



# Equality Act 2010

## 2010 CHAPTER 15

### PART 2 **E+W+S**

#### EQUALITY: KEY CONCEPTS

### CHAPTER 2 **E+W+S**

#### PROHIBITED CONDUCT

##### *Discrimination*

#### 17 **Pregnancy and maternity discrimination: non-work cases** **E+W+S**

- (1) This section has effect for the purposes of the application to the protected characteristic of pregnancy and maternity of—
  - (a) Part 3 (services and public functions);
  - (b) Part 4 (premises);
  - (c) Part 6 (education);
  - (d) Part 7 (associations).
- (2) A person (A) discriminates against a woman if A treats her unfavourably because of a pregnancy of hers.
- (3) A person (A) discriminates against a woman if, in the period of 26 weeks beginning with the day on which she gives birth, A treats her unfavourably because she has given birth.
- (4) The reference in subsection (3) to treating a woman unfavourably because she has given birth includes, in particular, a reference to treating her unfavourably because she is breast-feeding.
- (5) For the purposes of this section, the day on which a woman gives birth is the day on which—

---

**Changes to legislation:** Equality Act 2010, Section 17 is up to date with all changes known to be in force on or before 24 April 2024. 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) [View outstanding changes](#)

---

- (a) she gives birth to a living child, or
  - (b) she gives birth to a dead child (more than 24 weeks of the pregnancy having passed).
- (6) Section 13, so far as relating to sex discrimination, does not apply to anything done in relation to a woman in so far as—
- (a) it is for the reason mentioned in subsection (2), or
  - (b) it is in the period, and for the reason, mentioned in subsection (3).

**Changes to legislation:**

Equality Act 2010, Section 17 is up to date with all changes known to be in force on or before 24 April 2024. 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.

[View outstanding changes](#)

**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](#)