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STATUTORY INSTRUMENTS

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**2011 No. 1066 (C. 43)**

**EQUALITY**

**The Equality Act 2010 (Commencement No. 6) Order 2011**

*Made* - - - - *4th April 2011*

The Secretary of State, in exercise of the powers conferred by section 216(3) of the Equality Act 2010<sup>(1)</sup>, makes the following Order:

**Citation and interpretation**

1. This Order may be cited as the Equality Act 2010 (Commencement No. 6) Order 2011.

**Provisions coming into force on 5th April 2011**

2. The following provisions of the Equality Act 2010 come into force on 5th April 2011—
  - (a) section 149;
  - (b) section 150 in so far as it is not already in force;
  - (c) section 156;
  - (d) section 211(1) in so far as it relates to the provisions specified in paragraph (g);
  - (e) section 211(2) in so far as it relates to the provisions specified in paragraph (h);
  - (f) Schedule 18<sup>(2)</sup>;
  - (g) in Schedule 26<sup>(3)</sup>—
    - (i) paragraphs 9 to 12;
    - (ii) paragraph 65(6);
    - (iii) paragraphs 73 and 74;
    - (iv) paragraph 76 in so far as it relates to section 34(2)(b) of the Equality Act 2006<sup>(4)</sup>, as substituted by sub-paragraph (3)(b) of that paragraph;
    - (v) paragraph 82 in so far as it is not already in force;
    - (vi) paragraph 106A<sup>(5)</sup>; and

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(1) 2010 c.15.

(2) Schedule 18 was amended by S.I. 2010/2279.

(3) Schedule 26 was amended by S.I. 2010/2279 and the paragraphs as referred to are as renumbered.

(4) 2006 c.3.

(5) Paragraph 106A was inserted by S.I. 2011/1060.

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- (h) Schedule 27(6) in so far as it is not already in force and except so far as it repeals sections 55 and 56 of the Local Transport Act 2008(7).

4th April 2011

*Theresa May*  
Secretary of State for the Home Department

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(6) Schedule 27 was amended by [S.I. 2010/2279](#) and by [S.I. 2011/1060](#).  
(7) [2008 c.26](#).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This is the sixth Commencement Order made under the Equality Act 2010 (c. 15) (“the Act”). The Equality Act 2010 (Commencement No. 1) Order 2010 (S.I. 2010/1736 (C. 91)), the Equality Act 2010 (Commencement No. 2) Order 2010 (S.I. 2010/1966 (C. 104)), the Equality Act 2010 (Commencement No. 3) Order 2010 (S.I. 2010/2191 (C. 109)) and the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317 (C. 112)), as amended by the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010 (S.I. 2010/2337 (C. 113)), brought into force most of the provisions of the Act. The fourth Commencement Order (as amended) also set out savings, consequential, transitional, transitory and incidental provisions and a revocation in relation to existing legislation which were required as a result of the repeal and revocation of previous discrimination legislation and its replacement by the Act. The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279) amended the Act, including by adding new provisions into the Act and renumbering existing provisions, some of which are brought into force by this Order. The Equality Act 2010 (Commencement No. 5) Order 2011 (S.I. 2011/96 (C. 5)) brought into force enabling powers relating to the public sector equality duty and a provision concerning positive action in relation to recruitment and promotion.

This Order brings into force various provisions of the Act that were not brought into force by the earlier Commencement Orders and a provision (paragraph 106A of Schedule 26) inserted into the Act by the Equalities Act 2010 (Public Authorities and Consequential and Supplementary Amendments) Order 2011. These provisions relate to the public sector equality duty and repeals and amendments consequential on the commencement of that duty.

Article 2 sets out the various provisions of the Act which come into force on 5th April 2011. These include section 149 (public sector equality duty), Schedule 18 (exceptions to the public sector equality duty) and provisions repealing the previous statutory duties relating to sex, race and disability in the Sex Discrimination Act 1975 (c. 65), the Race Relations Act 1976 (c. 74) and the Disability Discrimination Act 1995 (c. 50) respectively.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 4 and 5	1st October 2010	2010/2317
Section 6(5) (partially)	6th July 2010	2010/1736
Section 6(6) (partially)	4th August 2010	2010/1966
Section 6 (in so far as not already in force)	1st October 2010	2010/2317
Sections 7 to 13	1st October 2010	2010/2317
Sections 15 to 21	1st October 2010	2010/2317
Section 22 (partially)	6th July 2010	2010/1736

