



Equality Act 2010

2010 CHAPTER 15

PART 6

EDUCATION

CHAPTER 2

FURTHER AND HIGHER EDUCATION

94 Interpretation and exceptions

- (1) This section applies for the purposes of this Chapter.
- (2) Nothing in this Chapter applies to anything done in connection with the content of the curriculum.
- (3) A reference to a student, in relation to an institution, is a reference to a person for whom education is provided by the institution.
- (4) A reference to a university includes a reference to a university college and a college, school or hall of a university.
- (5) A reference to an institution within the further or higher education sector is to be construed in accordance with section 91 of the Further and Higher Education Act 1992.
- (6) “Further education”—
 - (a) in relation to England and Wales, has the meaning given in section 2 of the Education Act 1996;
 - (b) in relation to Scotland, has the meaning given in section 1(3) of the Further and Higher Education (Scotland) Act 1992.
- (7) “Higher education”—
 - (a) in relation to England and Wales, means education provided by means of a course of a description mentioned in Schedule 6 to the Education Reform Act 1988;

Changes to legislation: Equality Act 2010, Section 94 is up to date with all changes known to be in force on or before 30 March 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

- (b) in relation to Scotland, has the meaning given in section 38 of the Further and Higher Education (Scotland) Act 1992.
- (8) “College of further education” has the meaning given in section 36 of the Further and Higher Education (Scotland) Act 1992.
- (9) “Designated institution” has the meaning given in section 44 of that Act.
- (10) “Local authority” means—
 - (a) in relation to England, an English local authority within the meaning of section 162 of the Education and Inspections Act 2006;
 - (b) in relation to Wales, a Welsh local authority within the meaning of that section.
- (11) “Education authority” has the meaning given by section 135(1) of the Education (Scotland) Act 1980.
- [^{F1}(11A) A reference to conferring a qualification includes a reference—
 - (a) to renewing or extending the conferment of a qualification;
 - (b) to authenticating a qualification conferred by another person.]
- (12) Schedule 12 (exceptions) has effect.

Textual Amendments

- F1** S. 94(11A) inserted (1.10.2010) by The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279), arts. 1(2), 4

Commencement Information

- I1** S. 94 wholly in force; s. 94 not in force at Royal Assent see s. 216; s. 94(12) in force for certain purposes at 4.8.2010 by S.I. 2010/1966, art. 2; s. 94 in force at 1.10.2010 in so far as not already in force by S.I. 2010/2317, art. 2(1)(6)(b) (with art. 15)

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](#)