Equality Act 2010

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Changes to legislation: Equality Act 2010 is up to date with all changes known to be in force on or before 14 June 2018. 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. (See end of Document for details)

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4 (1) This paragraph applies where A is a commonhold association;...

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Small premises

3 (1) This paragraph applies to anything done by a person...

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2 (1) An office or post is not a personal or...

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Actuarial factors
5 (1) A difference as between men and women is permitted...

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Principals in contract work (see section 41)
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Partnerships (see section 44)
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LLPs (see section 45)
8 (1) This paragraph applies where A is an LLP or...

Barristers and their clerks (see section 47)
9 This paragraph applies where A is a barrister or barrister's...

Advocates and their clerks (see section 48)
10 This paragraph applies where A is an advocate or advocate's...

Persons making appointments to offices etc. (see sections 49 to 51)
11 This paragraph applies where A is a person who has...
12 This paragraph applies where A is a relevant person in...
13 This paragraph applies where A is a person who has...
14 In relation to the second requirement in a case within...

Qualifications bodies (see section 53)
15 (1) This paragraph applies where A is a qualifications body....

Employment service-providers (see section 55)
16 This paragraph applies where— (a) A is an employment service-
provider,....

Trade organisations (see section 57)
17 This paragraph applies where A is a trade organisation. Relevant...

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18 (1) This paragraph applies where A is a local authority....

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20 (1) A is not subject to a duty to make...

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Religious requirements relating to sex, marriage etc., sexual orientation
2 (1) A person (A) does not contravene a provision mentioned...

Other requirements relating to religion or belief
3 A person (A) with an ethos based on religion or...

Armed forces
4 (1) A person does not contravene section 39(1)(a) or (c)... 

Employment services
5 (1) A person (A) does not contravene section 55(1) or...

Interpretation
6 (1) This paragraph applies for the purposes of this Part...

Part 2 — EXCEPTIONS RELATING TO AGE

Preliminary
7 For the purposes of this Part of this Schedule, a...

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8 (1) It is not an age contravention to dismiss a...

Applicants at or approaching retirement age
9 (1) A person does not contravene section 39(1)(a) or (c),...

Benefits based on length of service
10 (1) It is not an age contravention for a person...

The national minimum wage: young workers
11 (1) It is not an age contravention for a person...

The national minimum wage: apprentices
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Redundancy
13 (1) It is not an age contravention for a person...

Insurance etc.
14 (1) It is not an age contravention for an employer...

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15 (1) A person does not contravene a relevant provision, so...
Contributions to personal pension schemes
16  (1) A Minister of the Crown may by order provide...
Part 3 — OTHER EXCEPTIONS

Non-contractual payments to women on maternity leave
17  (1) A person does not contravene section 39(1)(b) or (2),...

Benefits dependent on marital status, etc.
18  (1) A person does not contravene this Part of this...

Provision of services etc. to the public
19  (1) A does not contravene a provision mentioned in sub-paragraph...

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Accessibility strategies
1  (1) A local authority in England and Wales must, in...
2  (1) In preparing its accessibility strategy, a local authority must...

Accessibility plans
3  (1) The responsible body of a school in England and...
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6  (1) This paragraph applies for the purposes of this Schedule....

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Single-sex boarding at schools
2  (1) Section 85(1), so far as relating to sex, does...

Single-sex schools turning co-educational
3  (1) If the responsible body of a single-sex school decides...
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5 Section 85(1) and (2)(a) to (d), so far as relating...

Curriculum, worship, etc.

6 Section 85(2)(a) to (d), so far as relating to religion...

Power to amend

7 (1) A Minister of the Crown may by order amend...
   Part 3 — DISABILITY DISCRIMINATION

Permitted form of selection

8 (1) A person does not contravene section 85(1), so far...

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Admission to single-sex institutions

1 (1) Section 91(1), so far as relating to sex, does...

