



# Equality Act 2010

## 2010 CHAPTER 15

### PART 2

#### EQUALITY: KEY CONCEPTS

### CHAPTER 1

#### PROTECTED CHARACTERISTICS

## 6 Disability

- (1) A person (P) has a disability if—
  - (a) P has a physical or mental impairment, and
  - (b) the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.
- (2) A reference to a disabled person is a reference to a person who has a disability.
- (3) In relation to the protected characteristic of disability—
  - (a) a reference to a person who has a particular protected characteristic is a reference to a person who has a particular disability;
  - (b) a reference to persons who share a protected characteristic is a reference to persons who have the same disability.
- (4) This Act (except Part 12 and section 190) applies in relation to a person who has had a disability as it applies in relation to a person who has the disability; accordingly (except in that Part and that section)—
  - (a) a reference (however expressed) to a person who has a disability includes a reference to a person who has had the disability, and
  - (b) a reference (however expressed) to a person who does not have a disability includes a reference to a person who has not had the disability.

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**Changes to legislation:** Equality Act 2010, Section 6 is up to date with all changes known to be in force on or before 19 September 2017. 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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- (5) A Minister of the Crown may issue guidance about matters to be taken into account in deciding any question for the purposes of subsection (1).
- (6) Schedule 1 (disability: supplementary provision) has effect.

**Annotations:**

**Commencement Information**

- II** S. 6 wholly in force; s. 6 not in force at Royal Assent see s. 216; s. 6(5) in force for certain purposes at 6.7.2010 by S.I. 2010/1736, art. 2, Sch.; s. 6(6) in force for certain purposes at 4.8.2010 by S.I. 2010/1966, art. 2; s. 6 in force at 1.10.2010 in so far as not already in force by S.I. 2010/2317, art. 2(1)(2)(b) (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):

- Pt. 12 Ch. 2A inserted by [2017 c. 21 s. 17\(1\)](#)
- s. 1(2A)(aa) inserted by [2017 c. 4 s. 45\(2\)](#)
- s. 208(5)(fa) inserted by [2017 c. 21 s. 17\(3\)](#)
- s. 216(6)(7) inserted by [2017 c. 4 s. 45\(6\)](#)