



# Equality Act 2010

## 2010 CHAPTER 15

### PART 14

#### GENERAL EXCEPTIONS

#### 197 Age

- (1) A Minister of the Crown may by order amend this Act to provide that any of the following does not contravene this Act so far as relating to age—
  - (a) specified conduct;
  - (b) anything done for a specified purpose;
  - (c) anything done in pursuance of arrangements of a specified description.
- (2) Specified conduct is conduct—
  - (a) of a specified description,
  - (b) carried out in specified circumstances, or
  - (c) by or in relation to a person of a specified description.
- (3) An order under this section may—
  - (a) confer on a Minister of the Crown or the Treasury a power to issue guidance about the operation of the order (including, in particular, guidance about the steps that may be taken by persons wishing to rely on an exception provided for by the order);
  - (b) require the Minister or the Treasury to carry out consultation before issuing guidance under a power conferred by virtue of paragraph (a);
  - (c) make provision (including provision to impose a requirement) that refers to guidance issued under a power conferred by virtue of paragraph (a).
- (4) Guidance given by a Minister of the Crown or the Treasury in anticipation of the making of an order under this section is, on the making of the order, to be treated as if it has been issued in accordance with the order.
- (5) For the purposes of satisfying a requirement imposed by virtue of subsection (3)(b), the Minister or the Treasury may rely on consultation carried out before the making

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*Status: Point in time view as at 23/07/2018.*

*Changes to legislation: Equality Act 2010, Section 197 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)*

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of the order that imposes the requirement (including consultation carried out before the commencement of this section).

- (6) Provision by virtue of subsection (3)(c) may, in particular, refer to provisions of the guidance that themselves refer to a document specified in the guidance.
- (7) Guidance issued (or treated as issued) under a power conferred by virtue of subsection (3)(a) comes into force on such day as the person who issues the guidance may by order appoint; and an order under this subsection may include the text of the guidance or of extracts from it.
- (8) This section is not affected by any provision of this Act which makes special provision in relation to age.
- (9) The references to this Act in subsection (1) do not include references to—
  - (a) Part 5 (work);
  - (b) Chapter 2 of Part 6 (further and higher education).

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