

2010 No. 2317 (C. 112)

EQUALITY

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

Made - - - - *20th September 2010*

Coming into force - - *1st October 2010*

The Secretary of State, in exercise of the powers conferred by sections 207(4) and (6) and 216(3) of the Equality Act 2010(a), makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010.

(2) This Order comes into force on 1st October 2010 immediately after the commencement of the 2010 Order(b).

(3) In this Order—

“the 1970 Act” means the Equal Pay Act 1970(c);

“the 1975 Act” means the Sex Discrimination Act 1975(d);

“the 1976 Act” means the Race Relations Act 1976(e);

“the 1986 Act” means the Sex Discrimination Act 1986(f);

“the 1989 Act” means the Employment Act 1989(g);

“the 1995 Act” means the Disability Discrimination Act 1995(h);

“the Religion or Belief Regulations” means the Employment Equality (Religion or Belief) Regulations 2003(i);

“the 2003 Sexual Orientation Regulations” means the Employment Equality (Sexual Orientation) Regulations 2003(j);

“the 2006 Act” means the Equality Act 2006(k);

(a) 2010 c.15, amended by the 2010 Order.

(b) S.I. 2010/2279.

(c) 1970 c.41.

(d) 1975 c.65.

(e) 1976 c.74.

(f) 1986 c.59.

(g) 1989 c.38.

(h) 1995 c.50.

(i) S.I. 2003/1660.

(j) S.I. 2003/1661.

(k) 2006 c.3.

- “the Age Regulations” means the Employment Equality (Age) Regulations 2006(a);
- “the 2007 Sexual Orientation Regulations” means the Equality Act (Sexual Orientation) Regulations 2007(b);
- “the 2010 Act” means the Equality Act 2010;
- “the 2010 Order” means the Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010;
- “previous enactment” means—
- (a) the 1970 Act;
 - (b) the 1975 Act;
 - (c) the 1976 Act;
 - (d) the 1986 Act;
 - (e) the 1995 Act;
 - (f) the 2006 Act;
 - (g) the Religion or Belief Regulations;
 - (h) the 2003 Sexual Orientation Regulations;
 - (i) the Age Regulations;
 - (j) the 2007 Sexual Orientation Regulations.

Provisions coming into force on 1st October 2010

2.—(1) Subject to articles 3 to 25, the relevant provisions of the 2010 Act, as set out in the following paragraphs, come into force on 1st October 2010.

- (2) In Part 2 (equality: key concepts), the relevant provisions are—
- (a) sections 4 and 5;
 - (b) section 6 in so far as it is not already in force;
 - (c) sections 7 to 13;
 - (d) sections 15 to 21;
 - (e) section 22 in so far as it is not already in force;
 - (f) sections 23 to 27;
 - (g) Schedule 1 in so far as it is not already in force.
- (3) In Part 3 (services and public functions), all the provisions are relevant provisions except—
- (a) so far as they apply to the protected characteristic of age;
 - (b) paragraph 2 of Schedule 2 so far as it relates to the third requirement in a case where A is—
 - (i) a local authority in England or Wales exercising functions under the Education Acts, or
 - (ii) an education authority exercising functions under an enactment specified in paragraph 10(2) of Schedule 3 to the 2010 Act.
- (4) In Part 4 (premises), the relevant provisions are—
- (a) sections 32 to 35;
 - (b) section 36(1)(a) to (c), (2) to (4), (7) and (8);
 - (c) section 38(1) to (7) and (9);
 - (d) section 38(8) in so far as it relates to the provisions set out in paragraph (e);

(a) S.I. 2006/1031.

(b) S.I. 2007/1263.

- (e) in Schedule 4—
 - (i) paragraphs 1 to 4;
 - (ii) paragraph 8 except so far as it relates to paragraph 5(4)(c);
 - (iii) paragraph 9 in so far as it is not already in force;
 - (f) Schedule 5.
- (5) In Part 5 (work), the relevant provisions are—
- (a) sections 39 to 60;
 - (b) section 61 in so far as it is not already in force;
 - (c) sections 62 to 77;
 - (d) section 79;
 - (e) sections 80 to 83 in so far as they are not already in force;
 - (f) Schedule 6;
 - (g) Schedule 7 in so far as it is not already in force;
 - (h) Schedule 8;
 - (i) Schedule 9 in so far as it is not already in force.
- (6) In Part 6 (education), the relevant provisions are—
- (a) sections 84 to 93;
 - (b) section 94 in so far as it is not already in force;
 - (c) section 95;
 - (d) sections 96 and 97 in so far as they are not already in force;
 - (e) section 98 (except as provided in paragraph (i));
 - (f) section 99;
 - (g) Schedules 10 and 11;
 - (h) Schedule 12 in so far as it is not already in force;
 - (i) Schedule 13 except—
 - (i) paragraph 2 so far as it relates to the third requirement;
 - (ii) paragraph 5 so far as it relates to the third requirement in a case where A is the governing body of a maintained school (within the meaning of section 92 of the 2010 Act);
 - (j) Schedule 14.
- (7) In Part 7 (associations), the relevant provisions are—
- (a) sections 100 to 105 except so far as they apply to the protected characteristic of age;
 - (b) section 107 except so far as it applies to the protected characteristic of age;
 - (c) Schedule 15;
 - (d) Schedule 16 except so far as it applies to the protected characteristic of age.
- (8) In Part 8 (prohibited conduct: ancillary), all the provisions are relevant provisions.
- (9) In Part 9 (enforcement), the relevant provisions are—
- (a) sections 113 to 115;
 - (b) section 116(1)(a) and (b) and (2);
 - (c) section 116(1)(c) so far as it relates to, and for the purpose of, making rules under Part 3 of Schedule 17 to the 2010 Act;
 - (d) section 116(3) in so far as it relates to the provisions set out in paragraph (k);
 - (e) section 117 in so far as it is not already in force;
 - (f) sections 118 to 135;

- (g) section 136(1) to (6)(a) to (e);
 - (h) section 137;
 - (i) section 138 in so far as it is not already in force;
 - (j) sections 139 to 141;
 - (k) in Schedule 17—
 - (i) Parts 1 and 2 in so far as they are not already in force;
 - (ii) Part 3 so far as it confers or relates to the power to make rules under paragraph 10 of that Schedule;
 - (iii) Part 4.
- (10) In Part 10 (contracts, etc.), the relevant provisions are—
- (a) sections 142 to 146;
 - (b) section 147 in so far as it is not already in force;
 - (c) section 148.
- (11) In Part 11 (advancement of equality), the relevant provisions are—
- (a) section 158;
 - (b) section 159(3) for the purposes of section 158(4)(a) only.
- (12) In Part 12 (disabled persons: transport), the relevant provisions are—
- (a) section 161 so far as it confers the power to make regulations;
 - (b) section 165 so far as it relates to, and for the purpose of, the issue of exemption certificates under section 166;
 - (c) section 166;
 - (d) section 167(1) to (5), and (7), so far as it relates to, and for the purpose of, the issue of exemption certificates under section 166;
 - (e) section 167(6);
 - (f) sections 168 to 185;
 - (g) sections 187 and 188.
- (13) In Part 13 (disability: miscellaneous), the relevant provisions are—
- (a) section 189 in so far as it is not already in force;
 - (b) section 190;
 - (c) Schedule 21 in so far as it is not already in force.
- (14) In Part 14 (general exceptions), the relevant provisions are—
- (a) section 191 (except as provided in paragraph (d));
 - (b) sections 192 to 195;
 - (c) section 196 (except as provided in paragraph (e));
 - (d) Schedule 22 except so far as it applies to the protected characteristic of age in Parts 3 and 7 of the 2010 Act;
 - (e) Schedule 23 except so far as it applies to the protected characteristic of age in Parts 3 and 7 of the 2010 Act.
- (15) In Part 16 (general and miscellaneous), the relevant provisions are—
- (a) section 206;
 - (b) section 211(1) in so far as it relates to the provisions set out in paragraph (e));
 - (c) section 211(2) (except as provided in paragraph (f));
 - (d) Schedule 25;

- (e) in Schedule 26(a)—
 - (i) paragraphs 1 to 8;
 - (ii) paragraphs 13 to 60;
 - (iii) paragraph 61 in so far as it is not already in force;
 - (iv) paragraphs 62 to 64;
 - (v) paragraph 65(4);
 - (vi) paragraphs 66 to 72;
 - (vii) paragraph 75;
 - (viii) paragraph 76 except so far as it relates to section 34(2)(a) and (b) of the 2006 Act, as substituted by sub-paragraph (3)(b) of that paragraph;
 - (ix) paragraphs 77 to 81;
 - (x) paragraph 82 except so far as it relates to sections 84 and 85(b) of the 2006 Act;
 - (xi) paragraphs 83 to 107;
- (f) Schedule 27(c) except so far as it repeals—
 - (i) sections 76A to 76C of the 1975 Act(d) (and section 81 of that Act so far as relating to those sections);
 - (ii) sections 71 to 71B of, and Schedule 1A to, the 1976 Act(e);
 - (iii) sections 17(8), 18 and 19(10) of the Local Government Act 1988(f);
 - (iv) sections 49A to 49D of the 1995 Act(g);
 - (v) section 404 of the Greater London Authority Act 1999(h);
 - (vi) sections 84 and 85 of the 2006 Act;
 - (vii) sections 55 and 56 of the Local Transport Act 2008(i).

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

3. The following provisions of Part 9 of the 2010 Act (enforcement) (in so far as not coming into force under article 2(9)) come into force on 18th March 2011—

- (a) section 116(1)(c);
- (b) section 116(3);
- (c) section 136(6)(f);
- (d) in Schedule 17, Part 3.

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- (a) Schedule 26 has been amended by the 2010 Order and the paragraphs within it have been renumbered.
 - (b) By virtue of S.I. 2009/2231, references in section 85 of the 2006 Act to an office-holder in the Scottish Administration are to be taken to include a reference to the Scottish Court Service established by the Judiciary and Courts (Scotland) Act 2008 (2008 asp 6), section 60(1).
 - (c) Schedule 27 has been amended by the 2010 Order.
 - (d) Section 76A was inserted by the 2006 Act, section 84(1) and was amended by S.I. 2007/1388 and 2007/2914. Sections 76B and 76C were inserted by the 2006 Act, section 85(1) and were amended by S.I. 2007/2914. Section 76B was also amended by S.I. 2007/1388.
 - (e) Sections 71 to 71B of the 1976 Act were substituted by the Race Relations (Amendment) Act 2000 (c.21), section 2(1). Sections 71 and 71B were amended by S.I. 2007/2914. Section 71B was also amended by S.I. 2007/1388. Section 71A was amended by the Nationality, Immigration and Asylum Act 2002 (c.41), section 6(5) and Schedule 9. Schedule 1A was inserted by the Race Relations (Amendment) Act 2000, Schedule 1 and has been subject to amendments not relevant to this Order.
 - (f) 1988 c.9; section 17(8) was amended by the Trade Union and Labour Relations Consolidation Act 1992 (c.52), Schedule 2, paragraph 38 and by S.I. 2009/1941. Section 18 was amended by the Race Relations (Amendment) Act 2000, Schedule 2, paragraphs 20 to 22 and the Environment Act 1995 (c.25), Schedule 8, paragraph 8.
 - (g) Sections 49A to 49D were inserted by the Disability Discrimination Act 2005 (c.13), section 3. Section 49B was amended by S.I. 2007/1388. Section 49C was amended by the 2006 Act, section 88 and S.I. 2007/1388. Section 49D was amended by the 2006 Act, Schedule 3, paragraphs 41 and 48 and S.I. 2007/1388.
 - (h) 1999 c.29; section 404 was amended by the Greater London Authority Act 2007 (c.24), section 11 and Schedule 2.
 - (i) 2008 c.26.

