



# Equality Act 2006

## 2006 CHAPTER 3

### PART 2

#### DISCRIMINATION ON GROUNDS OF RELIGION OR BELIEF

##### *Key concepts*

#### 45 Discrimination

- (1) A person (“A”) discriminates against another (“B”) for the purposes of this Part if on grounds of the religion or belief of B or of any other person except A (whether or not it is also A’s religion or belief) A treats B less favourably than he treats or would treat others (in cases where there is no material difference in the relevant circumstances).
- (2) In subsection (1) a reference to a person’s religion or belief includes a reference to a religion or belief to which he is thought to belong or subscribe.
- (3) A person (“A”) discriminates against another (“B”) for the purposes of this Part if A applies to B a provision, criterion or practice—
  - (a) which he applies or would apply equally to persons not of B’s religion or belief,
  - (b) which puts persons of B’s religion or belief at a disadvantage compared to some or all others (where there is no material difference in the relevant circumstances),
  - (c) which puts B at a disadvantage compared to some or all persons who are not of his religion or belief (where there is no material difference in the relevant circumstances), and
  - (d) which A cannot reasonably justify by reference to matters other than B’s religion or belief.
- (4) A person (“A”) discriminates against another (“B”) if A treats B less favourably than he treats or would treat another and does so by reason of the fact that, or by reason of A’s knowledge or suspicion that, B—

---

*Status: This is the original version (as it was originally enacted).*

---

- (a) has brought or intended to bring, or intends to bring, proceedings under this Part,
  - (b) has given or intended to give, or intends to give, evidence in proceedings under this Part,
  - (c) has provided or intended to provide, or intends to provide, information in connection with proceedings under this Part,
  - (d) has done or intended to do, or intends to do, any other thing under or in connection with this Part, or
  - (e) has alleged or intended to allege, or intends to allege, that a person contravened this Part.
- (5) Subsection (4) does not apply where A's treatment of B relates to B's making or intending to make, not in good faith, a false allegation.