



# Equality Act 2010

## 2010 CHAPTER 15

### PART 16

#### GENERAL AND MISCELLANEOUS

##### *Application*

#### **205 Crown application**

- (1) The following provisions of this Act bind the Crown—
  - (a) Part 1 (public sector duty regarding socio-economic inequalities);
  - (b) Part 3 (services and public functions), so far as relating to the exercise of public functions;
  - (c) Chapter 1 of Part 11 (public sector equality duty).
- (2) Part 5 (work) binds the Crown as provided for by that Part.
- (3) The remainder of this Act applies to Crown acts as it applies to acts done by a private person.
- (4) For the purposes of subsection (3), an act is a Crown act if (and only if) it is done—
  - (a) by or on behalf of a member of the executive,
  - (b) by a statutory body acting on behalf of the Crown, or
  - (c) by or on behalf of the holder of a statutory office acting on behalf of the Crown.
- (5) A statutory body or office is a body or office established by an enactment.
- (6) The provisions of Parts 2 to 4 of the Crown Proceedings Act 1947 apply to proceedings against the Crown under this Act as they apply to proceedings in England and Wales which, as a result of section 23 of that Act, are treated for the purposes of Part 2 of that Act as civil proceedings by or against the Crown.
- (7) The provisions of Part 5 of that Act apply to proceedings against the Crown under this Act as they apply to proceedings in Scotland which, as a result of that Part, are treated as civil proceedings by or against the Crown.

*Status: Point in time view as at 25/04/2013.*

*Changes to legislation: Equality Act 2010, Section 205 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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- (8) But the proviso to section 44 of that Act (removal of proceedings from the sheriff to the Court of Session) does not apply to proceedings under this Act.

**Status:**

Point in time view as at 25/04/2013.

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