
EXPLANATORY NOTE

(This note is not part of the Order)

This is the sixth Commencement Order made under the Equality Act 2010 (c. 15) (“the Act”). The Equality Act 2010 (Commencement No. 1) Order 2010 (S.I. 2010/1736 (C. 91)), the Equality Act 2010 (Commencement No. 2) Order 2010 (S.I. 2010/1966 (C. 104)), the Equality Act 2010 (Commencement No. 3) Order 2010 (S.I. 2010/2191 (C. 109)) and the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317 (C. 112)), as amended by the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010 (S.I. 2010/2337 (C. 113)), brought into force most of the provisions of the Act. The fourth Commencement Order (as amended) also set out savings, consequential, transitional, transitory and incidental provisions and a revocation in relation to existing legislation which were required as a result of the repeal and revocation of previous discrimination legislation and its replacement by the Act. The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279) amended the Act, including by adding new provisions into the Act and renumbering existing provisions, some of which are brought into force by this Order. The Equality Act 2010 (Commencement No. 5) Order 2011 (S.I. 2011/96 (C. 5)) brought into force enabling powers relating to the public sector equality duty and a provision concerning positive action in relation to recruitment and promotion.

This Order brings into force various provisions of the Act that were not brought into force by the earlier Commencement Orders and a provision (paragraph 106A of Schedule 26) inserted into the Act by the Equalities Act 2010 (Public Authorities and Consequential and Supplementary Amendments) Order 2011. These provisions relate to the public sector equality duty and repeals and amendments consequential on the commencement of that duty.

Article 2 sets out the various provisions of the Act which come into force on 5th April 2011. These include section 149 (public sector equality duty), Schedule 18 (exceptions to the public sector equality duty) and provisions repealing the previous statutory duties relating to sex, race and disability in the Sex Discrimination Act 1975 (c. 65), the Race Relations Act 1976 (c. 74) and the Disability Discrimination Act 1995 (c. 50) respectively.