



Equality Act 2006

2006 CHAPTER 3

PART 2

DISCRIMINATION ON GROUNDS OF RELIGION OR BELIEF

General

78 Crown application

- (1) Section 52 binds the Crown.
- (2) The remainder of this Part applies to an act done on behalf of the Crown as it applies to an act done by a private person.
- (3) For the purposes of subsection (2) an act is done on behalf of the Crown if (and only if) done—
 - (a) by or on behalf of a Minister of the Crown,
 - (b) by or on behalf of the Scottish Ministers,
 - (c) by a government department,
 - (d) by a body established by an enactment (including an enactment in or under an Act of the Scottish Parliament) acting on behalf of the Crown,
 - (e) by or on behalf of the holder of an office established by an enactment (including an enactment in or under an Act of the Scottish Parliament) acting on behalf of the Crown, or
 - (f) by or on behalf of an office-holder in the Scottish Administration (within the meaning of section 126(7) of the Scotland Act 1998 (c. 46)).
- (4) The provisions of Parts II to IV of the Crown Proceedings Act 1947 shall apply to proceedings against the Crown under this Part as they apply to proceedings in England and Wales which by virtue of section 23 of that Act are treated for the purposes of Part II of that Act as civil proceedings by or against the Crown; but section 20 of that Act (removal of proceedings from county court to High Court) shall not apply to proceedings under this Part.

Status: This is the original version (as it was originally enacted).

- (5) The provisions of Part V of the Crown Proceedings Act 1947 shall apply to proceedings against the Crown under this Part as they apply to proceedings in Scotland which by virtue of the said Part are treated as civil proceedings by or against the Crown; but the proviso to section 44 of that Act (removal of proceedings from the sheriff court to the Court of Session) shall not apply to proceedings under this Part.