

# **ENTERPRISE AND REGULATORY REFORM ACT 2013**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 6: Miscellaneous and General**

##### **Caste as an aspect of race**

##### ***Section 97: Equality Act 2010: caste as an aspect of race***

611. This section amends section 9(5) of the Equality Act 2010 so as to place a duty on a Minister of the Crown to make an order which includes “caste” within the definition of “race” in section 9 of that Act.
612. Under section 9(5)(b), a Minister of the Crown may also by order amend that Act to include exceptions for caste, or make particular provisions of that Act apply in relation to caste in some but not other circumstances.
613. This section also provides a power to enable a Minister to review section 9(5) of the Equality Act 2010 and any orders made under it. The Minister must publish a report on the outcome of any such review.
614. The power to review cannot be exercised earlier than five years after the day on which the Act was passed, which was 25 April 2013. Once the five year period has passed, this power may be exercised more than once.
615. If it is considered appropriate, in the light of the outcome of a review, the Minister may by order repeal or otherwise amend section 9(5) of the Equality Act 2010.