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(a) 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.

Savings and consequential amendments relating to Wales

5.—(1) Despite their lapse by virtue of Schedule 27 to the 2010 Act, subject to paragraph (2), the Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002(b) continue in effect so far as they relate to Wales until regulations under paragraph 6 of Schedule 17 to the 2010 Act come into force.

(2) In regulation 2 of those Regulations—

(a) after the definition of “the 1996 Act” insert—

““the 2010 Act” means the Equality Act 2010;”;

(b) in the definition of “claim”, for “of unlawful discrimination under Chapter 1 of Part IV of the 1995 Act” substitute—

“under Chapter 1 of Part 6 of the 2010 Act for—

(i) disability discrimination,

(ii) harassment related to disability, or

(iii) victimisation within the meaning of section 27 of the 2010 Act where the protected act in question relates to disability;”;

(c) after the definition of “the clerk to the tribunal” insert—

““disability” means disability within the meaning of section 6 of the 2010 Act;”.

6. Despite its repeal by Schedule 27 to the 2010 Act, section 28JA of the 1995 Act(c) continues to have effect but the references in that section to proceedings under Chapter 1 of Part IV of the 1995 Act are to be read as references to proceedings under Chapter 1 of Part 6 of the 2010 Act and section 116 of, and Schedule 17 to, that Act.

Transitional provisions

7. Part 9 of the 2010 Act (enforcement) applies where—

(a) an act carried out before 1st October 2010 is unlawful under a previous enactment, and

(b) that act continues on or after 1st October 2010 and is unlawful under the 2010 Act.

8.—(1) Paragraph (2) applies to the following acts—

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- (a) 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.
- (b) S.I. 2002/1985, amended by S.I. 2008/2683, which was made under sections 28J(1), (2), (3) and (8), 67(1) and (3) and 68(1) of the 1995 Act, which is being repealed by Schedule 27 to the 2010 Act. It was also made under other powers not relevant to this Order.
- (c) Section 28JA was inserted by S.I. 2008/2833.

- (a) bringing proceedings under a previous enactment;
- (b) giving evidence or information in connection with proceedings under a previous enactment;
- (c) doing any other thing for the purposes of or in connection with a previous enactment;
- (d) making an allegation (whether or not express) that another person has contravened a previous enactment.

(2) Section 27 of the 2010 Act (victimisation) applies in relation to an act to which this paragraph applies, and for that purpose the references in that section to “this Act” are to be read as references to the relevant previous enactment.

Transitory provision relating to the public sector equality duty

9. Pending the commencement of paragraph 76 of Schedule 26 to the 2010 Act(a) so far as it relates to section 34(2)(b) of the 2006 Act, as substituted by sub-paragraph (3) of that paragraph, section 34 of the 2006 Act, and section 33(1) of that Act(b) so far as it applies to that section, apply in relation to duties under or by virtue of—

- (a) sections 76A to 76C of the 1975 Act;
- (b) section 71 of the 1976 Act; and
- (c) sections 49A to 49D of the 1995 Act.

Transitory provisions relating to ships and hovercraft

10.—(1) In this article, “shipping matter” means—

- (a) transporting people by ship or hovercraft,
- (b) a service provided on a ship or hovercraft, or
- (c) the exercise of a public function in relation to a ship or hovercraft that is not the provision of a service to the public or a section of the public.

(2) Despite their repeal or revocation by Schedule 27 to the 2010 Act, the provisions set out in Schedule 1 continue to have effect so far as they relate to a shipping matter within paragraph 1(a) or (b) until regulations under section 30(1) of the 2010 Act come into force.

(3) Despite their repeal by Schedule 27 to the 2010 Act, the provisions of the 1995 Act set out in Schedule 1, so far as they relate to discrimination within the meaning of section 21D of that Act, continue to have effect so far as they relate to a shipping matter within paragraph 1(c) until regulations under section 30(2) of the 2010 Act come into force.

(4) The following provisions of Schedule 26 to the 2010 Act(c) do not come into force in relation to a shipping matter within paragraph 1(a) or (b) until regulations under section 30(1) of the 2010 Act come into force—

- (a) paragraph 67 (amendment of section 21(2)(b) of the 2006 Act) and paragraph 61(d) so far as relating to that paragraph; and
- (b) paragraphs 69 and 70(e) (repeal of sections 25 and 26 of the 2006 Act(f)) and paragraph 61 so far as relating to those paragraphs.

(5) Paragraphs 67, 69 and 70 of Schedule 26 to the 2010 Act, and paragraph 61 of that Schedule so far as relating to those paragraphs, so far as they relate to disability discrimination, do not come into force in relation to a shipping matter within paragraph 1(c) until regulations under section 30(2) of the 2010 Act come into force.

(a) Paragraph 76 of Schedule 26 was renumbered as such by the 2010 Order.
 (b) Section 33(1) was amended by S.I. 2006/1031.
 (c) Schedule 26 has been amended by the 2010 Order and the paragraphs within it have been renumbered.
 (d) Paragraphs 61 and 67 of Schedule 26 were renumbered as such by the 2010 Order.
 (e) Paragraphs 69 and 70 of Schedule 26 were renumbered as such by the 2010 Order.
 (f) Section 25 was amended by S.I. 2006/1721 and 2007/1263.

(6) Despite its lapse by virtue of Schedule 27 to the 2010 Act, subordinate legislation specified in Schedule 2 continues to have effect so far as it relates to a shipping matter within paragraph 1(a) or (b) until regulations under section 30(1) of the 2010 Act come into force.

(7) Despite its lapse by virtue of Schedule 27 to the 2010 Act, subordinate legislation made under the 1995 Act that is specified in Schedule 2, so far as it relates to discrimination within the meaning of section 21D of that Act, continues to have effect so far as it relates to a shipping matter within paragraph 1(c) until regulations under section 30(2) of the 2010 Act come into force.

(8) Despite their amendment by the 2010 Order, the following provisions continue to apply in the form immediately before their amendment by that Order, so far as they relate to a shipping matter within paragraph 1(a) or (b), until regulations under section 30(1) of the 2010 Act come into force—

- (a) sections 76A to 76C of the 1975 Act;
- (b) sections 71 to 71B of, and Schedule 1A to, the 1976 Act;
- (c) sections 49A to 49D of the 1995 Act.

(9) Despite their amendment by the 2010 Order, sections 49A to 49D of the 1995 Act, so far as they relate to discrimination within the meaning of section 21D of that Act, continue to apply in the form immediately before their amendment by that Order, so far as they relate to a shipping matter within paragraph 1(c), until regulations under section 30(2) of the 2010 Act come into force.

11.—(1) Despite their repeal or revocation by Schedule 27 to the 2010 Act, the provisions set out in Schedule 3 continue to have effect so far as they relate to work on ships, work on hovercraft and seafarers until regulations under section 81 of the 2010 Act come into force.

(2) The following provisions of Schedule 26 to the 2010 Act^(a) do not come into force in relation to work on ships, work on hovercraft and seafarers until regulations under section 81 of the 2010 Act come into force—

- (a) paragraph 15 (amendment of section 12 of the 1989 Act) and paragraph 13^(b) so far as relating to that paragraph;
- (b) paragraph 67 (amendment of section 21(2)(b) of the 2006 Act) and paragraph 61 so far as relating to that paragraph;
- (c) paragraphs 69 and 70 (repeal of sections 25 and 26 of the 2006 Act) and paragraph 61 so far as relating to those paragraphs.

(3) Despite its lapse by virtue of Schedule 27 to the 2010 Act, subordinate legislation specified in Schedule 4 continues to have effect, so far as it relates to work on ships, work on hovercraft and seafarers, until regulations under section 81 of the 2010 Act come into force.

(4) Despite their amendment by the 2010 Order, the following provisions continue to apply in the form immediately before their amendment by that Order, so far as they relate to work on ships, work on hovercraft and seafarers, until regulations under section 81 of the 2010 Act come into force—

- (a) sections 76A to 76C of the 1975 Act;
- (b) sections 71 to 71B of, and Schedule 1A to, the 1976 Act;
- (c) sections 49A to 49D of the 1995 Act.

(a) Schedule 26 has been amended by the 2010 Order and the paragraphs within it have been renumbered.

(b) Paragraph 13 of Schedule 26 was inserted by the 2010 Order and paragraph 15 was renumbered as such by that Order.

Transitory provision relating to taxis and private hire vehicles

12. Despite their repeal by Schedule 27 to the 2010 Act, sections 36 and 36A of the 1995 Act(**a**), and section 38 of the 1995 Act(**b**) in so far as it relates to appeals against decisions of licensing authorities under section 36 or 36A of that Act, continue to have effect until section 165 of the 2010 Act comes fully into force.

Transitory provisions relating to guidance

13.—(1) Until guidance under section 6(5) of the 2010 Act (disability) comes into force, the guidance referred to in paragraph (2) has effect for the purposes of that section.

(2) The guidance is “Guidance on matters to be taken into account in determining questions relating to the definition of disability”(c).

(3) Despite its repeal by Schedule 27 to the 2010 Act, section 3 of the 1995 Act(d) continues to have effect, so far as it confers power to issue that guidance.

14.—(1) Until guidance issued under paragraph 22(3)(b) of Schedule 3 to the 2010 Act (insurance: sex, gender reassignment, pregnancy and maternity) comes into force, the guidance referred to in paragraph (2) has effect for the purposes of paragraph 22(3)(b).