   Single-sex institutions turning co-educational

2 (1) If the responsible body of a single-sex institution decides...
3 (1) In the case of a single-sex institution—
   Part 2 — OTHER EXCEPTIONS

   Occupational requirements

4 A person (P) does not contravene section 91(1) or (2)...

   Institutions with a religious ethos

5 (1) The responsible body of an institution which is designated...

   Benefits dependent on marital status, etc.

6 A person does not contravene section 91, so far as...

   Child care

7 (1) A person does not contravene section 91(2)(b) or (d),...

SCHEDULE 13 — Education: reasonable adjustments

   Preliminary

1 This Schedule applies where a duty to make reasonable adjustments...

   The duty for schools

2 (1) This paragraph applies where A is the responsible body...

   The duty for further or higher education institutions

3 (1) This paragraph applies where A is the responsible body...
(1) An interested disabled person is a disabled person who,...

The duty relating to certain other further or higher education courses

(1) This paragraph applies where A is the responsible body...

The duty relating to recreational or training facilities

(1) This paragraph applies where A is the responsible body...

Code of practice

In deciding whether it is reasonable for A to have...

Confidentiality requests

(1) This paragraph applies if a person has made a...

The duty for general qualifications bodies

(1) This paragraph applies where A is a qualifications body...

SCHEDULE 14 — Educational charities and endowments

Educational charities

(1) This paragraph applies to a trust deed or other...

Educational endowments

(1) This paragraph applies to an educational endowment—

SCHEDULE 15 — Associations: reasonable adjustments

Preliminary

This Schedule applies where a duty to make reasonable adjustments...

The duty

(1) A must comply with the first, second and third...

SCHEDULE 16 — Associations: exceptions

Single characteristic associations

(1) An association does not contravene section 101(1) by restricting...

Age

(1) An association does not contravene section 101(1) or (2),...

Health and safety

(1) An association (A) does not discriminate against a pregnant...

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Part 2 — TRIBUNALS IN ENGLAND AND WALES

Introductory
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Jurisdiction — England and Wales
3 A claim that a responsible body has contravened Chapter 1...

Jurisdiction — Wales
3A (1) A claim that a responsible body for a school...

Time for bringing proceedings
4 (1) Proceedings on a claim may not be brought after...

Powers
5 (1) This paragraph applies if the Tribunal finds that the...

Procedure
6 (1) This paragraph applies in relation to the Welsh Tribunal....

Case friends — Wales
6A (1) The Welsh Ministers may by regulations provide for—

Advice and information — Wales
6B (1) A local authority in Wales must arrange for any...

Resolution of disputes — Wales
6C (1) A local authority in Wales must make arrangements with...

Independent advocacy services — Wales
6D (1) Every local authority in Wales must—

Power of direction — Wales
6E (1) If the Welsh Ministers are satisfied (whether on a...

Part 3 — TRIBUNALS IN SCOTLAND

Introductory
7 This Part of this Schedule applies in relation to the...

Jurisdiction
8 A claim that a responsible body has contravened Chapter 1...

Powers
9 (1) This paragraph applies if the Tribunal finds the contravention...
Procedure etc.

10 (1) The Scottish Ministers may make rules as to—

Appeals

11 (1) Either of the persons specified in sub-paragraph (2) may...

Amendment of Education (Additional Support for Learning) (Scotland) Act 2004

12 The Education (Additional Support for Learning) (Scotland) Act 2004 (asp... Part 4 — ADMISSIONS AND EXCLUSIONS

Admissions

13 (1) This paragraph applies if appeal arrangements have been made...

Exclusions : Wales

14 (1) This paragraph applies if appeal arrangements have been made...

SCHEDULE 18 — Public sector equality duty: exceptions

Children

1 (1) Section 149, so far as relating to age, does...

Immigration

2 (1) In relation to the exercise of immigration and nationality...

Judicial functions, etc.

3 (1) Section 149 does not apply to the exercise of—...

Exceptions that are specific to section 149(2)

4 (1) Section 149(2) (application of section 149(1) to persons who...

Power to amend Schedule

5 (1) A Minister of the Crown may by order amend...

