STATUTORY INSTRUMENTS

2023 No. 1425

The Equality Act 2010 (Amendment) Regulations 2023

Comparators for purposes of equal pay

- 5.—(1) Section 79 of the Equality Act 2010 (comparators) is amended as follows.
- (2) In subsection (2), for "(3) or (4)" substitute "(3), (4), (4A) or (4B)".
- (3) After subsection (4) insert—
 - "(4A) This subsection applies if a single body—
 - (a) is responsible for setting or continuing the terms on which A and B are employed, and
 - (b) is in a position to ensure equal treatment between A and B in respect of such terms.
 - (4B) This subsection applies if the terms on which A and B are employed are governed by the same collective agreement.".
- (4) After subsection (9) insert—
 - "(10) In subsection (4B) "collective agreement" has the same meaning as in the Trade Union and Labour Relations (Consolidation) Act 1992(1) (see section 178 of that Act).".