



# Equality Act 2006

## 2006 CHAPTER 3

### PART 2

#### DISCRIMINATION ON GROUNDS OF RELIGION OR BELIEF

##### *Prohibited discrimination*

#### **46 Goods, facilities and services**

- (1) It is unlawful for a person (“A”) concerned with the provision to the public or a section of the public of goods, facilities or services to discriminate against a person (“B”) who seeks to obtain or use those goods, facilities or services—
- (a) by refusing to provide B with goods, facilities or services,
  - (b) by refusing to provide B with goods, facilities or services of a quality which is the same as or similar to the quality of goods, facilities or services that A normally provides to—
    - (i) the public, or
    - (ii) a section of the public to which B belongs,
  - (c) by refusing to provide B with goods, facilities or services in a manner which is the same as or similar to that in which A normally provides goods, facilities or services to—
    - (i) the public, or
    - (ii) a section of the public to which B belongs, or
  - (d) by refusing to provide B with goods, facilities or services on terms which are the same as or similar to the terms on which A normally provides goods, facilities or services to—
    - (i) the public, or
    - (ii) a section of the public to which B belongs.
- (2) Subsection (1) applies, in particular, to—
- (a) access to and use of a place which the public are permitted to enter,
  - (b) accommodation in a hotel, boarding house or similar establishment,

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*Status: This is the original version (as it was originally enacted).*

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- (c) facilities by way of banking or insurance or for grants, loans, credit or finance,
  - (d) facilities for entertainment, recreation or refreshment,
  - (e) facilities for transport or travel, and
  - (f) the services of a profession or trade.
- (3) Where a skill is commonly exercised in different ways in relation to or for the purposes of different religions or beliefs, a person who normally exercises it in relation to or for the purpose of a religion or belief does not contravene subsection (1) by—
- (a) insisting on exercising the skill in the way in which he exercises it in relation to or for the purposes of that religion or belief, or
  - (b) if he reasonably considers it impracticable to exercise the skill in that way in relation to or for the purposes of another religion or belief, refusing to exercise it in relation to or for the purposes of that other religion or belief.
- (4) Subsection (1)—
- (a) does not apply in relation to the provision of goods, facilities or services by a person exercising a public function, and
  - (b) does not apply to discrimination in relation to the provision of goods, facilities or services if discrimination in relation to that provision—
    - (i) is unlawful by virtue of another provision of this Part or by virtue of a provision of the Employment Equality (Religion or Belief) Regulations 2003 ([S.I. 2003/1660](#)), or
    - (ii) would be unlawful by virtue of another provision of this Part or of those regulations but for an express exception.
- (5) For the purposes of subsection (1) it is immaterial whether or not a person charges for the provision of goods, facilities or services.