



# Equality Act 2010

## 2010 CHAPTER 15

### PART 16

#### GENERAL AND MISCELLANEOUS

##### *EU obligations*

#### **203 Harmonisation**

- (1) This section applies if—
  - (a) there is a Community obligation of the United Kingdom which a Minister of the Crown thinks relates to the subject matter of the Equality Acts,
  - (b) the obligation is to be implemented by the exercise of the power under section 2(2) of the European Communities Act 1972 (the implementing power), and
  - (c) the Minister thinks that it is appropriate to make harmonising provision in the Equality Acts.
- (2) The Minister may by order make the harmonising provision.
- (3) If the Minister proposes to make an order under this section, the Minister must consult persons and organisations the Minister thinks are likely to be affected by the harmonising provision.
- (4) If, as a result of the consultation under subsection (3), the Minister thinks it appropriate to change the whole or part of the proposal, the Minister must carry out such further consultation with respect to the changes as the Minister thinks appropriate.
- (5) The Equality Acts are the Equality Act 2006 and this Act.
- (6) Harmonising provision is provision made in relation to relevant subject matter of the Equality Acts—
  - (a) which corresponds to the implementing provision, or

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*Status: This is the original version (as it was originally enacted).*

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- (b) which the Minister thinks is necessary or expedient in consequence of or related to provision made in pursuance of paragraph (a) or the implementing provision.
- (7) The implementing provision is provision made or to be made in exercise of the implementing power in relation to so much of the subject matter of the Equality Acts as implements a Community obligation.
- (8) Relevant subject matter of the Equality Acts is so much of the subject matter of those Acts as does not implement a Community obligation.
- (9) A harmonising provision may amend a provision of the Equality Acts.
- (10) The reference to this Act does not include a reference to this section or Schedule 24 or to a provision specified in that Schedule.
- (11) A Minister of the Crown must report to Parliament on the exercise of the power under subsection (2)—
  - (a) at the end of the period of 2 years starting on the day this section comes into force;
  - (b) at the end of each succeeding period of 2 years.