



Equality Act 2006

2006 CHAPTER 3

PART 2

DISCRIMINATION ON GROUNDS OF RELIGION OR BELIEF

Enforcement

66 Claim of unlawful action

- (1) A claim that a person has done anything that is unlawful by virtue of this Part may be brought in a county court (in England and Wales) or in the sheriff court (in Scotland) by way of proceedings in tort (or reparation) for breach of statutory duty.
- (2) Proceedings in England and Wales alleging that any of the following bodies has acted unlawfully by virtue of section 49 or 51 may not be brought unless the claimant has given written notice to the Secretary of State; and those bodies are—
 - (a) a local education authority, and
 - (b) the responsible body of an educational establishment listed in the Table in section 49.
- (3) Proceedings in Scotland alleging that any of the following bodies has acted unlawfully by virtue of section 49 or 51 may not be brought unless the pursuer has given written notice to the Scottish Ministers; and those bodies are—
 - (a) an education authority, and
 - (b) the responsible body of an educational establishment listed in the Table in section 49.
- (4) In subsection (1) the reference to a claim that a person has done an unlawful act includes a reference to a claim that a person is to be treated by virtue of this Part as having done an unlawful act.
- (5) In proceedings under this section, if the claimant (or pursuer) proves facts from which the court could conclude, in the absence of a reasonable alternative explanation, that an

Status: This is the original version (as it was originally enacted).

act which is unlawful by virtue of this Part has been committed, the court shall assume that the act was unlawful unless the respondent (or defender) proves that it was not.