(2) The guidance is “Guidance on the publication of data associated with the use of gender in the assessment of insurance risks”(e); and for that purpose—

- (a) a reference to section 29 or 29(1) of the 1975 Act should be read as a reference to section 29 of the 2010 Act,
- (b) a reference to section 45(3) or 45(3)(a) of the 1975 Act should be read as a reference to paragraph 22(3) of Schedule 3 to the 2010 Act,
- (c) paragraph 4.1 should be read as beginning with the words “The Equality Act 2010 and”,
- (d) the heading after paragraph 4.4, paragraphs 4.5 to 4.8 and paragraph 4.10 should be ignored,
- (e) in paragraph 4.9, “But” should be ignored,
- (f) in paragraph 4.12, the words “corresponding amendments are made to the relevant provisions of” should be read as “corresponding provisions can be found in”,
- (g) in paragraph 4.15, the words “The Regulations amending the Sex Discrimination Act 1975” should be read as “The Equality Act 2010”, and
- (h) in paragraph 4.22, the words “the Regulations” should be read as “the applicable legislation and guidance”.

(3) Despite its repeal by Schedule 27 to the 2010 Act, section 45(3)(a) of the 1975 Act(f) continues to have effect, so far as it confers power to issue that guidance.

Savings

15. The 2010 Act does not apply where the act complained of occurs wholly before 1st October 2010 so that—

- (a) nothing in the 2010 Act affects—

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- (a) Section 36 was amended by the Local Transport Act 2008 (c.26), section 55, and section 36A was inserted by the Local Transport Act 2008, section 56(1) and (2).
 - (b) Section 38 was amended by the Local Transport Act 2008, section 56(1), (3), (4), (5), (6) and (7), the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002 (c.37), section 3 and the Courts Act 2003 (c.39), section 109(1) and (3), Schedule 8, paragraph 368(1), (2) and (3) and Schedule 10.
 - (c) ISBN 978-0-11-703686-4.
 - (d) Section 3 was amended by the Disability Discrimination Act 2005 (c.13), Schedule 1, Part 1, paragraphs 1 and 3 and the Special Educational Needs and Disability Act 2001 (c.10), section 38.
 - (e) ISBN 978-1-84532-436-0.
 - (f) Section 45(3)(a) was inserted by S.I. 2008/963.

- (i) the operation of a previous enactment or anything duly done or suffered under a previous enactment;
 - (ii) any right, obligation or liability acquired or incurred under a previous enactment;
 - (iii) any penalty incurred in relation to any unlawful act under a previous enactment;
 - (iv) any investigation, legal proceeding or remedy in respect of any such right, obligation, liability or penalty; and
- (b) any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty may be imposed, as if the 2010 Act had not been commenced.

16.—(1) The repeals and revocations made by Schedule 27 to the 2010 Act do not affect the operation of a transitional provision or saving relating to the commencement of a provision for which there is corresponding provision in the 2010 Act, in so far as the transitional provision or saving is not expressly restated in the 2010 Act but remains capable of having effect.

(2) The repeal or revocation by Schedule 27 to the 2010 Act of a provision previously repealed or revoked subject to a saving does not affect the continued operation of that saving.

(3) The repeal or revocation by Schedule 27 to the 2010 Act of a saving on the previous repeal or revocation of a provision does not affect the saving in so far as it is not expressly restated in the 2010 Act but remains capable of having effect.

17. Despite the repeal of section 1 of the 1989 Act^(a) (overriding of pre-1975 statutory requirements which conflict with the 1975 Act) by Schedule 27 to the 2010 Act, any provision which, immediately before that repeal, is of no effect as a result of that section continues to be of no effect.

18.—(1) This article applies in respect of insurance business in relation to an existing insurance policy within paragraph 23(1) of Schedule 3 to the 2010 Act.

(2) Despite their repeal or revocation by Schedule 27 to the 2010 Act, the provisions set out in Schedule 5 continue to have effect.

(3) Despite its lapse by virtue of Schedule 27 to the 2010 Act, subordinate legislation specified in Schedule 6 continues to have effect.

(4) The guidance referred to in paragraph (2) of article 14 applies unaffected by sub-paragraphs (a) to (h) of that paragraph.

19. Despite their repeal by Schedule 27 to the 2010 Act, the following provisions of the 1995 Act continue to have effect—

- (a) section 30(5) (amendment of section 62 of the Further and Higher Education Act 1992^(b)) and section 30(1) so far as relating to it;
- (b) section 39 (amendments of section 20 of the Civic Government (Scotland) Act 1982^(c));
- (c) section 61 (amendment of section 15 of the Disabled Persons (Employment) Act 1944^(d));
- (d) in Schedule 1, paragraph 7(1) to (4), and (7) (persons on register of disabled persons on 12th January 1995 and on date of commencement of paragraph 7 deemed to have disability etc.)^(e); and

(a) Section 1 was amended by S.I. 2001/2660.

(b) 1992 c.13; section 62 was amended by the 1995 Act, section 30 and by the 2010 Act, Schedule 26, paragraph 23 (as inserted by the 2010 Order).

(c) 1982 c.45; section 20 was amended by the 1995 Act, section 39, by the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002, section 2 and by the 2010 Act, Schedule 26, paragraph 7 (as inserted by the 2010 Order).

(d) 1944 c.10; section 15 was amended by the 1995 Act, section 61 and by the 2010 Act, Schedule 26, paragraph 1 (as inserted by the 2010 Order).

(e) Schedule 1, paragraph 7 was amended by the Disability Discrimination Act 2005, section 18.

- (e) in Schedule 6, paragraph 1(a) (amendment of section 12(1) of the Employment and Training Act 1973(a)) and paragraph 6 (amendment of section 16 of the Enterprise and New Towns (Scotland) Act 1990(b)).

20. Despite their revocation by Schedule 27 to the 2010 Act, regulations 2(2) and 44 to 46 of the Age Regulations continue to have effect so far as they relate to Schedule 6 to those Regulations.

21.—(1) Subordinate legislation specified in the first column of the table in Schedule 7, in so far as made under the provision of a previous enactment specified in the second column, is to be treated as made under the provision of the 2010 Act specified in the third column.

(2) Despite its repeal by Schedule 27 to the 2010 Act, section 67(3)(b) of the 1995 Act (power to sub-delegate) continues to have effect in so far as it provides authority for the Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008(c).

22.—(1) The guidance referred to in paragraph (2), in so far as it was issued under section 28E(3) of the 1995 Act, is to be treated as issued under paragraph 2(4) of Schedule 10 to the 2010 Act.

(2) The guidance is “Guidance on Accessible Schools: Planning to increase access to schools for disabled pupils”(d).

Revocation and consequential etc. provisions

23. In the Rail Passengers’ Rights and Obligations Regulations 2010(e), omit regulation 10 (amendment of section 19 of the 1995 Act).

24. The amendments in Schedule 8 have effect.

25. A reference in any other subordinate legislation to a previous enactment is, so far as the context allows, to be read as a reference to the 2010 Act so far as corresponding to the previous enactment (and the context of the reference is to be read as being subject to such consequential alterations as are required).

20th September 2010

Theresa May
Secretary of State for the Home Department

SCHEDULE 1

Article 10(2) and (3)

Savings of previous enactments in relation to a shipping matter

<i>Provision of the 1975 Act</i>	<i>Provision of the 1976 Act</i>	<i>Provision of the 1986 Act</i>
Sections 1 to 3	Part I	Section 6
Sections 3B to 5	Section 20	Section 10
Section 29	Sections 22 and 23	
Sections 34 to 35ZA	Section 27	
Sections 35C to 36	Part IV	
Part IV	Section 34	

(a) 1973 c.50; section 12(1) was amended by the Employment Act 1988 (c.19), Schedule 2, paragraph 2, by the 1995 Act, Schedule 6, paragraph 1, by the 1989 Act, Schedule 7, Part I and by the 2010 Act, Schedule 26, paragraph 3 (as inserted by the 2010 Order).

(b) 1990 c.35; section 16 was amended by the 1995 Act, Schedule 6, paragraph 6 and by the 2010 Act, Schedule 26, paragraph 21 (as inserted by the 2010 Order).

(c) S.I. 2008/2975.

(d) Ref. LEA/0168/2002.

(e) S.I. 2010/1504.

Sections 43 and 44	Sections 40 to 42
Sections 46 to 52	Section 53
Section 62	Sections 57 and 57ZA
Sections 66 to 66B	Section 65
Section 74	Sections 67 to 69
Section 76	Sections 72 and 72A
Section 77	Sections 73 to 75
Sections 80 to 82	Section 78
Section 85	Section 80
Section 87	

<i>Provision of the 1995 Act</i>	<i>Provision of the 2006 Act</i>	<i>Provision of the 2007 Sexual Orientation Regulations</i>
Part I	Sections 44 to 46	Regulations 1 to 4
Sections 19 to 21ZA	Sections 53 to 57	Regulation 6
Sections 21B to 21E	Section 58	Regulation 8
Sections 25 and 26	Section 60	Regulations 9 to 12
Part VII	Sections 63 to 66	Regulation 14
Section 64	Sections 68 to 74	Regulations 18 to 20
Section 67	Sections 76 to 81	Regulations 22 to 26
Section 68		Regulations 29 and 30
Section 70		Regulations 33 and 34
Schedules 1 and 2		Schedule 2
Part II of Schedule 3		
Schedule 3A		
Part II of Schedule 4		

SCHEDULE 2

Article 10(6) and (7)

Savings of subordinate legislation in relation to a shipping matter

<i>The 1975 Act</i>	<i>The 1976 Act</i>	<i>The 1995 Act</i>	<i>The 2006 Act</i>
Sex Discrimination (Questions and Replies) Order 1975 ^(a)	Race Relations (Questions and Replies) Order 1977 ^(d)	Disability Discrimination (Providers of Services) (Adjustments of Premises) Regulations 2001 ^(l)	Religion or Belief (Questions and Replies) Order 2007 ^(r)
Compromise Agreements (Description of Person) Order 2004 ^(b)	Civil Courts Order 1983 ^(e)	Disability Discrimination (Questions and Replies) Order 2004 ^(m)	
Compromise Agreements (Description of Person) Order 2004 (Amendment) Order 2004 ^(c)	Civil Courts (Amendment) Order 1988 ^(f)	Disability Discrimination (Questions and Replies) Order 2005 ⁽ⁿ⁾	

Civil Courts (Amendment No. 2) Order 1989 ^(g)	Disability Discrimination (Service Providers and Public Authorities Carrying out Public Functions) Regulations 2005 ^(o)
Civil Courts (Amendment) Order 1998 ^(h)	Disability Discrimination (Guidance on the Definition of Disability) Appointed Day Order 2006 ^(p)
Compromise Agreements (Description of Person) Order 2004 ⁽ⁱ⁾	Disability Discrimination (Guidance on the Definition of Disability) Revocation Order 2006 ^(q)
Compromise Agreements (Description of Person) Order 2004 (Amendment) Order 2004 ^(j)	
Civil Courts (Amendment) Order 2006 ^(k)	

^(a) S.I. 1975/2048.

