister of the Crown <sup>F1</sup>...—
  - (a) [<sup>F2</sup>must by order] amend this section so as to provide for caste to be an aspect of race;

---

**Changes to legislation:** Equality Act 2010, Section 9 is up to date with all changes known to be in force on or before 26 March 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

---

(b) [<sup>F3</sup>may by order] amend this Act so as to provide for an exception to a provision of this Act to apply, or not to apply, to caste or to apply, or not to apply, to caste in specified circumstances.

(6) The power under section 207(4)(b), in its application to subsection (5), includes power to amend this Act.

**Textual Amendments**

- F1** Words in s. 9(5) omitted (25.6.2013) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 97\(2\)](#), 103(2)
- F2** Words in s. 9(5)(a) inserted (25.4.2013 for specified purposes) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 97\(3\)](#), 103(1)(i)(2)
- F3** Words in s. 9(5)(b) inserted (25.4.2013 for specified purposes) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 97\(4\)](#), 103(1)(i)(2)

**Modifications etc. (not altering text)**

- C1** S. 9(5) power to repeal or amend conferred (25.4.2013 for specified purposes) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 97\(7\)-\(10\)](#), 103(1)(i)(2)

**Changes to legislation:**

Equality Act 2010, Section 9 is up to date with all changes known to be in force on or before 26 March 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.

[View outstanding changes](#)

**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](#)