SCHEDULE 19 — Public authorities

Part 1 — PUBLIC AUTHORITIES: GENERAL

Ministers of the Crown and government departments

A Minister of the Crown. A government department other than...

Armed forces

Any of the armed forces other than any part of...

Broadcasting

The British Broadcasting Corporation (“BBC ”), except in respect...
Civil liberties
The Commission for Equality and Human Rights. The Information Commissioner...

Court services and legal services
The Children and Family Court Advisory and Support Service. The...

Criminal justice
Her Majesty's Chief Inspector of Constabulary. Her Majesty's Chief Inspector...

Environment, housing and development
The Homes and Communities Agency. Natural England. . . ....

Health, social care and social security
The National Health Service Commissioning Board. A clinical commissioning group...

Industry, business, finance etc.
The Advisory, Conciliation and Arbitration Service. The Bank of England...

Local government
A county council, district council or parish council in England....

Other educational bodies
The governing body of an educational establishment maintained by an...

Parliamentary and devolved bodies
The National Assembly for Wales Commission (Comisiwn Cynulliad Cenedlaethol Cymru)....

Police
The British Transport Police Force. A chief constable of a...

Regulators
... The Association of Chartered Certified Accountants, in respect of...

Transport
High Speed Two (HS2) Limited. Highways England Company Limited. Network...

Part 2 — Public authorities: Relevant Welsh authorities

Welsh Assembly Government, etc.
The Welsh Ministers. The First Minister for Wales. The Counsel...
National Health Service
A Local Health Board established under section 11 of the...

Local government
A county council or county borough council in Wales. ....

Other educational bodies
The governing body of an educational establishment maintained by a...

Other public authorities
The Welsh Revenue Authority or Awdurdod Cyllid Cymru. The Auditor...

Part 3 — PUBLIC AUTHORITIES: RELEVANT SCOTTISH AUTHORITIES

Scottish Administration
An office-holder in the Scottish Administration (within the meaning given...

National Health Service
A Health Board constituted under section 2 of the National...

Local government
A council constituted under section 2 of the Local Government...

Other educational bodies
An education authority in Scotland (within the meaning of section...

Police and Fire
The Scottish Police Authority. The chief constable of the Police...

Other bodies and offices added on 6th April 2011
Accounts Commission for Scotland. Audit Scotland. Board of Trustees of...

Other bodies and offices added on 5th March 2012
Children's Hearings Scotland. The National Convener of Children's Hearings Scotland....

Other bodies added on 1st April 2015
Historic Environment Scotland. An integration joint board established by order...

PART 4 — PUBLIC AUTHORITIES: CROSS-BORDER AUTHORITIES

Cross-border Welsh authorities
The Environment Agency – D The Natural Resources Body for...
SCHEDULE 20 —

SCHEDULE 21 — Reasonable adjustments: supplementary

**Preliminary**

1 This Schedule applies for the purposes of Schedules 2, 4,...

**Binding obligations, etc.**

2 (1) This paragraph applies if— (a) a binding obligation requires...

**Landlord’s consent**

3 (1) This paragraph applies if— (a) A occupies premises under...

**Proceedings before county court or sheriff**

4 (1) This paragraph applies if, in a case within Part...

**Joining landlord as party to proceedings**

5 (1) This paragraph applies to proceedings relating to a contravention...

**Regulations**

6 (1) Regulations may make provision as to circumstances in which...

**Interpretation**

7 An expression used in this Schedule and in Schedule 2,...

SCHEDULE 22 — Statutory provisions

**Statutory authority**

1 (1) A person (P) does not contravene a provision specified...

**Protection of women**

2 (1) A person (P) does not contravene a specified provision...

**Educational appointments, etc: religious belief**

3 (1) A person does not contravene Part 5 (work) only...

4 A person does not contravene this Act only by doing...

**Crown employment, etc.**

5 (1) A person does not contravene this Act—

SCHEDULE 23 — General exceptions

**Acts authorised by statute or the executive**

1 (1) This paragraph applies to anything done—
Organisations relating to religion or belief

2 (1) This paragraph applies to an organisation the purpose of...