^(b) S.I. 2004/754.

^(c) S.I. 2004/2515.

^(d) S.I. 1977/842.

^(e) S.I. 1983/713.

^(f) S.I. 1988/2165.

^(g) S.I. 1989/107.

^(h) S.I. 1998/1880.

⁽ⁱ⁾ S.I. 2004/754.

^(j) S.I. 2004/2515.

^(k) S.I. 2006/1542.

^(l) S.I. 2001/3253.

^(m) S.I. 2004/1168.

⁽ⁿ⁾ S.I. 2005/2703.

^(o) S.I. 2005/2901.

^(p) S.I. 2006/1005.

^(q) S.I. 2006/1007.

^(r) S.I. 2007/1038.

SCHEDULE 3

Article 11(1)

Savings of previous enactments in relation to work on ships, work on hovercraft and seafarers

<i>Provision of the 1970 Act</i>	<i>Provision of the 1975 Act</i>	<i>Provision of the 1976 Act</i>	<i>Provision of the 1986 Act</i>
The whole Act	Sections 1 to 3A Sections 4 to 9 Section 10(1) to (4), and (8) Sections 10A to 16 Sections 19 to 20A Part IV Sections 43 and 44 Sections 46 to 52A Sections 62 to 63A Section 65 Section 74 Section 76 Section 77 Sections 80 to 82 Section 85 Section 87	Part I Sections 4 to 7 Section 8(1) to (4) Section 9(1) to (2), and (4) to (5) Sections 10 to 15 Parts IV to VI Sections 53 to 54A Section 56 Section 65 Sections 67 to 69 Sections 72 and 72A Sections 73 to 75 Sections 76 and 76ZA Section 78 Section 80	Section 6 Section 10
<i>Provision of the 1995 Act</i>	<i>Provision of the Religion or Belief Regulations</i>	<i>Provision of the 2003 Sexual Orientation Regulations</i>	<i>Provision of the Age Regulations</i>
Part I Sections 3A to 4K Sections 6A to 6C Sections 7A to 7D Sections 13 to 14D Sections 15A to 15C Sections 16A to 16C Section 17A Section 17C Sections 18B to 18D Part VII Section 64 Section 67 Section 68 Section 70 Schedules 1 and 2 Part I of Schedule 3 Schedule 3A	Parts I to IV Regulations 27 to 30 Regulations 33 to 36 Schedule 1A Schedules 2 to 4	Parts I to IV Regulations 27 to 30 Regulations 33 to 36 Schedules 1A to 4	Parts 1 to 4 Regulations 35 to 38 Regulations 41 to 44 Schedules 2 to 5

SCHEDULE 4

Article 11(3)

Savings of subordinate legislation in relation to work on ships, work on hovercraft and seafarers

<i>The 1970 Act</i>	<i>The 1975 Act</i>	<i>The 1976 Act</i>	<i>The 1995 Act</i>
Equal Pay (Complaints to Industrial Tribunals) (Armed Forces) Regulations 1977 ^(a)	Sex Discrimination (Questions and Replies) Order 1975 ^(c)	Race Relations (Questions and Replies) Order 1977 ^(g)	Disability Discrimination (Questions and Replies) Order 2004 ^(q)
Equal Pay (Questions and Replies) Order 2003 ^(b)	Sex Discrimination (Complaints to Industrial Tribunals) (Armed Forces) Regulations 1997 ^(d)	Civil Courts Order 1983 ^(h)	Disability Discrimination (Questions and Replies) Order 2005 ^(r)
	Compromise Agreements (Description of Person) Order 2004 ^(e)	Civil Courts (Amendment) Order 1988 ⁽ⁱ⁾	Disability Discrimination (Guidance on the Definition of Disability) Appointed Day Order 2006 ^(s)
	Compromise Agreements (Description of Person) Order 2004 (Amendment) Order 2004 ^(f)	Civil Courts (Amendment No. 2) Order 1989 ⁽ⁱ⁾	Disability Discrimination (Guidance on the Definition of Disability) Revocation Order 2006 ^(t)
		Employment Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 ^(k)	
		Race Relations (Complaints to Industrial Tribunals) (Armed Forces) Regulations 1997 ^(l)	
		Civil Courts (Amendment) Order 1998 ^(m)	
		Compromise Agreements (Description of Person) Order 2004 ⁽ⁿ⁾	
		Compromise Agreements (Description of Person) Order 2004 (Amendment) Order 2004 ^(o)	
		Civil Courts (Amendment) Order 2006 ^(p)	

^(a) S.I. 1977/2162.

^(b) S.I. 2003/722.

- (c) S.I. 1975/2048.
 (d) S.I. 1997/2163.
 (e) S.I. 2004/754.
 (f) S.I. 2004/2515.
 (g) S.I. 1977/842.
 (h) S.I. 1983/713.
 (i) S.I. 1988/2165.
 (j) S.I. 1989/107.
 (k) S.I. 1996/2803.
 (l) S.I. 1997/2161.
 (m) S.I. 1998/1880.
 (n) S.I. 2004/754.
 (o) S.I. 2004/2515.
 (p) S.I. 2006/1542.
 (q) S.I. 2004/1168.
 (r) S.I. 2005/2703.
 (s) S.I. 2006/1005.
 (t) S.I. 2006/1007.

SCHEDULE 5

Article 18(2)

Savings of previous enactments in relation to existing insurance policies

<i>Provision of the 1975 Act</i>	<i>Provision of the 1976 Act</i>	<i>Provision of the 1995 Act</i>	<i>Provision of the 2006 Act</i>	<i>Provision of the 2007 Sexual Orientation Regulations</i>
Part I ^(a)	Part I ^(m)	Part I ^(u)	Sections 44 to 46	Regulations 2 to 4
Section 29 ^(b)	Section 20 ⁽ⁿ⁾	Sections 19 to 21 ^(v)	Section 53	Regulation 9
Section 34 ^(c)	Section 27 ^(o)	Section 25 ^(w)	Sections 55 and 56 ^(bb)	Regulations 11 and 12
Section 35ZA ^(d)	Part IV ^(p)	Section 26 ^(x)	Sections 65 and 66	Regulations 19 and 20
Section 36	Sections 40 and 41 ^(q)	Part VII ^(y)	Sections 68 to 70	Regulations 22 to 24
Part IV ^(e)	Part VIII ^(r)	Section 68 ^(z)	Sections 72 to 74	Regulations 26 and 27
Section 45 ^(f)	Section 72 ^(s)	Schedules 1 to 3A ^(aa)	Section 76	Regulations 29 and 30
Section 62 ^(g) Sections 66 and 66A ^(h) Section 74 ⁽ⁱ⁾ Section 76 ^(j) Section 77 ^(k) Section 82 ^(l)	Section 78 ^(t)		Section 79	Schedule 2

^(a) Section 1 was substituted by S.I. 2001/2660 and amended by S.I. 2005/2467, 2008/963 and the Civil Partnership Act 2004 (c.33), section 251(1) and (3), 261(4) and Schedule 30. Section 2A was inserted by S.I. 1999/1102 and amended by S.I. 2008/963. Section 3 was substituted by the Civil Partnership Act 2004, section 251(1) and (2). Section 3A was inserted by S.I. 2005/2467 and amended by S.I. 2008/656. Section 3B was inserted by S.I. 2008/963. Section 4 was amended by the Social Security Act

1989 (c.24), section 23, Schedule 5, Part II, paragraph 14(a) and (b) and by the Pensions Act 1995 (c.26), section 66(2). Section 4A was inserted by S.I. 2005/2467 and amended by S.I. 2008/656. Section 5 was amended by S.I. 2005/2467 and 2008/963 and by the Civil Partnership Act 2004, section 251(1) and (3).

^(b) Section 29 was amended by S.I. 2008/963 and 1999/1192.

^(c) Section 34 was amended by S.I. 2008/963.

^(d) Section 35ZA was inserted by S.I. 2008/963.

^(e) Section 37(1) was substituted by S.I. 2001/266 and amended by the 2006 Act, section 40, Schedule 3, paragraphs 6 and 7. Sections 39 and 40 were amended by the 2006 Act, section 40, Schedule 3, paragraphs 6, 9 and 10.

^(f) Section 45 was amended by S.I. 2008/963.

^(g) Section 62 was substituted by the 1976 Act, Schedule 4, paragraph (3).

^(h) Section 66 was amended by the 1976 Act, Schedule 4, paragraph (5), the County Courts Act 1984 (c.28), Schedule 2, paragraph 55 and by S.I. 1996/438, 2001/2660 and 1981/1670. Section 66A was inserted by S.I. 2001/2660 and amended by S.I. 2008/963 and 2005/2457.

⁽ⁱ⁾ Section 74 was amended by S.I. 2005/2467, 2007/2914, 2008/963 and the Employment Rights (Dispute Resolution) Act 1998 (c.8), section 1(2)(a).

^(j) Section 76 was amended, so far as relevant, as follows: section 76(2) was amended by the 1976 Act, section 79(4), Schedule 4; section 76(2C) was inserted by the 2006 Act, section 40, Schedule 3; and section 76(5) was amended by the 2006 Act, section 40, Schedule 3.

^(k) Section 77 was subject to amendments not relevant to this Order.

^(l) Section 82 was amended by the 2006 Act, Schedule 3, paragraphs 6 and 18(1)(b)(i)-(iii) and Schedule 4, the Civil Partnership Act 2004, Schedule 27, paragraph 54(a) and (b) and by S.I. 2000/2040, 2007/2914 and 2001/2660.

^(m) Section 1 was amended by S.I. 2003/1626 and 2008/3008. Section 3 was amended by S.I. 2003/1626. Section 3A was inserted by S.I. 2003/1626.

⁽ⁿ⁾ Section 20 was amended by S.I. 2003/1626.

^(o) Section 27(1) was amended by the Race Relations (Amendment) Act 2000 (c.34), Schedule 2, paragraph 2 and section 27(1A) was inserted by Schedule 2, paragraph 3.

^(p) Section 27A was inserted by S.I. 2003/1626. Section 28 was amended by S.I. 2003/1626 and by the 2006 Act, Schedule 3, paragraphs 21 and 22. Section 29 was amended by the Criminal Justice Act 1982 (c.48), sections 37, 38 and 46 and by the 2006 Act, Schedule 3, paragraphs 21 and 23. Section 30 was amended by S.I. 2003/1626 and by the 2006 Act, Schedule 3, paragraphs 21 and 24. Section 31 was amended by S.I. 2003/1626 and by the 2006 Act, Schedule 3, paragraphs 21 and 25. Section 32 was modified by S.I. 2003/1964 and 2006/1073. Section 33 was amended by the Criminal Justice Act 1982, sections 37, 38 and 46.

^(q) Section 41 was amended by S.I. 2003/1626.

