



# Equality Act 2010

## 2010 CHAPTER 15

### PART 16

#### GENERAL AND MISCELLANEOUS

##### *Subordinate legislation*

#### **207 Exercise of power**

- (1) A power to make an order or regulations under this Act is exercisable by a Minister of the Crown, unless there is express provision to the contrary.
- (2) Orders, regulations or rules under this Act must be made by statutory instrument.
- (3) Subsection (2) does not apply to—
  - (a) a transitional exemption order under Part 1 of Schedule 11,
  - (b) a transitional exemption order under Part 1 of Schedule 12, or
  - (c) an order under paragraph 1(3) of Schedule 14 that does not modify an enactment.
- (4) Orders or regulations under this Act—
  - (a) may make different provision for different purposes;
  - (b) may include consequential, incidental, supplementary, transitional, transitory or saving provision.
- (5) Nothing in section 163(4), 174(4) [<sup>F1</sup>, 181A(5), 181B(6)] or 182(3) affects the generality of the power under subsection (4)(a).
- (6) The power under subsection (4)(b), in its application to section 37, [<sup>F2</sup>139A,] 153, 154(2), 155(5), 197 or 216 or to paragraph 7(1) of Schedule 11 or paragraph 1(3) or 2(3) of Schedule 14, includes power to amend an enactment (including, in the case of section [<sup>F2</sup>139A,] 197 or 216, this Act).
- (7) In the case of section 216 (commencement), provision by virtue of subsection (4) (b) may be included in a separate order from the order that provides for the

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*Status: Point in time view as at 29/05/2020.*

*Changes to legislation: Equality Act 2010, Section 207 is up to date with all changes known to be in force on or before 31 July 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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commencement to which the provision relates; and, for that purpose, it does not matter—

- (a) whether the order providing for the commencement includes provision by virtue of subsection (4)(b);
  - (b) whether the commencement has taken place.
- (8) A statutory instrument containing an Order in Council under section 82 (offshore work) is subject to annulment in pursuance of a resolution of either House of Parliament.

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#### **Textual Amendments**

- F1** Words in s. 207(5) inserted (26.6.2018) by [Bus Services Act 2017 \(c. 21\)](#), **ss. 17(2)**, 26(2); S.I. [2018/758](#), [reg. 2](#)
- F2** Words in s. 207(6) inserted (25.4.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 98(3)**, 103(1)

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