



# Equality Act 2006

## 2006 CHAPTER 3

### PART 1

#### THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

##### *General powers*

#### 14 Codes of practice

- (1) The Commission may issue a code of practice in connection with a matter addressed by any of the following—
- the Equal Pay Act 1970 (c. 41),
  - Parts 2 to 4 and section 76A of the Sex Discrimination Act 1975 (c. 65) or an order under section 76B or 76C of that Act,
  - Parts 2 to 4 and section 71 of the Race Relations Act 1976 (c. 74),
  - Parts 2 to 4 and 5A of the Disability Discrimination Act 1995 (c. 50) except for sections 28D and 28E (accessibility in schools),
  - Part 2 of this Act,
  - regulations under Part 3 of this Act,
  - Parts 2 and 3 of the Employment Equality (Sexual Orientation) Regulations 2003 (S.I. 2003/1661),<sup>F1</sup> ...
  - Parts 2 and 3 of the Employment Equality (Religion or Belief) Regulations 2003 (S.I. 2003/1660).<sup>F2</sup> and
  - Parts 2 and 3 of the Employment Equality (Age) Regulations 2006.]
- <sup>F2</sup>(2) A code of practice under subsection (1) shall contain provision designed—
- to ensure or facilitate compliance with a provision or enactment listed in subsection (1), or
  - to promote equality of opportunity.
- (3) The Commission may issue a code of practice giving practical guidance to landlords and tenants in England or Wales about—

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*Status: Point in time view as at 01/10/2007. This version of this provision has been superseded.*

*Changes to legislation: Equality Act 2006, Section 14 is up to date with all changes known to be in force on or before 12 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)*

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- (a) circumstances in which a tenant requires the consent of his landlord to make a relevant improvement, within the meaning of section 49G(7) of the Disability Discrimination Act 1995 (c. 50) (improvements), to a dwelling house,
  - (b) reasonableness in relation to that consent, and
  - (c) the application in relation to relevant improvements (within that meaning) to dwelling houses of—
    - (i) section 19(2) of the Landlord and Tenant Act 1927 (c. 36) (consent to improvements),
    - (ii) sections 81 to 85 of the Housing Act 1980 (c. 51) (tenant's improvements),
    - (iii) sections 97 to 99 of the Housing Act 1985 (c. 68) (tenant's improvements), and
    - (iv) section 49G of the Disability Discrimination Act 1995.
- (4) The Commission may issue a code of practice giving practical guidance to landlords and tenants of houses (within the meaning of the Housing (Scotland) Act 2006 (asp 01)) in Scotland about—
- (a) circumstances in which the tenant requires the consent of the landlord to carry out work in relation to the house for the purpose of making the house suitable for the accommodation, welfare or employment of any disabled person who occupies, or intends to occupy, the house as a sole or main residence,
  - (b) circumstances in which it is unreasonable to withhold that consent,
  - (c) circumstances in which any condition imposed on the granting of that consent is unreasonable, and
  - (d) the application in relation to such work of—
    - (i) sections 28 to 31 and 34(6) of the Housing (Scotland) Act 2001 (asp 10), and
    - (ii) sections 52, 53 and 64(6) of the Housing (Scotland) Act 2006 (asp 01).
- (5) The Commission shall comply with a direction of the Secretary of State to issue a code under this section in connection with a specified matter if—
- (a) the matter is not listed in subsection (1), but
  - (b) the Secretary of State expects to add it by order under section 15(6).
- (6) Before issuing a code under this section the Commission shall—
- (a) publish proposals, and
  - (b) consult such persons as it thinks appropriate.
- (7) Before issuing a code under this section the Commission shall submit a draft to the Secretary of State, who shall—
- (a) if he approves the draft—
    - (i) notify the Commission, and
    - (ii) lay a copy before Parliament, or
  - (b) otherwise, give the Commission written reasons why he does not approve the draft.
- (8) Where a draft is laid before Parliament under subsection (7)(a)(ii), if neither House passes a resolution disapproving the draft within 40 days—
- (a) the Commission may issue the code in the form of the draft, and

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- (b) it shall come into force in accordance with provision made by the Secretary of State by order.
- (9) If, or in so far as, a code relates to a duty imposed by or under section 76A, 76B or 76C of the Sex Discrimination Act 1975 (c. 65), section 71 of the Race Relations Act 1976 (c. 74) or section 49A or 49D of the Disability Discrimination Act 1995 (c. 50) (public authorities: general anti-discrimination duties) the Secretary of State shall consult the Scottish Ministers and the [<sup>F3</sup>Welsh Ministers]<sup>F3</sup> before—
- (a) approving a draft under subsection (7)(a) above, or
- (b) making an order under subsection (8)(b) above.
- (10) In relation to a code of practice under subsection (4), the Secretary of State shall consult the Scottish Ministers before—
- (a) approving a draft under subsection (7)(a) above, or
- (b) making an order under subsection (8)(b) above.

#### Textual Amendments

- F1** Word in s. 14(1)(g) omitted (1.10.2006) by virtue of [The Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), reg. 49(1), **Sch. 8 para. 38(2)** (with regs. 44-46)
- F2** S. 14(1)(i) and preceding word inserted (1.10.2006) by [The Employment Equality \(Age\) Regulations 2006 \(S.I. 2006/1031\)](#), reg. 49(1), **Sch. 8 para. 38(3)** (with regs. 44-46)
- F3** Words in s. 14(9) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 114** the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - [Government of Wales Act 2006 \(c. 32\)](#), ss. 46, 161(5)

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