^(r) Section 53 was amended by the Race Relations (Amendment) Act 2000, Schedule 2, paragraphs 4 and 5, the Nationality, Immigration and Asylum Act 2002 (c.41), Schedule 7, paragraph 11 and S.I. 2003/1626. Section 54 was amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and (b), by S.I. 2003/1626 and by the Armed Forces Act 1996 (c.46), Schedule 7, Part III. Section 54A was inserted by S.I. 2003/1626. Section 55 was repealed by the Employment Tribunals Act 1996 (c.17), Schedule 3, Part I. Section 56 was amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and (c), the Race Relations (Remedies) Act 1994 (c.10), sections 1(1), 2(1) and 3(2) and Schedule, S.I. 1993/2798 and 2007/2914 and the Employment Tribunals Act 1996, Schedule 1, paragraph 4(1) and (2). Section 57 was amended by S.I. 2003/1626, the Race Relations (Amendment) Act 2000, sections 5(1), 6(1) and 9, Schedule 2, paragraphs 6(a) and (b) and 7 and Schedule 3, the Armed Forces Act 2006 (c.52), Schedule 16, paragraph 79 and S.I. 2009/1059. Section 57ZA was inserted by S.I. 2003/1626. Section 57A was inserted by the Race Relations (Amendment) Act 2000, section 6(2) and amended by the Nationality, Immigration and Asylum Act 2002, Schedule 7, paragraph 12(a), (b), (d), (e) and (h), S.I. 2010/21 and the Constitutional Reform Act 2005 (c.4), section 40(4) and Schedule 9, Part 1, paragraph 28. Sections 58 to 64 were repealed by the 2006 Act, Schedule 3, paragraphs 21 and 27 and Schedule 4. Section 65 was amended by S.I. 2003/1626 and 2007/2914, the Race Relations (Amendment) Act 2000, sections 5(2) and 9(1) and Schedule 2, paragraph 10, the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and the Nationality, Immigration and Asylum Act 2002, Schedule 7, paragraph 14. Section 66 was repealed by the 2006 Act, Schedule 3, paragraphs 21 and 28 and Schedule 4. Section 67 was amended by the

Constitutional Reform Act 2005, Schedule 4, Part 1, paragraph 87(1), (2) and (3), the Race Relations (Amendment) Act 2000, Schedule 2, paragraph 12 and S.I. 2007/2914. Section 67A was inserted by the Race Relations (Amendment) Act 2000, section 8 and amended by the 2006 Act, section 90(a) and (b) and the Legal Services Act 2007 (c.29), Schedule 21, paragraphs 36 and 37. Section 68 was amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a), the Armed Forces Act 1996, section 23(4), the Race Relations (Amendment) Act 2000, Schedule 2, paragraphs 13 and 14 and Schedule 3, the 2006 Act, Schedule 3, paragraphs 21 and 29(1), (2), (3)(a) and (b), (4), (5) and (6) and Schedule 4 and the Higher Education Act 2004 (c.8), section 19(2). Section 69 was amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a), the Race Relations (Amendment) Act 2000, section 7(2), Schedule 2, paragraph 15 and Schedule 3 and the Employment Relations Act 1999 (c.26), Schedule 8, paragraph 6. Section 70 was repealed by the Public Order Act 1986 (c.64), Schedule 3.

^(s) Section 72(2) was amended by S.I. 2003/1626; section 72(4A) was inserted by the Trade Union Reform and Employment Rights Act 1993 (c.19), section 39(2), Schedule 6, paragraph 2(b) and amended by the Employment Rights (Dispute Resolution) Act 1998, sections 1(2)(a), 9(1) and (2)(b), 10(1) and (2)(b); section 72(4B), (4BA), (4BB) and (4BC) were inserted by the Employment Rights (Dispute Resolution) Act 1998, section 15, Schedule 1, paragraph 3; section 72(4D) was inserted by the Employment Rights (Dispute Resolution) Act 1998, section 8(2); section 72(4BB)(a) was amended by the Legal Services Act 2007, section 208(1), Schedule 21, paragraphs 36 and 38. There are other amendments not relevant to this Order.

^(t) Section 78 was amended by the 2006 Act, Schedule 3, paragraphs 21, 33(a)(i) and (b)(i) to (iii) and Schedule 4, the Race Relations (Amendment) Act 2000, Schedule 2, paragraph 19, the Armed Forces Act 2006, Schedule 16, paragraph 81, S.I. 2003/1626, 2000/2040 and 2007/2914 and the Civil Partnership Act 2004, Schedule 27, paragraph 55(a) and (b) and modified by S.I. 2009/1059.

^(u) Section 1 was amended by S.I. 2005/1117. Section 2 was amended by the Special Educational Needs and Disability Act 2001 (c.10), section 38(1) and (2)(a), the Disability Discrimination Act 2005 (c.13), Schedule 1, Part 1, paragraphs 1, 2(1), 2(2), (3) and (4) and S.I. 2007/1388. Section 3 was amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1, 3(1), (2), (3)(a) and (b), (4) and (5) and the Special Educational Needs and Disability Act 2001, section 38(1), (3) and (4).

^(v) Section 19 was amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1, 13(1), (2), (3) and (4), S.I. 2007/1895 and 2010/1504 and the Special Educational Needs and Disability Act 2001, section 38(1) and (5)(b) and Schedule 9. Section 20 was amended by the Mental Capacity Act 2005 (c.9), Schedule 6, paragraph 41 and the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 14.

^(w) Section 25 was amended by the Disability Discrimination Act 2005, section 11(2) and Schedule 1, Part 1, paragraphs 1 and 21 and by S.I. 2003/1673.

^(x) Section 26(1A) was inserted by S.I. 2003/1673 and substituted by the Disability Discrimination Act 2005, section 19(1), Schedule 1, Part 1, paragraphs 1 and 22.

^(y) Section 53A was repealed by the 2006 Act, Schedule 3, paragraphs 41 and 52 and Schedule 4. Sections 53 and 54 were repealed by the Disability Rights Commission Act 1999 (c.17), Schedule 5. Section 55 was amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 29(1), (2), (3) and (5) and Schedule 2, the Special Educational Needs and Disability Act 2001, section 38(1) and (8), S.I. 2003/1673 and 2003/2770 and modified by S.I. 2003/1964 and 2006/1073. Section 56 was substituted by the Disability Discrimination Act 2005, section 17. Section 57 was amended by the Special Educational Needs and Disability Act 2001, section 38(1), (9) and (10) and modified by S.I. 2003/1964 and 2006/1073. Section 58 was modified by S.I. 2003/1964 and 2006/1073. Section 59 was amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 30 and S.I. 2007/1388 and 2003/1673. Section 59A was inserted by the 2006 Act, section 89.

^(z) Section 68 was amended by S.I. 2003/1673 and 2000/2040, the Disability Discrimination Act 2005, section 11(3) and Schedule 1, Part 1, paragraphs 1, 34(1), (2), (3), (5) and (6) and Schedule 2, the Armed Forces Act 2006, Schedule 16, paragraph 134(a), the 2006 Act, Schedule 3, paragraphs 41 and 54 and Schedule 4 and by S.I. 2003/1673, 2000/2040 and 2008/2828.

^(aa) Schedule 1 was amended by the Disability Discrimination Act 2005, section 18(1), (2), (3), (4) and (5), Schedule 1, Part 1, paragraphs 1 and 36 and Schedule 2. Schedule 2 was amended by the Special Educational Needs and Disability Act 2001, section 38(1), (11), (12) and (13), the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 37(1), (2), (3), (4)(a) and (b), (5)(a) and (b) and (6) and by S.I. 2003/1673, 2003/2770 and 2006/1721. Schedule 3, Part I, was amended by S.I. 2003/1673 and 2007/2405, the Employment Tribunals Act 1996, Schedule 3, Part I, S.I. 2003/2770, the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1, 38(1), (2), (3) and (4), the

Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a), the Employment Relations Act 1999, Schedule 8, paragraph 7 and Schedule 9, Table 12 and S.I. 2007/1388. Schedule 3, Part II was amended by the 2006 Act, Schedule 3, paragraphs 41 and 56(1), the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 38(1), (5) and (6) and S.I. 2007/1388. Schedule 3A was inserted by S.I. 2003/1673 and amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1, 39(1), (2) and (3) and Schedule 2 and the Legal Services Act 2007, Schedule 21, paragraph 118.

^(bb) Section 56(1) and (2) was amended by S.I. 2007/1388.

SCHEDULE 6

Article 18(3)

Savings of subordinate legislation in relation to existing insurance policies

<i>The 1975 Act</i>	<i>The 1976 Act</i>	<i>The 1995 Act</i>	<i>The 2006 Act</i>
Sex Discrimination (Questions and Replies) Order 1975 ^(a)	Race Relations (Questions and Replies) Order 1977 ^(b)	Disability Discrimination (Questions and Replies) Order 2004 ^(h)	Religion or Belief (Questions and Replies) Order 2007 ^(m)
	Civil Courts Order 1983 ^(c)	Disability Discrimination (Questions and Replies) Order 2005 ⁽ⁱ⁾	
	Civil Courts (Amendment) Order 1988 ^(d)	Disability Discrimination (Service Providers and Public Authorities Carrying out Public Functions) Regulations 2005 ^(j)	
	Civil Courts (Amendment No. 2) Order 1989 ^(e)	Disability Discrimination (Guidance on the Definition of Disability) Appointed Day Order 2006 ^(k)	
	Civil Courts (Amendment) Order 1998 ^(f)	Disability Discrimination (Guidance on the Definition of Disability) Revocation Order 2006 ^(l)	
	Civil Courts (Amendment) Order 2006 ^(g)		

^(a) S.I. 1975/2048, amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8), section 1(2)(a) and S.I. 1977/844 and 2004/752 and modified by S.I. 1991/2684.

^(b) S.I. 1977/842, amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and S.I. 2004/752 and modified by S.I. 1991/2684.

^(c) S.I. 1983/713, amended by S.I. 1988/2165, 1989/107, 1996/2579, 1998/1880, 1999/1011, 2005/2923, 2006/1542, 2007/786 and 2009/2455 and other amendments not relevant to this Order.

^(d) S.I. 1988/2165.

^(e) S.I. 1989/107.

^(f) S.I. 1998/1880.

^(g) S.I. 2006/1542.

- ^(h) S.I. 2004/754, amended by S.I. 2009/3348 and 2004/1515.
⁽ⁱ⁾ S.I. 2005/2703, modified by S.I. 2007/2606 and amended by 2007/2602.
^(j) S.I. 2005/2901, amended by S.I. 2007/1898.
^(k) S.I. 2006/1005.
^(l) S.I. 2006/1007.
^(m) S.I. 2007/1038.

