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STATUTORY INSTRUMENTS

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**2010 No. 2317**

**The Equality Act 2010 (Commencement No. 4,  
Savings, Consequential, Transitional, Transitory and  
Incidental Provisions and Revocation) Order 2010**

**Provisions coming into force on 1st October 2010**

2.—(1) Subject to articles 3 to 25, the relevant provisions of the 2010 Act, as set out in the following paragraphs, come into force on 1st October 2010.

(2) In Part 2 (equality: key concepts), the relevant provisions are—

- (a) sections 4 and 5;
- (b) section 6 in so far as it is not already in force;
- (c) sections 7 to 13;
- (d) sections 15 to 21;
- (e) section 22 in so far as it is not already in force;
- (f) sections 23 to 27;
- (g) Schedule 1 in so far as it is not already in force.

(3) In Part 3 (services and public functions), all the provisions are relevant provisions except—

- (a) so far as they apply to the protected characteristic of age;
- (b) paragraph 2 of Schedule 2 so far as it relates to the third requirement in a case where A is—
  - (i) a local authority in England or Wales exercising functions under the Education Acts, or
  - (ii) an education authority exercising functions under an enactment specified in paragraph 10(2) of Schedule 3 to the 2010 Act.

(4) In Part 4 (premises), the relevant provisions are—

- (a) sections 32 to 35;
- (b) section 36(1)(a) to (c), (2) to (4), (7) and (8);
- (c) section 38(1) to (7) and (9);
- (d) section 38(8) in so far as it relates to the provisions set out in paragraph (e);
- (e) in Schedule 4—
  - (i) paragraphs 1 to 4;
  - (ii) paragraph 8 except so far as it relates to paragraph 5(4)(c);
  - (iii) paragraph 9 in so far as it is not already in force;
- (f) Schedule 5.

(5) In Part 5 (work), the relevant provisions are—

- (a) sections 39 to 60;
- (b) section 61 in so far as it is not already in force;

- (c) sections 62 to 77;
  - (d) section 79;
  - (e) sections 80 to 83 in so far as they are not already in force;
  - (f) Schedule 6;
  - (g) Schedule 7 in so far as it is not already in force;
  - (h) Schedule 8;
  - (i) Schedule 9 in so far as it is not already in force.
- (6) In Part 6 (education), the relevant provisions are—
- (a) sections 84 to 93;
  - (b) section 94 in so far as it is not already in force;
  - (c) section 95;
  - (d) sections 96 and 97 in so far as they are not already in force;
  - (e) section 98 (except as provided in paragraph (i));
  - (f) section 99;
  - (g) Schedules 10 and 11;
  - (h) Schedule 12 in so far as it is not already in force;
  - (i) Schedule 13 except—
    - (i) paragraph 2 so far as it relates to the third requirement;
    - (ii) paragraph 5 so far as it relates to the third requirement in a case where A is the governing body of a maintained school (within the meaning of section 92 of the 2010 Act);
  - (j) Schedule 14.
- (7) In Part 7 (associations), the relevant provisions are—
- (a) sections 100 to 105 except so far as they apply to the protected characteristic of age;
  - (b) section 107 except so far as it applies to the protected characteristic of age;
  - (c) Schedule 15;
  - (d) Schedule 16 except so far as it applies to the protected characteristic of age.
- (8) In Part 8 (prohibited conduct: ancillary), all the provisions are relevant provisions.
- (9) In Part 9 (enforcement), the relevant provisions are—
- (a) sections 113 to 115;
  - (b) section 116(1)(a) and (b) and (2);
  - (c) section 116(1)(c) so far as it relates to, and for the purpose of, making rules under Part 3 of Schedule 17 to the 2010 Act;
  - (d) section 116(3) in so far as it relates to the provisions set out in paragraph (k));
  - (e) section 117 in so far as it is not already in force;
  - (f) sections 118 to 135;
  - (g) section 136(1) to (6)(a) to (e);
  - (h) section 137;
  - (i) section 138 in so far as it is not already in force;
  - (j) sections 139 to 141;

