



# Equality Act 2010

## 2010 CHAPTER 15

### PART 4

#### PREMISES

##### *Supplementary*

### **38 Interpretation and exceptions**

- (1) This section applies for the purposes of this Part.
- (2) A reference to premises is a reference to the whole or part of the premises.
- (3) A reference to disposing of premises includes, in the case of premises subject to a tenancy, a reference to—
  - (a) assigning the premises,
  - (b) sub-letting them, or
  - (c) parting with possession of them.
- (4) A reference to disposing of premises also includes a reference to granting a right to occupy them.
- (5) A reference to disposing of an interest in a commonhold unit includes a reference to creating an interest in a commonhold unit.
- (6) A reference to a tenancy is to a tenancy created (whether before or after the passing of this Act)—
  - (a) by a lease or sub-lease,
  - (b) by an agreement for a lease or sub-lease,
  - (c) by a tenancy agreement, or
  - (d) in pursuance of an enactment,and a reference to a tenant is to be construed accordingly.

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*Status: Point in time view as at 21/12/2012.*

**Changes to legislation:** Equality Act 2010, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 07 June 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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- (7) A reference to commonhold land, a commonhold association, a commonhold community statement, a commonhold unit or a unit-holder is to be construed in accordance with the Commonhold and Leasehold Reform Act 2002.
- (8) Schedule 4 (reasonable adjustments) has effect.
- (9) Schedule 5 (exceptions) has effect.

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**Commencement Information**

- II** S. 38 partly in force; s. 38 not in force at Royal Assent see s. 216; s. 38(8) in force for certain purposes at 4.8.2010 by S.I. 2010/1966, art. 2; s. 38(1)-(7)(9) wholly in force and s. 38(8) in force for certain further purposes at 1.10.2010 by S.I. 2010/2317, art. 2(1)(4)(c)(d) (with art. 15)

**Status:**

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