SCHEDULE 7

Article 21(1)

Savings of subordinate legislation

<i>Title and S.I. No.</i>	<i>Enabling power in previous enactment</i>	<i>Enabling power in 2010 Act</i>
Race Relations (Prescribed Public Bodies) (No. 2) Regulations 1994 ^(a)	Section 75(5)(a) of the 1976 Act	Schedule 22, paragraph 5(2)(b)
Industrial Tribunals (Interest on Awards in Discrimination Cases) Regulations 1996 ^(b)	Section 56(5) and (6) of the 1976 Act ^(c) and section 17A(6) and (7) of the 1995 Act ^(d)	Section 139
Rail Vehicle Accessibility (Serco Metrolink T68A Vehicles) Exemption Order 1999 ^(e)	Section 47 of the 1995 Act ^(f)	Section 183
Public Service Vehicles Accessibility Regulations 2000 ^(g)	Sections 40(1), (2) and (6), 41(2), 42(3), (4) and (5), 44(1)(b), (2)(b) and (4), 45(1) and 67 of the 1995 Act ^(h)	Sections 174(1), (2) and (4), 176(2), 177(3), (4) and (5), 179(1), (2)(b) and (4), 180(1) and 207
Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc.) (England and Wales) Regulations 2000 ⁽ⁱ⁾	Sections 37(8)(b) and (9) and 67(2) of the 1995 Act	Sections 169(4)(b), paragraphs (c) and (d) of the definition of “assistance dog” in section 173(1), and 207(4)(a)
Public Service Vehicles Accessibility (Amendment) Regulations 2000 ^(j)	Sections 40(1) and (2) and 67 of the 1995 Act	Sections 174(1) and (2) and 207
Rail Vehicle Accessibility (Midland Metro T69 Vehicles) Exemption Order 2001 ^(k)	Section 47 of the 1995 Act	Section 183
Rail Vehicle Accessibility (Croydon Tramlink Class CR4000 Vehicles) Exemption Order 2001 ^(l)	Section 47 of the 1995 Act	Section 183
Rail Vehicle Accessibility (East Hayling Light Railway Vehicles) Exemption Order 2002 ^(m)	Section 47(1) of the 1995 Act	Section 183(1)
Rail Vehicle Accessibility (Cairngorm Funicular Railway) Exemption Order 2002 ⁽ⁿ⁾	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Rail Vehicle Accessibility (Middleton Railway Drewry Car) Exemption Order 2002 ^(o)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)

Rail Vehicle Accessibility (Isle of Wight Railway LCDR No. 2515 Vehicle) Exemption Order 2002 ^(p)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Rail Vehicle Accessibility (Summerlee Tramcar No. 392) Exemption Order 2002 ^(q)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Public Service Vehicles Accessibility (Amendment) Regulations 2002 ^(r)	Sections 40(1), (2), (6) and (7) and 67(2) of the 1995 Act	Sections 174(1), (2), (4) and (5) and 207(4)(a)
Rail Vehicle Accessibility (Croydon Tramlink Class CR4000 Vehicles) Exemption (Amendment) Order 2002 ^(s)	Section 47 of the 1995 Act	Section 183
Rail Vehicle Accessibility (Furness Railway Trust North London Coach) Exemption Order 2003 ^(t)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Rail Vehicle Accessibility (Festiniog Railway Company Vehicle Number 122) Exemption Order 2003 ^(u)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Rail Vehicle Accessibility (Bristol Harbour Railway Vehicle Number DB978121) Exemption Order 2003 ^(v)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regulations 2003 ^(w)	Sections 28D(1), (2), (8) and (9) and 67(3)(a) of the 1995 Act ^(x)	Schedule 10, paragraphs 1(1), 1(2), 3(1) and 3(2) and section 207(4)(b)
Disability Discrimination Act 1995 (Private Hire Vehicles) (Carriage of Guide Dogs etc.) (England and Wales) Regulations 2003 ^(y)	Sections 37A(8)(b) and (9) and 67(2) of the 1995 Act ^(z)	Sections 171(4)(b), paragraph (c) of the definition of “assistance dog” in section 173(1), and 207(4)(a)
Rail Vehicle Accessibility (Seaton Tramway Tramcars 9, 10 and 11) Exemption Order 2004 ^(aa)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Rail Vehicle Accessibility (Croydon Tramlink Class CR4000 Vehicles) Exemption (Amendment) Order 2005 ^(bb)	Section 47(1), (3) and (4) of the 1995 Act	Section 183(1), (4) and (5)
Public Service Vehicles Accessibility (Amendment) Regulations 2005 ^(cc)	Sections 40 and 41 of the 1995 Act	Sections 174 and 176
Disability Discrimination (Prescribed Times and Periods for Accessibility Strategies and Plans for Schools) (England) Regulations 2005 ^(dd)	Sections 28D(1)(b), (2), (8)(b) and (9) and 67(3)(a) of the 1995 Act	Schedule 10, paragraphs 1(1)(b), 1(2), 3(1)(b) and 3(2) and section 207(4)(b)

Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc.) (England and Wales) (Amendment) Regulations 2006 ^(ee)	Sections 37(8)(b) and (9) and 67(2) of the 1995 Act	Sections 169(4)(b), paragraphs (c) and (d) of the definition of “assistance dog” in section 173(1), and 207(4)(a)
Disability Discrimination Act 1995 (Private Hire Vehicles) (Carriage of Guide Dogs etc.) (England and Wales) (Amendment) Regulations 2006 ^(ff)	Sections 37A(8)(b) and (9) and 67(2) of the 1995 Act	Sections 171(4)(b), paragraph (c) of the definition of “assistance dog” in section 173(1), and 207(4)(a)
Rail Vehicle Accessibility (B2007 Vehicles) Exemption Order 2008 ^(gg)	Sections 47(1), (1A), (3) and (4) and 67(2) of the 1995 Act	Sections 183(1), (2), (4) and (5) and 207(4)
Rail Vehicle Accessibility (London Underground Victoria Line 09TS Vehicles) Exemption Order 2008 ^(hh)	Sections 47(1), (1A), (3)(a) and (4) and 67(2) of the 1995 Act	Sections 183(1), (2), (4)(a) and (5) and 207(4)
Rail Vehicle Accessibility Exemption Orders (Parliamentary Procedures) Regulations 2008 ⁽ⁱⁱ⁾	Sections 67(2) and (3)(b) and 67A(3) of the 1995 Act ⁽ⁱⁱ⁾	Sections 184(4) and 207(4)
Public Service Vehicles Accessibility (Amendment) Regulations 2009 ^(kk)	Sections 40(1), (2) and (6) and 41(2) of the 1995 Act	Sections 174(1), (2) and (4) and 176(2)
Public Service Vehicles Accessibility (Amendment) Regulations 2009 ^(ll)	Sections 45(1) and 67 of the 1995 Act	Sections 180(1) and 207
Rail Vehicle Accessibility (Applications for Exemption Orders) Regulations 2010 ^(mm)	Section 47(2) of the 1995 Act	Section 183(3)
Rail Vehicle Accessibility (Non-Interoperable Rail System) Regulations 2010 ⁽ⁿⁿ⁾	Sections 46(1), (2), (4A), (5) and (7) and 67(2) and (3)(a) of the 1995 Act ^(oo)	Sections 182(1), (2), (3), (5) and (6) and 207(4)
Rail Vehicle Accessibility (London Underground Metropolitan Line S8 Vehicles) Exemption Order 2010 ^(pp)	Sections 47(1), (1A), (3)(a) and (4) and 67(2) of the 1995 Act	Sections 183(1), (2), (4)(a) and (5) and 207(4)
Rail Vehicle Accessibility (Networks) Exemption Order 2010 ^(qq)	Sections 47(1), (1A) and (4) and 67(2) of the 1995 Act	Sections 183(1), (2) and (5) and 207(4)

^(a) S.I. 1994/1986.

^(b) S.I. 1996/2803, amended by the Employment Rights (Dispute Resolution) Act 1998 (c.8), section 1(2)(a) and (b) and by S.I. 2003/1660, 2003/1661 and 2006/1031.

^(c) Section 56(5) and (6) was inserted by the Race Relations (Remedies) Act 1994 (c.10), section 2(1) and amended by S.I. 2007/2914. Section 56(6) was amended by the Employment Tribunals Act 1996 (c.17), Schedule 1, paragraph 4 and the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and (c).

^(d) Section 17A(7) was amended by the Employment Tribunals Act 1996, Schedule 1, paragraph 12 and the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a) and (c).

^(e) S.I. 1999/2932.

^(f) Section 47 was amended by the Disability Discrimination Act 2005 (c.13), section 6(3).

^(g) S.I. 2000/1970, amended by S.I. 2000/3318, 2002/2981, 2005/2988, 2009/143 and 2009/876.

- (h) Section 67 was amended by the Disability Discrimination Act 2005, Schedule 1, Part 1, paragraphs 1 and 33 and by the 2006 Act, Schedule 3, paragraphs 41 and 53 and Schedule 4. It was also amended by S.I. 2007/1388 and the Education (Wales) Measure 2009 (2009 No. 5).
- (i) S.I. 2000/2990, amended by S.I. 2006/1616.
- (j) S.I. 2000/ 3318.
- (k) S.I. 2001/785.
- (l) S.I. 2001/3952, amended by S.I. 2005/395.
- (m) S.I. 2002/285.
- (n) S.I. 2002/657.
- (o) S.I. 2002/1188.
- (p) S.I. 2002/1694.
- (q) S.I. 2002/2873.
- (r) S.I. 2002/ 2981.
- (s) S.I. 2002/3001.
- (t) S.I. 2003/1436.
- (u) S.I. 2003/1687.
- (v) S.I. 2003/2408.
- (w) S.I. 2003/2531.
- (x) Section 28D was inserted by the Special Educational Needs and Disability Act 2001 (c.10), section 14(1).
- (y) S.I. 2003/3122, amended by S.I. 2006/1617.
- (z) Section 37A was inserted by the Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002 (c.37), section 1(1).
- (aa) S.I. 2004/1205.
- (bb) S.I. 2005/395.
- (cc) S.I. 2005/2988.
- (dd) S.I. 2005/3221.
- (ee) S.I. 2006/1616.
- (ff) S.I. 2006/1617.
- (gg) S.I. 2008/925.
- (hh) S.I. 2008/2969.
- (ii) S.I. 2008/2975.
- (ij) Section 67A was inserted by the Disability Discrimination Act 2005, section 6(4).
- (kk) S.I. 2009/143.
- (ll) S.I. 2009/876. The title of this instrument is amended in paragraph 8 of Schedule 8 to this Order.
- (mmm) S.I. 2010/427.
- (nn) S.I. 2010/432.
- (oo) Section 46(4A) was inserted by the Disability Discrimination Act 2005, section 6(1).
- (pp) S.I. 2010/435.
- (qq) S.I. 2010/904.

