

*Status: Point in time view as at 22/11/2019.*

*Changes to legislation: Equality Act 2010, Part 2 is up to date with all changes known to be in force on or before 18 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)*

## SCHEDULES

### SCHEDULE 26

#### AMENDMENTS

#### [<sup>F1</sup>PART 2

#### ACTS OF THE SCOTTISH PARLIAMENT]

##### Textual Amendments

- F1** Sch. 26 Pt. 2 (paras. 101-107) inserted (1.10.2010) by [The Equality Act 2010 \(Consequential Amendments, Saving and Supplementary Provisions\) Order 2010 \(S.I. 2010/2279\)](#), arts. 1(2), 12, [Sch. 1 para. 6](#)

##### [<sup>F1</sup>*Education (Disability Strategies and Pupils' Educational Records)(Scotland) Act 2002*

- 101 In section 6 of the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002 (interpretation) in the definition of “pupil with a disability” for “Disability Discrimination Act 1995 (c.50)” substitute “Equality Act 2010”.

##### *Freedom of Information (Scotland) Act 2002*

- 102 The Freedom of Information (Scotland) Act 2002 is amended as follows.
- 103 In section 11(5) (means of providing information) for “provider of services has under or by virtue of section 21 of the Disability Discrimination Act 1995 (c. 50)” substitute “ person has under or by virtue of section 29 of the Equality Act 2010 (provision of services etc) ”.
- 104 In section 12(6) (excessive cost of compliance) for “Disability Discrimination Act 1995 (c.50)” substitute “ Equality Act 2010 ”.

##### *Dog Fouling (Scotland) Act 2003*

- 105 In section 16 of the Dog Fouling (Scotland) Act 2003 (interpretation) in the definition of “disabled person” for “section 1 of the Disability Discrimination Act 1995 (c.50)” substitute “ section 6 of the Equality Act 2010 ”.

##### *Education (Additional Support for Learning) (Scotland) Act 2004*

- 106 Paragraph 3(1)(e) of schedule 2 to the Education (Additional Support for Learning) (Scotland) Act 2004 (exclusion to duty to comply with placing requests) is amended as follows—

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- (a) for “section 26 of the Sex Discrimination Act 1975 (c.65)” substitute “ paragraph 1(2) of Part 1 of Schedule 11 to the Equality Act 2010 ”, and
- (b) for “section”, where it occurs for the second time, substitute, “ paragraph ”.

***Housing (Scotland) Act 2006***

- 106A In section 194(1) of the Housing (Scotland) Act 2006 (interpretation), in the definition of “disabled person”, for “Disability Discrimination Act 1995 (c. 50)” substitute Equality Act 2010.]

***Education (Additional Support for Learning) (Scotland) Act 2009***

- 107 In section 9 of the Education (Additional Support for Learning) (Scotland) Act 2009 (functions of education authority in relation to certain pre-school children etc), in the amendment to section 5(3)(c) of the Education (Additional Support for Learning) (Scotland) Act 2004, for “Disability Discrimination Act 1995 (c.50)” substitute “ Equality Act 2010 ”.]

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