Communal accommodation

3 (1) A person does not contravene this Act, so far...

Training provided to non-EEA residents, etc.

4 (1) A person (A) does not contravene this Act, so...

SCHEDULE 24 — Harmonisation: exceptions

Part 1 (public sector duty regarding socio-economic inequalities)

Chapter 2...

SCHEDULE 25 — Information society services

Service providers

1 (1) This paragraph applies where a person concerned with the...

2 (1) This paragraph applies where an information society service provider...

Exceptions for mere conduits

3 (1) An information society service provider does not contravene this...

Exception for caching

4 (1) This paragraph applies where an information society service consists...

Exception for hosting

5 (1) An information society service provider does not contravene this...

Monitoring obligations

6 An injunction or interdict under Part 1 of the Equality...

Interpretation

7 (1) This paragraph applies for the purposes of this Schedule....

SCHEDULE 26 — Amendments

Part 1 — ACTS OF PARLIAMENT

Disabled Persons (Employment) Act 1944

1 In section 15 of the Disabled Persons (Employment) Act 1944...

Teaching Council (Scotland) Act 1965

2 In section 1(3) of the Teaching Council (Scotland) Act 1965,...

Employment and Training Act 1973

3 In section 12(1) of the Employment and Training Act 1973...
Estate Agents Act 1979
4 The Estate Agents Act 1979 is amended as follows.
5 In section 5(3) (supplementary provisions about prohibition and warning orders)—...
6 (1) Schedule 1 (provisions supplementary to section 3(1)) is amended...

Civic Government (Scotland) Act 1982
7 (1) Section 20 of the Civic Government (Scotland) Act 1982...

Housing (Scotland) Act 1987
8 In section 338(1) of the Housing (Scotland) Act 1987 (interpretation)...
28 In section 5(2)(c) (remuneration, fees and allowances) for “2A(1)(b) of...
29 In section 7(3)(h) (employment tribunal procedure regulations) for “2A(1)(b) of...
30 In section 12(1) (restriction of publicity in disability cases) for...
31 In section 18(1) (tribunal proceedings to which conciliation provisions apply)—...
32 In section 21(1) (Jurisdiction of appeal tribunal)—

**Employment Rights Act 1996**

33 (1) Section 126 of the Employment Rights Act 1996 (acts...

**Housing Grants, Construction and Regeneration Act 1996**

34 In section 126 of the Housing Grants, Construction and Regeneration...

**Education Act 1996**

35 The Education Act 1996 is amended as follows.
36 (1) Section 317 of the Education Act 1996 (duties of...
37 In section 336(4A) (tribunal procedure) for “claim under Chapter 1...
38 In section 509AC(5)(interpretation etc), in the definition of “disabled person”...,.
39 Omit section 583(5) (commencement etc: transitory provision relating to the...
40 In Schedule 35B (meaning of eligible child etc), paragraph 15(4),...
41 In Schedule 35C (school travel schemes), paragraph 14, in the...
42 (1) In Schedule 36A (education functions of local authorities) the...

**Teaching and Higher Education Act 1998**

43 In section 1(4) of the Teaching and Higher Education Act...

**School Standards and Framework Act 1998**

44 The School Standards and Framework Act 1998 is amended as...
45 In Schedule 5, in paragraph 6 (adjudicators, procedure) for subparagraphs...
46 (1) In Schedule 6, Part 5 (procedures for making transitional...
47 (1) In Schedule 7, in Part 6 (transitional exemption orders,...

**Transport Act 2000**

48 In section 112(2) of the Transport Act 2000 (plans and...

**Employment Act 2002**

49 (1) Schedule 5 to the Employment Act 2002 (tribunal jurisdiction)...
Communications Act 2003

53 The Communications Act 2003 is amended as follows.
54 In section 27(5) (training and equality of opportunity)—
55 In section 337(9) (promotion of equal opportunities and training)—
56 In Schedule 12, in paragraph 23(6) (obligations of the Welsh...

