
EXPLANATORY NOTE

(This note is not part of the Order)

This is the ninth Commencement Order made under the Equality Act 2010 (c.15) (“the Act”). The Equality Act (Commencement No. 1) Order 2010 (S.I. 2010/1736 (C.91)), the Equality Act 2010 (Commencement No. 2) Order 2010 (S.I. 2010/1966 (C.104)), the Equality Act 2010 (Commencement No. 3) Order 2010 (S.I. 2010/2191 (C.109)), the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317 (C.112)) (as amended by the Equality Act 2010 (Commencement No.4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010 (S.I. 2010/2337 (C.113)), the Equality Act 2010 (Commencement No. 5) Order 2011 (S.I. 2011/96 (C.5)), the Equality Act 2010 (Commencement No. 6) Order 2011 (S.I. 2011/1066 (C.43)), the Equality Act 2010 (Commencement No. 7) Order 2011 (S.I. 2011/1636 (C.62)) and the Equality Act 2010 (Commencement No. 8) Order 2011 (S.I. 2011/2646 (C.94)) brought into force most of the provisions of the Act. The fourth Commencement Order (as amended) also set out savings, consequential, transitional, transitory and incidental provisions and a revocation in relation to existing legislation, which were required as a result of the repeal and revocation of previous discrimination legislation and its replacement by the Act. The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279) amended the Act, including by adding new provisions into the Act and renumbering existing provisions.

This Order brings section 197 into force on the day after it is made. This provides power for the Secretary of State to make an Order that provides for exceptions from the provisions of the Act in respect of the protected characteristic of age. It also brings into force on 1st October 2012 sections 28 to 31 (services and public functions) and sections 100 to 105 and section 107 (associations) of the Act in relation to the protected characteristic of age together with relevant elements in Schedules 3 and 16, Schedule 22 (statutory provisions) and Schedule 23 (general exceptions) in so far as they relate to the protected characteristic of age. Both Part 3 and Part 7 were brought into force for other protected characteristics on 1st October 2010.