



Equality Act 2010

2010 CHAPTER 15

PART 2

EQUALITY: KEY CONCEPTS

CHAPTER 2

PROHIBITED CONDUCT

Discrimination

14 Combined discrimination: dual characteristics

- (1) A person (A) discriminates against another (B) if, because of a combination of two relevant protected characteristics, A treats B less favourably than A treats or would treat a person who does not share either of those characteristics.
- (2) The relevant protected characteristics are—
 - (a) age;
 - (b) disability;
 - (c) gender reassignment;
 - (d) race
 - (e) religion or belief;
 - (f) sex;
 - (g) sexual orientation.
- (3) For the purposes of establishing a contravention of this Act by virtue of subsection (1), B need not show that A's treatment of B is direct discrimination because of each of the characteristics in the combination (taken separately).
- (4) But B cannot establish a contravention of this Act by virtue of subsection (1) if, in reliance on another provision of this Act or any other enactment, A shows that

Status: This is the original version (as it was originally enacted).

A's treatment of B is not direct discrimination because of either or both of the characteristics in the combination.

- (5) Subsection (1) does not apply to a combination of characteristics that includes disability in circumstances where, if a claim of direct discrimination because of disability were to be brought, it would come within section 116 (special educational needs).
- (6) A Minister of the Crown may by order amend this section so as to—
 - (a) make further provision about circumstances in which B can, or in which B cannot, establish a contravention of this Act by virtue of subsection (1);
 - (b) specify other circumstances in which subsection (1) does not apply.
- (7) The references to direct discrimination are to a contravention of this Act by virtue of section 13.