Finance Act 2004

57 The Finance Act 2004 is amended as follows.
58 In section 172A(5)(db) (surrender of pension benefits etc) for—
59 In paragraphs 11D(2A) and (2B)(b), 12(2C)(d) and 14(3A) and (3D) (a)...

Serious Organised Crime and Police Act 2005

60 Section 56 of the Serious Organised Crime and Police Act...

Equality Act 2006

61 The Equality Act 2006 is amended as follows.
62 (1) Section 8 (equality and diversity) is amended as follows....
63 In section 10(2) (meaning of group) for paragraph (d) substitute—...
64 For section 11(3)(c) (interpretation) substitute— (c) a reference to the...
65 (1) Section 14 (codes of practice) is amended as follows....
66 In section 16(4) (inquiries: matters which the Commission may consider...
67 In section 21(2)(b) (unlawful act notice: specification of legislative provision)... 
68 After section 24 insert— Enforcement powers: supplemental (1) This section has effect in relation to—
69 Omit section 25 (restraint of unlawful advertising etc.).
70 Omit section 26 (supplemental).
71 (1) Section 27 (conciliation) is amended as follows.
72 (1) Section 28 (legal assistance) is amended as follows.
73 For section 31(1) (duties in respect of which Commission may...
74 (1) Section 32 (public sector duties: compliance notice) is amended...
75 Omit section 33 (equality and human rights enactments).
76 (1) Section 34 (meaning of unlawful) is amended as follows....
77 (1) Section 35 (general: definitions) is amended as follows.
78 In section 39(4) (orders subject to affirmative resolution procedure) for...
79 Omit section 43 (transitional: rented housing in Scotland).
80 Omit Part 2 (discrimination on grounds of religion or belief)....
81 Omit section 81 (regulations).
82 Omit Part 4 (public functions).
83 In section 94(3) (extent: Northern Ireland)— (a) omit “and 41...
84 (1) Schedule 1 (the Commission: constitution, etc.) is amended as...
85 In Schedule 3 (consequential amendments), omit paragraphs 6 to 35...

Immigration, Asylum and Nationality Act 2006

86 In section 23(1)(a) of the Immigration Asylum and Nationality Act...
Childcare Act 2006

87 The Childcare Act 2006 is amended as follows.
88 In section 6(6) (duty to secure sufficient childcare for working...
89 In section 12(8) (duty to provide information, advice and assistance)... 
90 In section 22(6) (duty to secure sufficient childcare for working...
91 In section 27(8) (duty to provide information, advice and assistance...

Education and Inspections Act 2006

92 The Education and Inspections Act 2006 is amended as follows....
93 In section 21(5) (proposals under section 19: procedure) for “section...
94 In section 91(7) (enforcement of disciplinary penalties) for “Disability Discrimination...

Finance Act 2007

95 In paragraph 7(7) of Schedule 18 to the Finance Act...

UK Borders Act 2007

96 In section 48(2)(f) of the UK Borders Act 2007 (recommendations...

Regulatory Enforcement and Sanctions Act 2008

97 The Regulatory Enforcement and Sanctions Act 2008 is amended as...
98 Insert after section 38(2) (meaning of “relevant offence”)—
99 In Schedule 3 (enactments specified for the purposes of the...

Apprenticeships, Skills, Children and Learning Act 2009

100 In section 218(3)(b) of the Apprenticeships, Skills, Children and Learning...
    Part 2 — ACTS OF THE SCOTTISH PARLIAMENT

Education (Disability Strategies and Pupils' Educational Records)(Scotland) Act 2002

101 In section 6 of the Education (Disability Strategies and Pupils'...

Freedom of Information (Scotland) Act 2002

102 The Freedom of Information (Scotland) Act 2002 is amended as...
103 In section 11(5) (means of providing information) for “provider of...
104 In section 12(6) (excessive cost of compliance) for “Disability Discrimination...

