



# Equality Act 2010

## 2010 CHAPTER 15

### PART 3

#### SERVICES AND PUBLIC FUNCTIONS

##### *Preliminary*

## 28 Application of this Part

- (1) This Part does not apply to the protected characteristic of—
  - (a) age, so far as relating to persons who have not attained the age of 18;
  - (b) marriage and civil partnership.
- (2) This Part does not apply to discrimination, harassment or victimisation—
  - (a) that is prohibited by Part 4 (premises), 5 (work) or 6 (education), or
  - (b) that would be so prohibited but for an express exception.
- (3) This Part does not apply to—
  - (a) a breach of an equality clause or rule;
  - (b) anything that would be a breach of an equality clause or rule but for section 69 or Part 2 of Schedule 7;
  - (c) a breach of a non-discrimination rule.

### Commencement Information

- II** [S. 28](#) wholly in force at 1.10.2012; [s. 28](#) not in force at Royal Assent see [s. 216](#); [s. 28](#) in force for certain purposes at 1.10.2010 by [S.I. 2010/2317](#), [art. 2\(3\)](#); [s. 28](#) in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), [art. 3\(a\)](#)

**Changes to legislation:**

Equality Act 2010, Section 28 is up to date with all changes known to be in force on or before 24 August 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](#)