



Equality Act 2006

2006 CHAPTER 3

PART 1

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

Enforcement powers

23 Agreements

- (1) The Commission may enter into an agreement with a person under which—
 - (a) the person undertakes—
 - (i) not to commit an unlawful act of a specified kind, and
 - (ii) to take, or refrain from taking, other specified action (which may include the preparation of a plan for the purpose of avoiding an unlawful act), and
 - (b) the Commission undertakes not to proceed against the person under section 20 or 21 in respect of any unlawful act of the kind specified under paragraph (a) (i).
- (2) The Commission may enter into an agreement with a person under this section only if it thinks that the person has committed an unlawful act.
- (3) But a person shall not be taken to admit to the commission of an unlawful act by reason only of entering into an agreement under this section.
- (4) An agreement under this section—
 - (a) may be entered into whether or not the person is or has been the subject of an investigation under section 20,
 - (b) may include incidental or supplemental provision (which may include provision for termination in specified circumstances), and
 - (c) may be varied or terminated by agreement of the parties.
- (5) This section shall apply in relation to the breach of a duty specified in section 34(2) as it applies in relation to the commission of an unlawful act; and for that purpose the

Changes to legislation: Equality Act 2006, Section 23 is up to date with all changes known to be in force on or before 14 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](#)

reference in subsection (1)(b) above to section 20 or 21 shall be taken as a reference to section 32.

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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. 21(8) inserted by [2023 c. 51 s. 4\(2\)](#)
- s. 24A(1)(aa) inserted by [2023 c. 51 s. 4\(3\)](#)