Dog Fouling (Scotland) Act 2003

105 In section 16 of the Dog Fouling (Scotland) Act 2003...

Education (Additional Support for Learning) (Scotland) Act 2004

106 Paragraph 3(1)(e) of schedule 2 to the Education (Additional Support...

Housing (Scotland) Act 2006

106A In section 194(1) of the Housing (Scotland) Act 2006 (interpretation),...
Education (Additional Support for Learning) (Scotland) Act 2009

In section 9 of the Education (Additional Support for Learning)...
Changes to legislation:
Equality Act 2010 is up to date with all changes known to be in force on or before 14 June 2018. 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.

Changes and effects yet to be applied to:
- Pt. 5 restricted by 2018 asp 4 s. 11(2)
- s. 80(7) repealed by S.I. 2014/3229 Sch. 5 para. 19(3)
- s. 104(7) words repealed by 2010 c. 15 s. 105(1)(2) (This repeal comes into force at the end of 2030 unless an order under s. 105(2) specifies a later time)
- s. 116(1)(b) words substituted by 2018 anaw 2 Sch. 1 para. 19(2)
- s. 136(6)(e) words substituted by 2018 anaw 2 Sch. 1 para. 19(3)
- s. 138(8) words substituted by 2013 c. 22 Sch. 9 para. 52
- s. 158 excluded by 2018 asp 4 s. 11(1)
- s. 159 excluded by 2018 asp 4 s. 11(1)
- s. 207 words inserted by 2017 c. 21 s. 17(2)
- Sch. 17 para. 3(b) omitted by 2018 anaw 2 Sch. 1 para. 19(5)(c)(ii)
- Sch. 17 para. 3A(3) omitted by 2018 anaw 2 Sch. 1 para. 19(5)(d)(ii)
- Sch. 17 para. 6A substituted by 2018 anaw 2 Sch. 1 para. 19(5)(g)
- Sch. 17 para. 1 word substituted by 2018 anaw 2 Sch. 1 para. 19(5)(a)(i)
- Sch. 17 para. 1 word substituted by 2018 anaw 2 Sch. 1 para. 19(5)(a)(ii)
- Sch. 17 para. 3A(4) word substituted by 2018 anaw 2 Sch. 1 para. 19(5)(d)(iii)
- Sch. 17 para. 3 words inserted by 2018 anaw 2 Sch. 1 para. 19(5)(c)(i)
- Sch. 17 para. 6(2)(a) words omitted by 2018 anaw 2 Sch. 1 para. 19(5)(c)(i)
- Sch. 17 para. 6(7) words substituted by 2018 anaw 2 Sch. 1 para. 19(5)(e)(ii)
- Sch. 17 para. 3 heading words omitted by 2018 anaw 2 Sch. 1 para. 19(5)(b)
- Sch. 19 Pt. 1 words inserted by 2015 c. 2 Sch. 3 para. 17
- Sch. 19 Pt. 1 words inserted by 2017 c. 15 Sch. 2 para. 4
- Sch. 19 Pt. 1 words inserted by 2018 c. 10 Sch. 3 para. 24
- Sch. 20 para. 12(5) words substituted by 2013 c. 22 Sch. 9 para. 52
- Sch. 26 para. 36 omitted by 2018 anaw 2 Sch. 1 para. 6(o)
- Sch. 26 para. 37 omitted by 2018 anaw 2 Sch. 1 para. 6(o)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- Pt. 12 Ch. 2A inserted by 2017 c. 21 s. 17(1)
- s. 208(5)(fa) inserted by 2017 c. 21 s. 17(3)
- s. 209(3)(e) inserted by 2018 anaw 2 Sch. 1 para. 19(4)
- Sch. 17 para. 6AA and cross-heading inserted by 2018 anaw 2 Sch. 1 para. 19(5)(f)
- Sch. 17 para. 6F inserted by 2018 anaw 2 Sch. 1 para. 19(5)(h)
- Sch. 17 para. 3A(1)(a)(b) substituted for words by 2018 anaw 2 Sch. 1 para. 19(5)(d)(i)