

*Status: Point in time view as at 21/01/2021.*

*Changes to legislation: Equality Act 2010, Paragraph 2 is up to date with all changes known to be in force on or before 03 June 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)*

## SCHEDULES

### SCHEDULE 22

#### STATUTORY PROVISIONS

##### *Protection of women*

- 2 (1) A person (P) does not contravene a specified provision only by doing in relation to a woman (W) anything P is required to do to comply with—
- (a) a pre-1975 Act enactment concerning the protection of women;
  - (b) a relevant statutory provision (within the meaning of Part 1 of the Health and Safety at Work etc. Act 1974) if it is done for the purpose of the protection of W (or a description of women which includes W);
  - (c) a requirement of a provision specified in Schedule 1 to the Employment Act 1989 (provisions concerned with protection of women at work).
- (2) The references to the protection of women are references to protecting women in relation to—
- (a) pregnancy or maternity, or
  - (b) any other circumstances giving rise to risks specifically affecting women.
- (3) It does not matter whether the protection is restricted to women.
- (4) These are the specified provisions—
- (a) Part 5 (work);
  - (b) Part 6 (education), so far as relating to vocational training.
- (5) A pre-1975 Act enactment is an enactment contained in—
- (a) an Act passed before the Sex Discrimination Act 1975;
  - (b) an instrument approved or made by or under such an Act (including one approved or made after the passing of the 1975 Act).
- (6) If an Act repeals and re-enacts (with or without modification) a pre-1975 enactment then the provision re-enacted must be treated as being in a pre-1975 enactment.
- (7) For the purposes of sub-paragraph (1)(c), a reference to a provision in Schedule 1 to the Employment Act 1989 includes a reference to a provision for the time being having effect in place of it.
- (8) This paragraph applies only to the following protected characteristics—
- (a) pregnancy and maternity;
  - (b) sex.

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#### **Commencement Information**

- II** [Sch. 22 para. 2](#) wholly in force at 1.10.2012; [Sch. 22](#) not in force at Royal Assent see [s. 216](#); [Sch. 22](#) in force for certain purposes at 1.10.2010 by [S.I. 2010/2317](#), [art. 2\(14\)\(d\)](#) (with [art. 15](#)); [Sch. 22](#) in force for remaining purposes at 1.10.2012 by [S.I. 2012/1569](#), [art. 3\(f\)](#)

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