



Equality Act 2010

2010 CHAPTER 15

PART 4

PREMISES

Supplementary

38 Interpretation and exceptions

- (1) This section applies for the purposes of this Part.
- (2) A reference to premises is a reference to the whole or part of the premises.
- (3) A reference to disposing of premises includes, in the case of premises subject to a tenancy, a reference to—
 - (a) assigning the premises,
 - (b) sub-letting them, or
 - (c) parting with possession of them.
- (4) A reference to disposing of premises also includes a reference to granting a right to occupy them.
- (5) A reference to disposing of an interest in a commonhold unit includes a reference to creating an interest in a commonhold unit.
- (6) A reference to a tenancy is to a tenancy created (whether before or after the passing of this Act)—
 - (a) by a lease or sub-lease,
 - (b) by an agreement for a lease or sub-lease,
 - (c) by a tenancy agreement, or
 - (d) in pursuance of an enactment,and a reference to a tenant is to be construed accordingly.

Changes to legislation: Equality Act 2010, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 08 August 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)

- (7) A reference to commonhold land, a commonhold association, a commonhold community statement, a commonhold unit or a unit-holder is to be construed in accordance with the Commonhold and Leasehold Reform Act 2002.
- (8) Schedule 4 (reasonable adjustments) has effect.
- (9) Schedule 5 (exceptions) has effect.

Annotations:

Commencement Information

- II** S. 38 partly in force; s. 38 not in force at Royal Assent see s. 216; s. 38(8) in force for certain purposes at 4.8.2010 by S.I. 2010/1966, art. 2; s. 38(1)-(7)(9) wholly in force and s. 38(8) in force for certain further purposes at 1.10.2010 by S.I. 2010/2317, art. 2(1)(4)(c)(d) (with art. 15)

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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):

- 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\(5\)\(d\)\(i\)](#)