Equality Act 2006

CHAPTER 3

EQUALITY ACT 2006

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**SCHEDULE 1** — The Commission: Constitution, &c.

**Part 1 — CONSTITUTION**

**Membership**

1 (1) The Secretary of State shall appoint not less than...
2 (1) In appointing Commissioners the Secretary of State shall—

**Tenure**

3 (1) A Commissioner shall hold and vacate office in accordance...

**Chairman**

4 (1) The Secretary of State shall appoint—

**Part 2 — PROCEEDINGS**

**Procedure**

5 The Commission may regulate its own proceedings (subject to this...  
6 (1) The Commission shall determine a quorum for its meetings....

**Staff**

7 (1) The Commission— (a) shall appoint a chief executive, and...  
8 At the end of section 3(2) of the Employers' Liability...

**Investigating Commissioners**

9 (1) The Commission may appoint one or more Investigating Commissioners...
Delegation

10 (1) The Commission may delegate a function—

Committees

11 (1) The Commission may establish one or more committees (to...
12 (1) The Commission may establish one or more committees to...
13 A member of a committee shall hold and vacate office...
14 The Commission— (a) may, to any extent, regulate the proceedings...
15 (1) The Commission may delegate a function to a decision-making...

Scotland Committee

16 (1) The Commission shall establish a decision-making committee to be...
17 The Commission shall appoint as the Chairman of the Scotland...
18 The Commission shall appoint each member of the Scotland Committee...
19 The Scotland Committee shall advise the Commission about the exercise...
20 Before exercising a function in a manner which in the...
21 (1) The power under section 13— (a) shall be treated...
22 (1) The power under section 11(2)(c)— (a) shall be treated...
23 In allocating its resources the Commission shall ensure that the...

Wales Committee

24 (1) The Commission shall establish a decision-making committee to be...
25 The Commission shall appoint as the Chairman of the Wales...
26 The Commission shall appoint each member of the Wales Committee...
27 The Wales Committee shall advise the Commission about the exercise...
28 Before exercising a function in a manner which in the...
29 (1) The power under section 13— (a) shall be treated...
30 (1) The power under section 11(2)(c)— (a) shall be treated...
31 In allocating its resources the Commission shall ensure that the...

Annual report

32 (1) The Commission shall for each financial year prepare a...

Savings

33 The validity of proceedings of the Commission shall not be...
34 The validity of proceedings of a committee of the Commission...

Part 3 — MONEY

Remuneration, &c.

35 (1) The Commission may pay to the Chairman, a deputy...
36 (1) The Commission may pay sums to or in respect...
37 (1) The Commission may, with the approval of the Secretary...

Secretary of State

38 The Secretary of State shall pay to the Commission such...
Charging
39  The Commission may make a charge for a service provided...

Accounts
40  (1) The Commission shall— (a) keep proper accounting records, and...

Financial year
41  (1) The financial year of the Commission shall be the...

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Status
42  (1) The Commission shall not— (a) be regarded as the...

Supervision
43  In Schedule 2 to the Parliamentary Commissioner Act 1967 (c....

Disqualifications
44  (1) In Part II of Schedule 1 to the House...
45  (1) In Part II of Schedule 1 to the Northern...
46  A Commissioner or Investigating Commissioner, and a member of a...

Records
47  In Schedule 1 to the Public Records Act 1958 (c....

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48  In Part VI of Schedule 1 to the Freedom of...

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63 Disability Committee
64 Disability Committee

SCHEDULE 2 — Inquiries, Investigations and Assessments

Introduction
1 This Schedule applies to— (a) inquiries under section 16,

Terms of reference
2 Before conducting an inquiry the Commission shall—
3 Before conducting an investigation the Commission shall—
4 Before conducting an assessment of a person's compliance with a...
5 Paragraphs 2 to 4 shall apply in relation to revised...

Representations
6 (1) The Commission shall make arrangements for giving persons an...
7 Arrangements under paragraph 6 may (but need not) include arrangements...
8 (1) The Commission shall consider representations made in relation to...

Evidence
9 In the course of an inquiry, investigation or assessment the...
10 (1) A notice given to a person under paragraph 9...
11 The recipient of a notice under paragraph 9 may apply...
12 (1) Sub-paragraph (2) applies where the Commission thinks that a...
13 (1) A person commits an offence if without reasonable excuse...
14 (1) Where a person is given a notice under paragraph...

Reports
15 The Commission shall publish a report of its findings on...

Recommendations
16 (1) The Commission may make recommendations— (a) as part of...

Effect of report
17 (1) A court or tribunal— (a) may have regard to...
18 A person to whom a recommendation in the report of...

Courts and tribunals
19 An inquiry, investigation or assessment may not question (whether expressly...
Intelligence services

20 (1) An inquiry may not consider— (a) whether an intelligence...

SCHEDULE 3 — Amendments Consequential on Part 1

Public Records Act 1958 (c. 51)

1 In Schedule 1 to the Public Records Act 1958 (definition...

Parliamentary Commissioner Act 1967 (c. 13)

2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments,...

Superannuation Act 1972 (c. 11)

3 In Schedule 1 to the Superannuation Act 1972 (employments) omit...

House of Commons Disqualification Act 1975 (c. 24)

4 (1) The House of Commons Disqualification Act 1975 shall be...

