



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 2

#### CIVIL COURTS

#### 114 Jurisdiction

- (1) [<sup>F1</sup>The county court] or, in Scotland, the sheriff has jurisdiction to determine a claim relating to—
  - (a) a contravention of Part 3 (services and public functions);
  - (b) a contravention of Part 4 (premises);
  - (c) a contravention of Part 6 (education);
  - (d) a contravention of Part 7 (associations);
  - (e) a contravention of section 108, 111 or 112 that relates to Part 3, 4, 6 or 7.
- (2) Subsection (1)(a) does not apply to a claim within section 115.
- (3) Subsection (1)(c) does not apply to a claim within section 116.
- (4) Subsection (1)(d) does not apply to a contravention of section 106.
- (5) For the purposes of proceedings on a claim within subsection (1)(a)—
  - (a) a decision in proceedings on a claim mentioned in section 115(1) that an act is a contravention of Part 3 is binding;
  - (b) it does not matter whether the act occurs outside the United Kingdom.
- (6) The county court or sheriff—
  - (a) must not grant an interim injunction or interdict unless satisfied that no criminal matter would be prejudiced by doing so;

*Status: Point in time view as at 01/04/2018.*

*Changes to legislation: Equality Act 2010, Section 114 is up to date with all changes known to be in force on or before 29 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)*

- (b) must grant an application to stay or sist proceedings under subsection (1) on grounds of prejudice to a criminal matter unless satisfied the matter will not be prejudiced.
- (7) In proceedings in England and Wales on a claim within subsection (1), the power under section 63(1) of the County Courts Act 1984 (appointment of assessors) must be exercised unless the judge is satisfied that there are good reasons for not doing so.
- (8) In proceedings in Scotland on a claim within subsection (1), the power under rule 44.3 of Schedule 1 to the Sheriff Court (Scotland) Act 1907 (appointment of assessors) must be exercised unless the sheriff is satisfied that there are good reasons for not doing so.
- (9) The remuneration of an assessor appointed by virtue of subsection (8) is to be at a rate determined by the Lord President of the Court of Session.

#### Textual Amendments

- F1** Words in s. 114(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954](#), [art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

#### Commencement Information

- II** S. 114 wholly in force; s. 114 not in force at Royal Assent see s. 216; s. 114 in force at 1.10.2010 by [S.I. 2010/2317](#), [art. 2\(1\)\(9\)\(a\)](#) (with [art. 15](#), and subject to transitional provision in [art. 7](#))

**Status:**

Point in time view as at 01/04/2018.

**Changes to legislation:**

Equality Act 2010, Section 114 is up to date with all changes known to be in force on or before 29 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.