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 22 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Sections 23 to 27	1st October 2010	<a href="#">2010/2317</a>
Sections 28 to 31 (partially)	1st October 2010	<a href="#">2010/2317</a>
Sections 32 to 35	1st October 2010	<a href="#">2010/2317</a>
Section 36(1)(a) to (c), (2) to (4), (7) and (8)	1st October 2010	<a href="#">2010/2317</a>
Section 38(1) to (7) and (9)	1st October 2010	<a href="#">2010/2317</a>
Section 38(8) (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 38(8) (partially)	1st October 2010	<a href="#">2010/2317</a>
Sections 39 to 60	1st October 2010	<a href="#">2010/2317</a>
Section 61(8) and (9) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 61 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Sections 62 to 77	1st October 2010	<a href="#">2010/2317</a>
Section 79	1st October 2010	<a href="#">2010/2317</a>
Section 80(8) (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 80 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 81 (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 81 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 82 (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 82 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 83(11) (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 83 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Sections 84 to 93	1st October 2010	<a href="#">2010/2317</a>
Section 94(12) (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 94 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 95	1st October 2010	<a href="#">2010/2317</a>
Section 96(9)(b) (partially)	3rd September 2010	<a href="#">2010/2191</a>
Section 96(10) and (11) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 96 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 97 (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 97 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 98 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 99	1st October 2010	<a href="#">2010/2317</a>
Sections 100 to 105 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 107 (partially)	1st October 2010	<a href="#">2010/2317</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 108 to 115	1st October 2010	<a href="#">2010/2317</a>
Section 116(1)(a) and (b) and (2)	1st October 2010	<a href="#">2010/2317</a>
Section 116(1)(c) (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 116(1)(c) (in so far as not already in force)	18th March 2011	<a href="#">2010/2317</a>
Section 116(3) (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 116(3) (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 116(3) (in so far as not already in force)	18th March 2011	<a href="#">2010/2317</a>
Section 117(1), (2), (3) and (4) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 117 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Sections 118 to 135	1st October 2010	<a href="#">2010/2317</a>
Section 136(1) to (6)(a) to (e)	1st October 2010	<a href="#">2010/2317</a>
Section 136(6)(f)	18th March 2011	<a href="#">2010/2317</a>
Section 137	1st October 2010	<a href="#">2010/2317</a>
Section 138(1), (2), (5), (6) and (7) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 138 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Sections 139 to 146	1st October 2010	<a href="#">2010/2317</a>
Section 147(4) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 147 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 148	1st October 2010	<a href="#">2010/2317</a>
Section 150 (partially)	18th January 2011	<a href="#">2011/96</a>
Sections 151 to 155	18th January 2011	<a href="#">2011/96</a>
Section 157	18th January 2011	<a href="#">2011/96</a>
Section 158	1st October 2010	<a href="#">2010/2317</a>
Section 159 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 159 (in so far as not already in force)	6th April 2011	<a href="#">2011/96</a>
Section 161 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 165 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 166	1st October 2010	<a href="#">2010/2317</a>
Section 167(1) to (5), and (7) (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 167(6)	1st October 2010	<a href="#">2010/2317</a>
Sections 168 to 185	1st October 2010	<a href="#">2010/2317</a>
Sections 187 and 188	1st October 2010	<a href="#">2010/2317</a>
Section 189 (partially)	4th August 2010	<a href="#">2010/1966</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 189 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Section 190	1st October 2010	<a href="#">2010/2317</a>
Section 191 (partially)	1st October 2010	<a href="#">2010/2317</a>
Sections 192 to 195	1st October 2010	<a href="#">2010/2317</a>
Section 196 (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 206	1st October 2010	<a href="#">2010/2317</a>
Section 211(1) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 211(1) (partially)	1st October 2010	<a href="#">2010/2317</a>
Section 211(2) (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 1, paragraphs 1, 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15 and 16 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 1 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedules 2 to 3 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 4, paragraphs 1 to 4	1st October 2010	<a href="#">2010/2317</a>
Schedule 4, paragraph 8 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 4, paragraph 9 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 4, paragraph 9 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedules 5 and 6	1st October 2010	<a href="#">2010/2317</a>
Schedule 7, paragraphs 4, 5 and 6 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 7 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedule 8	1st October 2010	<a href="#">2010/2317</a>
Schedule 9, paragraph 16 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 9 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedules 10 and 11	1st October 2010	<a href="#">2010/2317</a>
Schedule 12, paragraph 5 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 12 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedule 13 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedules 14 and 15	1st October 2010	<a href="#">2010/2317</a>
Schedule 16 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 17, paragraphs 1 and 6(1) to (7) (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 17, paragraphs 1 and 6(1) to (7) (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedule 17, paragraphs 2 to 5	1st October 2010	<a href="#">2010/2317</a>
Schedule 17, paragraph 6(8) and (9)	1st October 2010	<a href="#">2010/2317</a>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 17, paragraphs 7 to 12 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 17, paragraphs 7 to 12 (in so far as not already in force)	18th March 2011	<a href="#">2010/2317</a>
Schedule 17, paragraphs 13 and 14	1st October 2010	<a href="#">2010/2317</a>
Schedule 19	18th January 2011	<a href="#">2011/96</a>
Schedule 21, paragraph 6 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 21 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedules 22 and 23 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 25	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 1 to 8	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 13 to 60	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 61 (partially)	4th August 2010	<a href="#">2010/1966</a>
Schedule 26, paragraph 61 (in so far as not already in force)	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 62 to 64	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 65(1), (2), (3) and (5)	6th July 2010	<a href="#">2010/1736</a>
Schedule 26, paragraph 65(4)	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 66 to 72	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 75	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 76 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 77 to 81	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 82 (partially)	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraphs 83 to 106	1st October 2010	<a href="#">2010/2317</a>
Schedule 26, paragraph 107	1 <sup>st</sup> October 2010	<a href="#">2010/2317</a>
Schedule 27 (partially)	1st October 2010	<a href="#">2010/2317</a>