
STATUTORY INSTRUMENTS

2010 No. 2317

**The Equality Act 2010 (Commencement No. 4,
Savings, Consequential, Transitional, Transitory and
Incidental Provisions and Revocation) Order 2010**

Commencement and savings relating to the Additional Support Needs Tribunal for Scotland

4.—(1) Paragraph (2) applies in relation to a claim that the responsible body of a school in Scotland to which section 85 of the 2010 Act applies has contravened Part 6 of the 2010 Act because of a person's disability, if the act complained of is done on 1st October 2010 or is done after that date but before 18th March 2011, and the legal proceedings in respect of it are instituted before 18th March 2011.

(2) Despite their repeal by Schedule 27 to the 2010 Act, section 28N of, and Part 3 of Schedule 3 to, the 1995 Act⁽¹⁾ have effect in relation to the claim; and for that purpose, the reference in paragraph 9 of that Schedule to Chapter 1 of Part 4 of the 1995 Act is to be read as a reference to Part 6 of the 2010 Act so far as relating to disability.

(3) Subsection (6) of section 118 of the 2010 Act applies for the purposes of this article as it applies for the purposes of that section.

(1) Section 28N was inserted by the Special Educational Needs and Disability Act 2001 (c.10), section 23 and amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 24 and by S.I. 2008/2833. Part 3 of Schedule 3 was inserted by the Special Educational Needs and Disability Act 2001, Schedule 3, paragraph 1 and amended by the Education (Wales) Measure 2009 (2009 No. 5), Schedule, paragraphs 6 and 9, the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 38, S.I. 2008/2833, the Education Act 2002, Schedule 18, paragraphs 7 and 12, the 2006 Act, Schedule 3, paragraphs 41 and 56 and S.I. 2007/1388.