SCHEDULE 8

Article 24

Consequential etc. provisions

Public Service Vehicles Accessibility Regulations 2000(a)

- 1.**—(1) The Public Service Vehicles Accessibility Regulations 2000 are amended as follows—
- (2) In Schedule 4 (the accessibility certificate)—

(a) S.I. 2000/1970, amended by S.I. 2000/3318, 2002/2981, 2005/2988, 2009/143 and 2009/876.

- (a) for every reference to “Disability Discrimination Act 1995” substitute a reference to “Equality Act 2010”; and
 - (b) after the words “the Public Service Vehicles Accessibility Regulations 2000” insert the words “treated as”.
- (3) In Schedule 5 (the declaration of conformity)—
- (a) for every reference to “Disability Discrimination Act 1995” substitute a reference to “Equality Act 2010”; and
 - (b) after the words “the Public Service Vehicles Accessibility Regulations 2000” insert the words “treated as”.
- (4) In Schedule 6 (the conformity certificate)—
- (a) for every reference to “Disability Discrimination Act 1995” substitute a reference to “Equality Act 2010”; and
 - (b) after the words “the Public Service Vehicles Accessibility Regulations 2000” insert the words “treated as”.
- (5) References to the 1995 Act in accessibility certificates, declarations of conformity or conformity certificates issued under that Act and having effect immediately before 1st October 2010 should (so far as the context allows) be read, in relation to times, circumstances or purposes on or after that date, as references to the 2010 Act.
- (6) Notwithstanding sub-paragraphs (1) to (4), where accessibility certificates, declarations of conformity or conformity certificates are issued on or after 1st October 2010 and are in the form applying before that date, references to the 1995 Act in those certificates or declarations should be read as references to the 2010 Act.
- (7) In relation to accessibility certificates, declarations of conformity or conformity certificates to which sub-paragraph (5) or (6) applies, the sub-paragraph in question has effect instead of section 17(2)(a) of the Interpretation Act 1978 as applied by section 23(3) of that Act; but that is without prejudice to any other provision of that Act.

The Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc.) (England and Wales) Regulations 2000(a)

2.—(1) The Disability Discrimination Act 1995 (Taxis) (Carrying of Guide Dogs etc.) (England and Wales) Regulations 2000 are amended as follows.

- (2) For regulation 1(2), substitute the following—
 - “(2) In these Regulations “the 2010 Act” means the Equality Act 2010.”.
- (3) In regulation 2(1), for “section 37(8)(b) of the 1995 Act” substitute “section 169(4)(b) of the 2010 Act”.
- (4) In regulation 2(1)(a), for “certificate of exemption” substitute “exemption certificate”.
- (5) In regulation 2(1)(b), for “certificate of exemption” substitute “exemption certificate”.
- (6) In regulation 2(2), for “section 37(8)(b) of the 1995 Act” substitute “section 169(4)(b) of the 2010 Act”.
- (7) For regulation 3, substitute the following—

“Prescribed charities

3. Each of the following is a prescribed charity for the purposes of paragraph (c) of the definition of “assistance dog” in section 173(1) of the 2010 Act (so far as that definition applies for the purposes of section 168 of that Act)—

(a) S.I. 2000/2990, amended by S.I. 2006/1616.

- (a) “Dogs for the Disabled” registered with the Charity Commission under registration number 1092960;
- (b) “Support Dogs” registered with the Charity Commission under registration number 1017237; and
- (c) “Canine Partners for Independence” registered with the Charity Commission under registration number 803680.”

(8) In Schedule 1 (the notice of exemption in England), for “SECTION 37 DISABILITY DISCRIMINATION ACT 1995” substitute “SECTION 169 EQUALITY ACT 2010”.

(9) In Schedule 2 (the notice of exemption in Wales)—

- (a) for “ADRAN 37 DEDDF GWAHANIAETHU AR SAIL ANABLEDD 1995” substitute “ADRAN 169 DEDDF CYDRADDOLDEB 2010”;
- (b) for “SECTION 37 DISABILITY DISCRIMINATION ACT 1995” substitute “SECTION 169 EQUALITY ACT 2010”.

(10) References to section 37 of the 1995 Act in notices of exemption issued under that section and having effect immediately before 1st October 2010 should (so far as the context allows) be read, in relation to times, circumstances or purposes on or after that date, as references to section 169 of the 2010 Act.

(11) Notwithstanding sub-paragraphs (1) to (9), where notices of exemption are issued on or after 1st October 2010 and are in the form applying before that date, references to section 37 of the 1995 Act should be read as references to section 169 of the 2010 Act.

(12) In relation to notices of exemption to which sub-paragraph (10) or (11) applies, the sub-paragraph in question has effect instead of section 17(2)(a) of the Interpretation Act 1978 as applied by section 23(3) of that Act; but that is without prejudice to any other provision of that Act.

The Disability Discrimination Act 1995 (Private Hire Vehicles) (Carriage of Guide Dogs etc.) (England and Wales) Regulations 2003(a)

3.—(1) The Disability Discrimination Act 1995 (Private Hire Vehicles) (Carriage of Guide Dogs etc.) (England and Wales) Regulations 2003 are amended as follows.

- (2) In regulation 1(2), for “Disability Discrimination Act 1995” substitute “Equality Act 2010”.
- (3) In regulation 2(1), for “section 37A(8)(b)(b) of the Act” substitute “section 171(4)(b) of the Act”.
- (4) In regulation 2(1)(a), for “certificate of exemption” substitute “exemption certificate”.
- (5) In regulation 2(1)(b), for “certificate of exemption” substitute “exemption certificate”.
- (6) In regulation 2(2), for “section 37A(8)(b) of the 1995 Act” substitute “section 171(4)(b) of the Act”.
- (7) For regulation (3), substitute the following—

“Prescribed charities

3. Each of the following is a prescribed charity for the purposes of paragraph (c) of the definition of “assistance dog” in section 173(1) of the Act (so far as that definition applies for the purposes of section 170 of that Act)—

- (a) “Dogs for the Disabled” registered with the Charity Commission under registration number 1092960;
- (b) “Support Dogs” registered with the Charity Commission under registration number 1017237; and

(a) S.I. 2003/3122.

(b) Section 37A was inserted by the Private Hire Vehicles (Carriage of Dogs etc.) Act 2002 (c.37), section 1(1).

- (c) “Canine Partners for Independence” registered with the Charity Commission under registration number 803680.”.

(8) In Schedule 1 (the notice of exemption in England), for “SECTION 37A DISABILITY DISCRIMINATION ACT 1995” substitute “SECTION 171 EQUALITY ACT 2010”.

(9) In Schedule 2 (the notice of exemption in Wales)—

- (a) for “ADRAN 37A DEDDF GWAHANIAETHU AR SAIL ANABLEDD 1995” substitute “ADRAN 171 DEDDF CYDRADDOLDEB 2010”;
- (b) for “SECTION 37A DISABILITY DISCRIMINATION ACT 1995” substitute “SECTION 171 EQUALITY ACT 2010”.

(10) References to section 37A of the 1995 Act in notices of exemption issued under that section and having effect immediately before 1st October 2010 should (so far as the context allows) be read, in relation to times, circumstances or purposes on or after that date, as references to section 171 of the 2010 Act.

(11) Notwithstanding sub-paragraphs (1) to (9), where notices of exemption are issued on or after 1st October 2010 and are in the form applying before that date, references to section 37A of the 1995 Act should be read as references to section 171 of the 2010 Act.

(12) In relation to notices of exemption to which sub-paragraph (10) or (11) applies, the sub-paragraph in question has effect instead of section 17(2)(a) of the Interpretation Act 1978 as applied by section 23(3) of that Act; but that is without prejudice to any other provision of that Act.

The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(a)

4. In regulation 2(1) of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(b)—

- (a) omit the definition of the “Disability Discrimination Act”;
- (b) for the definition of “Equal Pay Act” substitute ““Equality Act” means the Equality Act 2010”;
- (c) omit the definition of “Race Relations Act”;
- (d) omit the definition of “Sex Discrimination Act”.

5.—(1) Schedule 1 to those Regulations (The Employment Tribunals Rules of Procedure) is amended as follows.

(2) In rule 50(1), for sub-paragraph (b)(c) substitute the following—

“(b) proceedings under the Equality Act in which evidence of a personal nature is likely to be heard by the tribunal or an Employment Judge—

- (i) on a complaint relating to a contravention of Part 5 so far as relating to disability;
- (ii) on a complaint relating to a contravention of section 112 that relates to Part 5 so far as relating to disability.”.

(3) In rule 50(2)(d), for “Disability Discrimination Act” substitute “Equality Act”.

(4) In rule 52(e), for “section 6(4A)(f) of the Sex Discrimination Act 1986” substitute “section 146(1) of the Equality Act so far as relating to sex, gender reassignment, marriage and civil partnership or pregnancy and maternity”.

(a) S.I. 2004/1861.

(b) Regulation 2(1) was amended by S.I. 2004/2351, 2005/1865, 2006/680 and 2008/2683.

(c) Rule 50(1)(b) was amended by S.I. 2008/2683.

(d) Rule 50(2) was amended by S.I. 2008/2683.

(e) Rule 52 was amended by S.I. 2008/2683.

(f) Subsection (4A) was inserted by the Trade Union Reform and Employment Rights Act 1993 (c.19), section 32 and amended by the Employment Rights (Dispute Resolution) Act 1998, section 1(2)(a).

(5) In rule 61(8)(a), for “Equal Pay Act, the Sex Discrimination Act, the Sex Discrimination Act 1986, the Race Relations Act or the Disability Discrimination Act”, substitute “Equality Act of the kind referred to in paragraph (9)”.

(6) After paragraph (8), insert the following paragraph—

“(9) The proceedings referred to in paragraph (8) are—

- (a) proceedings on a complaint relating to a breach of an equality clause or rule within the meaning of the Equality Act;
- (b) proceedings on a complaint relating to a contravention of that Act so far as relating to sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race or disability;
- (c) proceedings on a complaint under section 146(1) of that Act so far as relating to sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race or disability.”.

6.—(1) Schedule 6 to those Regulations (The Employment Tribunals (Equal Value) Rules of Procedure)(b) is amended as follows.

(2) In rule 2(1)—

- (a) in the definition of “comparator”, omit “as described in section 1(2)(c) of the Equal Pay Act”;
- (b) omit the definition of “Equal Pay Act”;
- (c) for the definition of “equal value claim” substitute—
““equal value claim” means a claim relating to a breach of a sex equality clause or rule within the meaning of the Equality Act in a case involving work within section 65(1)(c) of that Act;”;
- (d) in the definition of “independent expert”, for “section 2A(4) of the Equal Pay Act” substitute “section 131(8) of the Equality Act”;
- (e) in the definition of “the question”, omit “as described in section 1(2)(c) of the Equal Pay Act”;
- (f) in the definition of “report”, for “section 2A(1)(b) of the Equal Pay Act” substitute “section 131(2) of the Equality Act”.