- (k) in Schedule 17—
  - (i) Parts 1 and 2 in so far as they are not already in force;
  - (ii) Part 3 so far as it confers or relates to the power to make rules under paragraph 10 of that Schedule;
  - (iii) Part 4.
- (10) In Part 10 (contracts, etc.), the relevant provisions are—
  - (a) sections 142 to 146;
  - (b) section 147 in so far as it is not already in force;
  - (c) section 148.
- (11) In Part 11 (advancement of equality), the relevant provisions are—
  - (a) section 158;
  - (b) section 159(3) for the purposes of section 158(4)(a) only.
- (12) In Part 12 (disabled persons: transport), the relevant provisions are—
  - (a) section 161 so far as it confers the power to make regulations;
  - (b) section 165 so far as it relates to, and for the purpose of, the issue of exemption certificates under section 166;
  - (c) section 166;
  - (d) section 167(1) to (5), and (7), so far as it relates to, and for the purpose of, the issue of exemption certificates under section 166;
  - (e) section 167(6);
  - (f) sections 168 to 185;
  - (g) sections 187 and 188.
- (13) In Part 13 (disability: miscellaneous), the relevant provisions are—
  - (a) section 189 in so far as it is not already in force;
  - (b) section 190;
  - (c) Schedule 21 in so far as it is not already in force.
- (14) In Part 14 (general exceptions), the relevant provisions are—
  - (a) section 191 (except as provided in paragraph (d));
  - (b) sections 192 to 195;
  - (c) section 196 (except as provided in paragraph (e));
  - (d) Schedule 22 except so far as it applies to the protected characteristic of age in Parts 3 and 7 of the 2010 Act;
  - (e) Schedule 23 except so far as it applies to the protected characteristic of age in Parts 3 and 7 of the 2010 Act.
- (15) In Part 16 (general and miscellaneous), the relevant provisions are—
  - (a) section 206;
  - (b) section 211(1) in so far as it relates to the provisions set out in paragraph (e));
  - (c) section 211(2) (except as provided in paragraph (f));
  - (d) Schedule 25;
  - (e) in Schedule 26(1)—

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(1) Schedule 26 has been amended by the 2010 Order and the paragraphs within it have been renumbered.

- (i) paragraphs 1 to 8;
- (ii) paragraphs 13 to 60;
- (iii) paragraph 61 in so far as it is not already in force;
- (iv) paragraphs 62 to 64;
- (v) paragraph 65(4);
- (vi) paragraphs 66 to 72;
- (vii) paragraph 75;
- (viii) paragraph 76 except so far as it relates to section 34(2)(a) and (b) of the 2006 Act, as substituted by sub-paragraph (3)(b) of that paragraph;
- (ix) paragraphs 77 to 81;
- (x) paragraph 82 except so far as it relates to sections 84 and 85(2) of the 2006 Act;
- (xi) paragraphs 83 to 107;
- (f) Schedule 27(3) except so far as it repeals—
  - (i) sections 76A to 76C of the 1975 Act(4) (and section 81 of that Act so far as relating to those sections);
  - (ii) sections 71 to 71B of, and Schedule 1A to, the 1976 Act(5);
  - (iii) sections 17(8), 18 and 19(10) of the Local Government Act 1988(6);
  - (iv) sections 49A to 49D of the 1995 Act(7);
  - (v) section 404 of the Greater London Authority Act 1999(8);
  - (vi) sections 84 and 85 of the 2006 Act;
  - (vii) sections 55 and 56 of the Local Transport Act 2008(9).

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- (2) By virtue of [S.I. 2009/2231](#), references in section 85 of the 2006 Act to an office-holder in the Scottish Administration are to be taken to include a reference to the Scottish Court Service established by the Judiciary and Courts (Scotland) Act 2008 ([2008 asp 6](#)), section 60(1).
  - (3) Schedule 27 has been amended by the 2010 Order.
  - (4) Section 76A was inserted by the 2006 Act, section 84(1) and was amended by [S.I. 2007/1388](#) and [2007/2914](#). Sections 76B and 76C were inserted by the 2006 Act, section 85(1) and were amended by [S.I. 2007/2914](#). Section 76B was also amended by [S.I. 2007/1388](#).
  - (5) Sections 71 to 71B of the 1976 Act were substituted by the Race Relations (Amendment) Act 2000 ([c.21](#)), section 2(1). Sections 71 and 71B were amended by [S.I. 2007/2914](#). Section 71B was also amended by [S.I. 2007/1388](#). Section 71A was amended by the Nationality, Immigration and Asylum Act 2002 ([c.41](#)), section 6(5) and Schedule 9. Schedule 1A was inserted by the Race Relations (Amendment) Act 2000, Schedule 1 and has been subject to amendments not relevant to this Order.
  - (6) [1988 c.9](#); section 17(8) was amended by the Trade Union and Labour Relations Consolidation Act 1992 ([c.52](#)), Schedule 2, paragraph 38 and by [S.I. 2009/1941](#). Section 18 was amended by the Race Relations (Amendment) Act 2000, Schedule 2, paragraphs 20 to 22 and the Environment Act 1995 ([c.25](#)), Schedule 8, paragraph 8.
  - (7) Sections 49A to 49D were inserted by the Disability Discrimination Act 2005 ([c.13](#)), section 3. Section 49B was amended by [S.I. 2007/1388](#). Section 49C was amended by the 2006 Act, section 88 and [S.I. 2007/1388](#). Section 49D was amended by the 2006 Act, Schedule 3, paragraphs 41 and 48 and [S.I. 2007/1388](#).
  - (8) [1999 c.29](#); section 404 was amended by the Greater London Authority Act 2007 ([c.24](#)), section 11 and Schedule 2.
  - (9) [2008 c.26](#).