
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Equality Act 2010 (c. 15) (“the Act”). The Order amends the Act by adding to the list in Schedule 19 of public authorities which are subject to the public sector equality duty under section 149 of the Act. The Order also makes amendments to the Act which are consequential on or supplementary to the commencement of the amended provisions, which were brought into force by the Equality Act 2010 (Commencement Order No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317 (C. 112)). In addition, the Order makes amendments which are consequential to the commencement of section 149 of the Act on 5th April 2011.

Article 2 amends Schedule 19 to the Act, which lists specific public authorities which are subject to the public sector equality duty.

Articles 3 and 4 make consequential amendments which come into force on 4th April 2011 and which provide for amendments and repeals in relation to the Act and the Nationality, Immigration and Asylum Act 2002 (c. 41). Article 5 makes a consequential amendment to the School Standards and Framework Act 1998 (c. 31) which comes into force on the same day as the commencement of the public sector equality duty on 5th April 2011.

Articles 6 and 7 make supplementary amendments to correct inadvertent omissions or drafting errors to ensure that provisions introduced by the Act work effectively.

Schedule 1 adds bodies and offices to the list of public authorities in Part 1 of Schedule 19 to the Act which are subject to the public sector equality duty. Schedule 2 adds a new Part 4 to Schedule 19 to the Act relating to cross-border Welsh authorities that have some functions that are devolved and some that are not devolved. Schedule 3 adds a new Part 1A to Schedule 27 to the Act with a table setting out repeals relating to the commencement of the public sector equality duty on 5th April 2011. Schedule 4 adds a new Part 3 to Schedule 27 to the Act with a table setting out revocations relating to the commencement of the public sector equality duty. These revocations revoke certain instruments which inserted a number of bodies into Schedule 1A of the Race Relations Act 1976 (c. 74), making them subject to the general statutory duty imposed by section 71 of that Act; section 71 will be repealed once the public sector equality duty comes into force.