



Equality Act 2010

2010 CHAPTER 15

PART 1 **E+W+S**

SOCIO-ECONOMIC INEQUALITIES

2 Power to amend section 1 **E+W+S**

- (1) A Minister of the Crown may by regulations amend section 1 so as to—
 - (a) add a public authority to the authorities that are subject to the duty under subsection (1) of that section;
 - (b) remove an authority from those that are subject to the duty;
 - (c) make the duty apply, in the case of a particular authority, only in relation to certain functions that it has;
 - (d) in the case of an authority to which the application of the duty is already restricted to certain functions, remove or alter the restriction.
- (2) In subsection (1) “public authority” means an authority that has functions of a public nature.
- (3) Provision made under subsection (1) may not impose a duty on an authority in relation to any devolved Scottish functions or devolved Welsh functions.
- (4) The Scottish Ministers or the Welsh Ministers may by regulations amend section 1 so as to—
 - (a) add a relevant authority to the authorities that are subject to the duty under subsection (1) of that section;
 - (b) remove a relevant authority from those that are subject to the duty;
 - (c) make the duty apply, in the case of a particular relevant authority, only in relation to certain functions that it has;
 - (d) in the case of a relevant authority to which the application of the duty is already restricted to certain functions, remove or alter the restriction.
- (5) For the purposes of the power conferred by subsection (4) on the Scottish Ministers, “relevant authority” means an authority whose functions—

Status: Point in time view as at 31/03/2021.

Changes to legislation: Equality Act 2010, Section 2 is up to date with all changes known to be in force on or before 30 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)

- (a) are exercisable only in or as regards Scotland,
 - (b) are wholly or mainly devolved Scottish functions, and
 - (c) correspond or are similar to those of an authority for the time being specified in section 1(3).
- (6) For the purposes of the power conferred by subsection (4) on the Welsh Ministers, “relevant authority” means [^{F1}a devolved Welsh authority (within the meaning given by section 157A of the Government of Wales Act 2006) whose functions correspond] or are similar to those of an authority for the time being specified in subsection (3) of section 1 or referred to in subsection (4) of that section.
- ^{F2}(7)
- (8) Regulations under this section may make any amendments of section 1 that appear to the Minister or Ministers to be necessary or expedient in consequence of provision made under subsection (1) or (as the case may be) subsection (4).
- ^{F3}(9)
- ^{F4}(10)
- (11) For the purposes of this [^{F5}Part]—
- (a) a function is a devolved Scottish function if it is exercisable in or as regards Scotland and it does not relate to reserved matters (within the meaning of the Scotland Act 1998);
 - ^{F6}(b)

Textual Amendments	
F1	Words in s. 2(6) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), Sch. 6 para. 83(2) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)
F2	S. 2(7) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), ss. 45(3), 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
F3	S. 2(9) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), ss. 45(3), 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
F4	S. 2(10) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), ss. 45(3), 71(4) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
F5	Word in s. 2(11) substituted (23.5.2016) by Scotland Act 2016 (c. 11), ss. 38(8), 72(7)
F6	S. 2(11)(b) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), s. 71(4), Sch. 6 para. 83(3) (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)
Commencement Information	
I1	S. 2 in force at 1.4.2018 for S. by S.S.I. 2017/403, art. 2(1)(b)
I2	S. 2 in force at 22.11.2019 for specified purposes for W. by S.I. 2019/1469, art. 2

Status:

Point in time view as at 31/03/2021.

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