
EXPLANATORY NOTE

(This note is not part of the Order)

This Order dissolves the Commission for Racial Equality, the Disability Rights Commission and the Equal Opportunities Commission (“the former Commissions”) and makes certain consequential amendments and modifications to legislation which are necessary as a result of their dissolution and the establishment of the Commission for Equality and Human Rights (“the CEHR”).

Article 3 dissolves the former Commissions. Article 4 makes amendments and modifications to legislation, including (in article 4(2)) modifications necessary to apply the restrictions on the disclosure of information obtained in connection with the former Commissions’ formal investigations to the CEHR while allowing it access to such information.

Article 5(1) provides for the CEHR to exercise certain functions of the former Commissions after they have been dissolved. Article 5(2) empowers the CEHR to appoint Investigating Commissioners (under paragraph 9 of Schedule 1 to the 2006 Act) for the purpose of investigations conducted pursuant to article 5(1)(f). Articles 5(3) and (4) provide for the CEHR to take enforcement action under the 2006 Act in relation to investigations instigated by the Commission for Racial Equality and the Equal Opportunities Commission and compliance notices served by those commissions.

A regulatory impact assessment was produced for the CEHR and is available on the Women & Equality Unit website at http://www.womenandequalityunit.gov.uk/cehr/equality_bill.htm. A further impact assessment has not been produced for this instrument as no additional impact on the private or voluntary sectors is foreseen.