(3) After rule 2(3), insert the following—

“(4) A reference in this Schedule to one person’s work being of equal value to another’s is to be construed in accordance with section 65(6) of the Equality Act.”.

(4) In rule 4(1), for “any work is of equal value as mentioned in section 1(2)(c) of the Equal Pay Act” substitute “one person’s work is of equal value to another’s”.

(5) In rule 4(3)(a)(c)—

- (a) for “section 2A(2) of the Equal Pay Act” substitute “section 131(6) of the Equality Act”;
- (b) for “section 2A(2A) of that Act” substitute “that section”.

(6) In rule 4(3)(b), for “section 2A(1) of the Equal Pay Act” substitute “section 131(2) of the Equality Act”.

(7) In rule 4(4)(d), for “section 2A(2A) of the Equal Pay Act” substitute “section 131(6) of the Equality Act”.

(8) In rule 4(5), for “section 1(3) of the Equal Pay Act (defence of a genuine material factor)” substitute “section 69 of the Equality Act (defence of material factor)”.

(a) Rule 61(8) was substituted by S.I. 2007/2602.

(b) Schedule 6 was inserted by S.I. 2004/2351.

(c) Rule 4(3) was amended by S.I. 2008/3240.

(d) Rule 4(4) was amended by S.I. 2008/3240.

The Employment Equality (Age) Regulations 2006

7. In paragraph 1(1) of Schedule 6 (duty to consider working beyond retirement), in the definition of “employee”, for “a person to whom regulation 30 (exception for retirement) applies”, substitute “a person who is a relevant worker for the purposes of paragraph 8 of Schedule 9 to the Equality Act 2010 (exceptions relating to retirement)”.

Change of title of the Public Service Vehicles Accessibility (Amendment) Regulations 2009(a)

8.—(1) The title to the Public Service Vehicles Accessibility (Amendment) Regulations 2009 made on 2nd April 2009, and registered with serial number 876, becomes the “Public Service Vehicles Accessibility (Amendment) (No. 2) Regulations 2009”.

(2) In regulation 1 of those Regulations, after “(Amendment)” insert “(No. 2)”.

EXPLANATORY NOTE

(This note is not part of the Order)

This is the fourth Commencement Order made under the Equality Act 2010 (c.15) (“the 2010 Act”). The Equality Act 2010 (Commencement Order No. 1) 2010 (S.I. 2010/1736) (C. 91), the Equality Act 2010 (Commencement Order No. 2) 2010 (S.I. 2010/1966) (C. 104) and the Equality Act 2010 (Commencement Order No. 3) 2010 (S.I. 2010/2191) (C. 109) brought into force a number of provisions of the 2010 Act for the purpose of making subordinate legislation, codes of practice and guidance. The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279) amends the 2010 Act, including by adding new provisions to the 2010 Act and renumbering existing provisions, some of which are brought into force by this Order. It also amends section 76A of the Sex Discrimination Act 1975 (c.65) (“the 1975 Act”), section 71 of the Race Relations Act 1976 (c.74) (“the 1976 Act”) and section 49D of the Disability Discrimination Act 1995 (c.50) (“the 1995 Act”) and makes a number of savings to those Acts. It also makes consequential amendments to other legislation.

This Order brings various provisions of the 2010 Act into force on 1st October 2010 and sets out savings, consequential, transitional, transitory and incidental provisions and a revocation in relation to existing legislation. These savings, consequential, transitional, transitory and incidental provisions and the revocation are made as a result of the repeal and revocation of previous discrimination legislation and its replacement by the 2010 Act, and of the lapse of previous subordinate legislation because of the repeal of previous discrimination legislation by that Act.

Article 2 sets out the various provisions of the 2010 Act which come into force on 1st October 2010.

Articles 3 and 4 set out the provisions of the 2010 Act relating to the Additional Support Needs Tribunal for Scotland which are to come into force on 18th March 2011 and make a number of savings to the 1995 Act to apply before that date.

Articles 5 and 6 make provision in relation to Wales. Article 5 saves the Special Educational Needs and Disability Tribunal (General Provisions and Disability Claims Procedure) Regulations 2002 (S.I. 2002/1985) in relation to Wales and makes a number of consequential amendments to those Regulations until regulations under the relevant provisions of the 2010 Act come into force. Article 6 saves a provision of the 1995 Act in relation to enforcement in Wales.

Articles 7 and 8 set out transitional provisions in respect of various matters. Article 7 provides for the application of the enforcement provisions of the 2010 Act to continuing acts which begin before 1st October 2010 and continue on or after that date. Article 8 sets out a transitional provision in respect of victimisation.

(a) S.I. 2009/876.

Articles 9 to 14 set out transitory provisions in respect of various matters. Article 9 sets out a transitory provision in relation to the enforcement powers of the Commission for Equality and Human Rights and the public sector equality duty as set out in the 1975, 1976 and 1995 Acts pending the coming into force of equivalent provisions in the 2010 Act. Articles 10 and 11 set out transitory provisions in respect of shipping services and work on ships, work on hovercraft and seafarers, pending regulations to be made under sections 30 and 81 of the 2010 Act respectively. Article 12 sets out a transitory provision in relation to duties applicable to taxis and private hire vehicles in respect of disabled persons, saving certain provisions of the 1995 Act until equivalent duties in section 165 of the 2010 Act are brought into force. Article 13 sets out a transitory provision to the effect that guidance on the meaning of disability made under the 1995 Act (ISBN 978-0-11-703686-4) continues in force until new guidance is made under the 2010 Act. Article 14 sets out a transitory provision to the effect that guidance on the publication of data associated with the use of gender in the assessment of insurance risks (ISBN 978-1-84532-436-0) continues in force until new guidance is made under the 2010 Act.

Articles 15 to 22 make savings in respect of various matters. Article 15 provides that, where conduct complained of occurs wholly before 1st October 2010, previous legislation, procedures and remedies are applicable, as if the 2010 Act had not been commenced. Article 16 provides for the continued operation of transitional provisions and savings in previous legislation despite the repeal of that legislation. Article 17 provides that legislation prior to the 1975 Act which was overridden by that Act continues to be of no effect. Article 18 saves certain previous legislation in respect of insurance business in relation to existing insurance policies. Article 19 saves certain provisions of the 1995 Act. Article 20 saves a number of definitions in the Employment Equality (Age) Regulations 2006 (S.I. 2006/1031) as they apply to Schedule 6 to those Regulations (the duty to consider working beyond retirement). Article 21 makes provision to ensure that specified subordinate legislation is to be treated as made under the 2010 Act and saves a provision of the 1995 Act for the purpose of rail vehicle accessibility. Article 22 ensures that guidance relating to accessibility in schools (Ref. LEA/0168/2002) is saved as if made under the 2010 Act.

Article 23 revokes a regulation of the Rail Passengers' Rights and Obligations Regulations 2010 (S.I. 2010/1504). Article 24 sets out consequential and incidental provisions in relation to various provisions of subordinate legislation. Article 25 ensures that references in subordinate legislation to previous discrimination legislation are to be read as if they were the corresponding references to the 2010 Act.

Schedules 1 to 4 list provisions of previous discrimination legislation which are saved in so far as they relate to shipping services and work on ships, work on hovercraft and seafarers.

Schedules 5 and 6 list provisions of previous discrimination legislation which are saved in so far as they relate to insurance business in relation to existing insurance policies.

Schedule 7 lists subordinate legislation which is saved as if made under the 2010 Act.

Schedule 8 sets out consequential and incidental provisions in relation to subordinate legislation. Paragraph 1 makes a number of amendments to Schedules 4 to 6 to the Public Service Vehicles Accessibility Regulations 2000 (S.I. 2000/1970). Paragraphs 2 and 3 make consequential amendments to Regulations made under sections 37 and 37A of the 1995 Act which provide for the form of prescribed exemption notice for drivers of taxis and private hire vehicles respectively. Paragraphs 4 to 6 make consequential amendments to employment tribunals' rules of procedure. Paragraph 7 makes consequential amendments to Schedule 6 to the Employment Equality (Age) Regulations 2006 (S.I. 2006/1031), which has not been repealed and which makes provision for the duty on employers to consider requests of employees who wish to work beyond retirement. Paragraph 8 corrects an error in the title of a statutory instrument (S.I. 2009/876).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 6(5) (partially)	6th July 2010	2010/1736
Section 6(6) (partially)	4th August 2010	2010/1966
Section 22 (partially)	6th July 2010	2010/1736
Section 38(8) (partially)	4th August 2010	2010/1966
Section 61(8) and (9) (partially)	6th July 2010	2010/1736
Section 80(8) (partially)	4th August 2010	2010/1966
Section 81 (partially)	6th July 2010	2010/1736
Section 82 (partially)	6th July 2010	2010/1736
Section 83(11) (partially)	4th August 2010	2010/1966
Section 94(12) (partially)	4th August 2010	2010/1966
Section 96(9)(b) (partially)	3rd September 2010	2010/2191
Section 96(10) and (11) (partially)	6th July 2010	2010/1736
Section 97 (partially)	6th July 2010	2010/1736
Section 116(3) (partially)	4th August 2010	2010/1966
Section 117(1), (2), (3) and (4) (partially)	6th July 2010	2010/1736
Section 138(1), (2), (5), (6) and (7) (partially)	6th July 2010	2010/1736
Section 147(4) (partially)	6th July 2010	2010/1736
Section 189 (partially)	4th August 2010	2010/1966
Section 211(1) (partially)	6th July 2010	2010/1736
Schedule 1, paragraphs 1, 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15 and 16 (partially)	6th July 2010	2010/1736
Schedule 4, paragraph 9 (partially)	6th July 2010	2010/1736
Schedule 7, paragraphs 4, 5 and 6 (partially)	6th July 2010	2010/1736
Schedule 9, paragraph 16 (partially)	6th July 2010	2010/1736
Schedule 12, paragraph 5 (partially)	6th July 2010	2010/1736
Schedule 17, paragraphs 1 and 6(1) to (7) (partially)	6th July 2010	2010/1736
Schedule 21, paragraph 6 (partially)	6th July 2010	2010/1736
Schedule 26, paragraph 61(a) (partially)	4th August 2010	2010/1966
Schedule 26, paragraph 65(1), (2), (3) and (5)(b)	6th July 2010	2010/1736

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(a) Previously paragraph 6, prior to amendment of the 2010 Act by the 2010 Order.

(b) Previously paragraph 10(1), (2), (3) and (5), prior to amendment of the 2010 Act by the 2010 Order.

