



Equality Act 2006

2006 CHAPTER 3

PART 1

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

Miscellaneous

39 Orders and regulations

- (1) An order of a Minister of the Crown under this Part and regulations under this Part shall be made by statutory instrument.
- (2) An order of a Minister of the Crown under this Part and regulations under this Part—
 - (a) may make provision generally or only for specified purposes,
 - (b) may make different provision for different purposes, and
 - (c) may include transitional, incidental or consequential provision.
- (3) An order or regulations under any of the following provisions shall be subject to annulment in pursuance of a resolution of either House of Parliament—
 - (a) section 15(3),
 - (b) section 28,
 - (c) section 29,
 - (d) section 36, and
 - (e) Part 5 of Schedule 1.
- (4) An order under section [F115(6)]—
 - (a) may, in particular, make consequential amendment of an enactment (including this Act and including an enactment in or under an Act of the Scottish Parliament), and
 - (b) may not be made unless a draft has been laid before and approved by resolution of each House of Parliament.

Changes to legislation: Equality Act 2006, Section 39 is up to date with all changes known to be in force on or before 26 January 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

- (5) An incidental provision included in an order or regulations by virtue of subsection (2) (c) may, in particular, impose a requirement for consent to action under or by virtue of the order or regulations.

Textual Amendments

- F1** Words in s. 39(4) substituted (25.6.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(10)**, 103(2)

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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\(3\)](#)