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

5 (1) The Northern Ireland Assembly Disqualification Act 1975 shall be...

Sex Discrimination Act 1975 (c. 65)

6 The Sex Discrimination Act 1975 shall be amended as follows....

7 In section 37(3) (discriminatory practices) for “sections 67 to 71...

8 At the end of section 38 (discriminatory advertisements) add—

9 At the end of section 39 (instructions to discriminate (which...

10 At the end of section 40 (pressure to discriminate) add—...

11 Part VI (the Equal Opportunities Commission) shall cease to have...

12 Sections 67 to 73 (enforcement) shall cease to have effect....

13 Section 75 (assistance by Equal Opportunities Commission) shall cease to...

14 (1) Section 76 (timing of proceedings) shall be amended as...

15 Section 76D (public authorities: enforcement) (inserted by section 85 of...

16 Section 76E (codes of practice) (inserted by section 86 of...

17 In section 81 (orders)— (a) in subsection (1) omit the...

18 In section 82 (interpretation)— (a) in subsection (1)—

19 In Schedule 2 (education admissions: transitional exemption)—

20 Schedule 3 (Equal Opportunities Commission) shall cease to have effect....

Race Relations Act 1976 (c. 74)

21 The Race Relations Act 1976 shall be amended as follows....

22 In section 28(3) (discriminatory practices), for “sections 58 to 62”...

23 At the end of section 29 (discriminatory advertisements) add—

24 At the end of section 30 (instructions to discriminate, &c....

25 At the end of section 31 (pressure to discriminate, &c.)...

26 Part VII (Commission for Racial Equality) shall cease to have...

27 Sections 58 to 64 (enforcement) shall cease to have effect....
28  Section 66 (assistance by Commission for Racial Equality) shall cease...
29  (1) Section 68 (timing of proceedings) shall be amended as...
30  Section 71C (codes of practice) shall cease to have effect....
31  Sections 71D and 71E (general public authority duty: compliance
    notice)...
32  In section 74 (orders and regulations)— (a) in subsection (1)...
33  In section 78 (interpretation)— (a) in subsection (1)—
34  Schedule 1 (Commission for Racial Equality) shall cease to have...
35  In Part II of Schedule 1A (general statutory duty)—

    **Estate Agents Act 1979 (c. 38)**
36  The Estate Agents Act 1979 shall be amended as follows....
37  In section 9(6) (provision of information to Office of Fair...
38  (1) Schedule 1 shall be amended as follows.

    **Legal Aid (Scotland) Act 1986 (c. 47)**
39  (1) The Legal Aid (Scotland) Act 1986 shall be amended...

    **Employment Act 1989 (c. 38)**
40  In section 28(2) of the Employment Act 1989 (orders) for...

    **Disability Discrimination Act 1995 (c. 50)**
41  The Disability Discrimination Act 1995 shall be amended as follows....
42  At the end of section 16B (discriminatory advertisements) add—
43  At the end of section 16C (instructions and pressure to...
44  Section 17B (proceedings by Disability Rights Commission) shall cease to...
45  Section 28 (conciliation services) shall cease to have effect.
46  In sections 28C(4) and 28T(2) (non-discrimination in education) for
    “section...”
47  Section 31B (conciliation services) shall cease to have effect.
48  In section 49D(5) for “Disability Rights Commission” substitute “Commission...”
49  Sections 49E and 49F (public authorities: enforcement) shall cease to...
50  Section 49H (let property: conciliation of disputes) shall cease to...
51  Section 49I (conciliation of disputes: rented housing in Scotland) shall...
52  Section 53A (codes of practice) shall cease to have effect....
53  In section 67(5)(b) (regulations and orders) omit the words “53A(6)
    (a)”....
54  In section 68(1) (interpretation), in the definition of “regulations” omit...
55  In section 70(5A) for “7B, 49G, 49H and 53A(1D) and...
56  (1) For paragraph 6(2) of Schedule 3 (enforcement) substitute—

    **Employment Tribunals Act 1996 (c. 17)**
57  After section 21(1)(gb) of the Employment Tribunals Act 1996
    (jurisdiction)...

    **Asylum and Immigration Act 1996 (c. 49)**
58  In section 8A(4)(a) of the Asylum and Immigration Act 1996,...
Disability Rights Commission Act 1999 (c. 17)
59 The Disability Rights Commission Act 1999 shall cease to have...

Freedom of Information Act 2000 (c. 36)
60 In Part VI of Schedule 1 to the Freedom of...

Anti-terrorism, Crime and Security Act 2001 (c. 24)
61 In Schedule 4 to the Anti-terrorism, Crime and Security Act...

Housing (Scotland) Act 2001 (asp 10)
62 In paragraph 8(e) of Schedule 5 to the Housing (Scotland)...

Housing (Scotland) Act 2006 (asp 01)
63 In each of the following provisions of the Housing (Scotland)...

SCHEDULE 4 — Repeals
Changes to legislation:
Equality Act 2006 is up to date with all changes known to be in force on or before 02 March 2019. 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.

<table>
<thead>
<tr>
<th>Changes and effects yet to be applied to:</th>
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<tbody>
<tr>
<td>– s. 28(12) words inserted by S.I. 2019/305 reg. 4(2)(a)(ii)</td>
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<tr>
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