



# Equality Act 2010

## 2010 CHAPTER 15

### PART 11

#### ADVANCEMENT OF EQUALITY

### CHAPTER 1

#### PUBLIC SECTOR EQUALITY DUTY

#### **151 Power to specify public authorities**

- (1) A Minister of the Crown may by order amend Part 1, 2 or 3 of Schedule 19.
- (2) The Welsh Ministers may by order amend Part 2 of Schedule 19.
- (3) The Scottish Ministers may by order amend Part 3 of Schedule 19.
- (4) The power under subsection (1), (2) or (3) may not be exercised so as to—
  - (a) add an entry to Part 1 relating to a relevant Welsh or Scottish authority or a cross-border Welsh or Scottish authority;
  - (b) add an entry to Part 2 relating to a person who is not a relevant Welsh authority;
  - (c) add an entry to Part 3 relating to a person who is not a relevant Scottish authority.
- (5) A Minister of the Crown may by order amend Schedule 19 so as to make provision relating to a cross-border Welsh or Scottish authority.
- (6) On the first exercise of the power under subsection (5) to add an entry relating to a cross-border Welsh or Scottish authority to Schedule 19, a Minister of the Crown must—
  - (a) add a Part 4 to the Schedule for cross-border authorities, and
  - (b) add the cross-border Welsh or Scottish authority to that Part.

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**Status:** Point in time view as at 28/01/2016.

**Changes to legislation:** Equality Act 2010, Section 151 is up to date with all changes known to be in force on or before 27 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)

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- (7) Any subsequent exercise of the power under subsection (5) to add an entry relating to a cross-border Welsh or Scottish authority to Schedule 19 must add that entry to Part 4 of the Schedule.
- (8) An order may not be made under this section so as to extend the application of section 149 unless the person making it considers that the extension relates to a person by whom a public function is exercisable.
- (9) An order may not be made under this section so as to extend the application of section 149 to—
  - (a) the exercise of a function referred to in paragraph 3 of Schedule 18 (judicial functions, etc);
  - (b) a person listed in paragraph 4(2)(a) to (e) of that Schedule (Parliament, devolved legislatures and General Synod);
  - (c) the exercise of a function listed in paragraph 4(3) of that Schedule (proceedings in Parliament or devolved legislatures).

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