



Equality Act 2010

2010 CHAPTER 15

PART 16

GENERAL AND MISCELLANEOUS

EU obligations

204 Harmonisation: procedure

- (1) If, after the conclusion of the consultation required under section 203, the Minister thinks it appropriate to proceed with the making of an order under that section, the Minister must lay before Parliament—
 - (a) a draft of a statutory instrument containing the order, together with
 - (b) an explanatory document.
- (2) The explanatory document must—
 - (a) introduce and give reasons for the harmonising provision;
 - (b) explain why the Minister thinks that the conditions in subsection (1) of section 203 are satisfied;
 - (c) give details of the consultation carried out under that section;
 - (d) give details of the representations received as a result of the consultation;
 - (e) give details of such changes as were made as a result of the representations.
- (3) Where a person making representations in response to the consultation has requested the Minister not to disclose them, the Minister must not disclose them under subsection (2)(d) if, or to the extent that, to do so would (disregarding any connection with proceedings in Parliament) constitute an actionable breach of confidence.
- (4) If information in representations made by a person in response to consultation under section 203 relates to another person, the Minister need not disclose the information under subsection (2)(d) if or to the extent that—
 - (a) the Minister thinks that the disclosure of information could adversely affect the interests of that other person, and

Status: This is the original version (as it was originally enacted).

- (b) the Minister has been unable to obtain the consent of that other person to the disclosure.
- (5) The Minister may not act under subsection (1) before the end of the period of 12 weeks beginning with the day on which the consultation under section 203(3) begins.
- (6) Laying a draft of a statutory instrument in accordance with subsection (1) satisfies the condition as to laying imposed by subsection (8) of section 208, in so far as that subsection applies in relation to orders under section 203.