Status: Point in time view as at 25/04/2013. This version of this provision has been superseded.
Changes to legislation: Equality Act 2010, Section 129 is up to date with all changes known to be in force
on or before 31 May 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)

Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 4

EQUALITY OF TERMS

129   Time limits

(1) This section applies to—

 (a) a complaint relating to a breach of an equality clause or rule;

 (b) an application for a declaration referred to in section 127(3) or (4).

(2) Proceedings on the complaint or application may not be brought in an employment tribunal after the end of the qualifying period.

(3) If the complaint or application relates to terms of work other than terms of service in the armed forces, the qualifying period is, in a case mentioned in the first column of the table, the period mentioned in the second column [**F1**, subject to section 140A].

Case	*Qualifying period*
A standard case	The period of 6 months beginning with the last day of the employment or appointment.
A stable work case (but not if it is also a concealment or incapacity case (or both))	The period of 6 months beginning with the day on which the stable working relationship ended.
A concealment case (but not if it is also an incapacity case)	The period of 6 months beginning with the day on which the worker discovered (or could

	with reasonable diligence have discovered) the qualifying fact.
An incapacity case (but not if it is also a concealment case)	The period of 6 months beginning with the day on which the worker ceased to have the incapacity.
A case which is a concealment case and an incapacity case.	The period of 6 months beginning with the later of the days on which the period would begin if the case were merely a concealment or incapacity case.

(4) If the complaint or application relates to terms of service in the armed forces, the qualifying period is, in a case mentioned in the first column of the table, the period mentioned in the second column.

Case	*Qualifying period*
A standard case	The period of 9 months beginning with the last day of the period of service during which the complaint arose.
A concealment case (but not if it is also an incapacity case)	The period of 9 months beginning with the day on which the worker discovered (or could with reasonable diligence have discovered) the qualifying fact.
An incapacity case (but not if it is also a concealment case)	The period of 9 months beginning with the day on which the worker ceased to have the incapacity.
A case which is a concealment case and an incapacity case.	The period of 9 months beginning with the later of the days on which the period would begin if the case were merely a concealment or incapacity case.

Textual Amendments

F1   Words in s. 129(3) inserted (20.5.2011 with application as mentioned in regs. 3, 4 of the amending S.I.) by The Cross-Border Mediation (EU Directive) Regulations 2011 (S.I. 2011/1133), **reg. 57**

Commencement Information

I1   S. 129 wholly in force; s. 129 not in force at Royal Assent see s. 216; s. 129 in force at 1.10.2010 by S.I. 2010/2317, **art. 2(1)(9)(f)** (with art. 15, and subject to transitional provision in art. 7)

Status:
Point in time view as at 25/04/2013. This version of this provision has been superseded.

Changes to legislation:
Equality Act 2010, Section 129 is up to date with all changes known to be in force on or before 31 May 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.