



Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 4

EQUALITY OF TERMS

129 Time limits

- (1) This section applies to—
 - (a) a complaint relating to a breach of an equality clause or rule;
 - (b) an application for a declaration referred to in section 127(3) or (4).
- (2) Proceedings on the complaint or application may not be brought in an employment tribunal after the end of the qualifying period.
- (3) If the complaint or application relates to terms of work other than terms of service in the armed forces, the qualifying period is, in a case mentioned in the first column of the table, the period mentioned in the second column [^{F1}, subject to [^{F2}[^{F3} section] 140B]].

<i>Case</i>	<i>Qualifying period</i>
A standard case	The period of 6 months beginning with the last day of the employment or appointment.
A stable work case (but not if it is also a concealment or incapacity case (or both))	The period of 6 months beginning with the day on which the stable working relationship ended.
A concealment case (but not if it is also an incapacity case)	The period of 6 months beginning with the day on which the worker discovered (or could

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with reasonable diligence have discovered) the qualifying fact.

An incapacity case (but not if it is also a concealment case) The period of 6 months beginning with the day on which the worker ceased to have the incapacity.

A case which is a concealment case and an incapacity case. The period of 6 months beginning with the later of the days on which the period would begin if the case were merely a concealment or incapacity case.

- (4) If the complaint or application relates to terms of service in the armed forces, the qualifying period is, in a case mentioned in the first column of the table, the period mentioned in the second column^{F4}, subject to section 140B].

<i>Case</i>	<i>Qualifying period</i>
A standard case	The period of 9 months beginning with the last day of the period of service during which the complaint arose.
A concealment case (but not if it is also an incapacity case)	The period of 9 months beginning with the day on which the worker discovered (or could with reasonable diligence have discovered) the qualifying fact.
An incapacity case (but not if it is also a concealment case)	The period of 9 months beginning with the day on which the worker ceased to have the incapacity.
A case which is a concealment case and an incapacity case.	The period of 9 months beginning with the later of the days on which the period would begin if the case were merely a concealment or incapacity case.

Textual Amendments

- F1** Words in s. 129(3) inserted (20.5.2011 with application as mentioned in regs. 3, 4 of the amending S.I.) by [The Cross-Border Mediation \(EU Directive\) Regulations 2011 \(S.I. 2011/1133\)](#), **reg. 57**
- F2** Words in s. 129(3) substituted (6.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 2 para. 44(a)**; S.I. 2014/253, art. 3(g)
- F3** Word in s. 129(3) substituted (31.12.2020) by [The Cross-Border Mediation \(EU Directive\) \(EU Exit\) Regulations 2019 \(S.I. 2019/469\)](#), reg. 1(1), **Sch. 1 para. 17(4)** (with reg. 5) (as amended by S.I. 2020/1493, regs. 1(1), 4(5)(6)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 129(4) inserted (6.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 2 para. 44(b)**; S.I. 2014/253, art. 3(g)

Commencement Information

- II** S. 129 wholly in force; s. 129 not in force at Royal Assent see s. 216; s. 129 in force at 1.10.2010 by [S.I. 2010/2317](#), **art. 2(1)(9)(f)** (with [art. 15](#), and subject to transitional provision in [art. 7](#))

Changes to legislation:

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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. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)