



# Equality Act 2006

## 2006 CHAPTER 3

### PART 1

#### THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

##### *Duties*

### 8 Equality and diversity

- (1) The Commission shall, by exercising the powers conferred by this Part—
  - (a) promote understanding of the importance of equality and diversity,
  - (b) encourage good practice in relation to equality and diversity,
  - (c) promote equality of opportunity,
  - (d) promote awareness and understanding of rights under the [<sup>F1</sup>Equality Act 2010],
  - (e) enforce [<sup>F2</sup>that Act],
  - (f) work towards the elimination of unlawful discrimination, and
  - (g) work towards the elimination of unlawful harassment.
- (2) In subsection (1)—
  - “diversity” means the fact that individuals are different,
  - “equality” means equality between individuals, and
  - “unlawful” is to be construed in accordance with section 34.
- (3) In promoting equality of opportunity between disabled persons and others, the Commission may, in particular, promote the favourable treatment of disabled persons.
- (4) In this Part “disabled person” means a person who—
  - (a) is a disabled person within the meaning of the [<sup>F3</sup>Equality Act 2010], or
  - (b) has been a disabled person within that meaning (whether or not at a time when that Act had effect).

*Changes to legislation: Equality Act 2006, Cross Heading: Duties is up to date with all changes known to be in force on or before 30 January 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) View outstanding changes*

#### Textual Amendments

- F1** Words in s. 8(1)(d) substituted (1.10.2010) by Equality Act 2010 (c. 15), s. 216(3), **Sch. 26 para. 62(2)(a)** (with ss. 6(4), 205); S.I. 2010/2317, art. 2(15)(e)(iv) (as amended (1.10.2010) by S.I. 2010/2337, art. 2)
- F2** Words in s. 8(1)(e) substituted (1.10.2010) by Equality Act 2010 (c. 15), s. 216(3), **Sch. 26 para. 62(2)(b)** (with ss. 6(4), 205); S.I. 2010/2317, art. 2(15)(e)(iv) (as amended (1.10.2010) by S.I. 2010/2337, art. 2)
- F3** Words in s. 8(4) substituted (1.10.2010) by Equality Act 2010 (c. 15), s. 216(3), **Sch. 26 para. 62(3)** (with ss. 6(4), 205); S.I. 2010/2317, art. 2(15)(e)(iv) (as amended (1.10.2010) by S.I. 2010/2337, art. 2)

## 9 Human rights

- (1) The Commission shall, by exercising the powers conferred by this Part—
- (a) promote understanding of the importance of human rights,
  - (b) encourage good practice in relation to human rights,
  - (c) promote awareness, understanding and protection of human rights, and
  - (d) encourage public authorities to comply with section 6 of the Human Rights Act 1998 (c. 42) (compliance with Convention rights).
- (2) In this Part “human rights” means—
- (a) the Convention rights within the meaning given by section 1 of the Human Rights Act 1998, and
  - (b) other human rights.
- (3) In determining what action to take in pursuance of this section the Commission shall have particular regard to the importance of exercising the powers conferred by this Part in relation to the Convention rights.
- (4) In fulfilling a duty under section 8<sup>F4</sup>... the Commission shall take account of any relevant human rights.
- (5) A reference in this Part (including this section) to human rights does not exclude any matter by reason only of its being a matter to which section 8<sup>F4</sup>... relates.

#### Textual Amendments

- F4** Words in s. 9(4)(5) omitted (25.6.2013) by virtue of Enterprise and Regulatory Reform Act 2013 (c. 24), **ss. 64(5), 103(2)**

## 10 Groups

<sup>F5</sup>(1) .....

- (2) In this Part “group” means a group or class of persons who share a common attribute in respect of any of the following matters—
- (a) age,
  - (b) disability,
  - (c) gender,

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- [<sup>F6</sup>(d) gender reassignment (within the meaning of section 7 of the Equality Act 2010),]
- (e) race,
- (f) religion or belief, and
- (g) sexual orientation.

(3) For the purposes of this Part a reference to a group (as defined in subsection (2)) includes a reference to a smaller group or smaller class, within a group, of persons who share a common attribute (in addition to the attribute by reference to which the group is defined) in respect of any of the matters specified in subsection (2)(a) to (g).

- <sup>F7</sup>(4) .....
- <sup>F7</sup>(5) .....
- <sup>F7</sup>(6) .....
- <sup>F7</sup>(7) .....

#### Textual Amendments

- F5** S. 10(1) omitted (25.6.2013) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(1)(a)**, 103(2)
- F6** S. 10(2)(d) substituted (1.10.2010) by [Equality Act 2010 \(c. 15\)](#), s. 216(3), **Sch. 26 para. 63** (with [ss. 6\(4\)](#), 205); [S.I. 2010/2317](#), **art. 2(15)(e)(iv)** (as amended (1.10.2010) by [S.I. 2010/2337](#), art. 2)
- F7** S. 10(4)-(7) omitted (25.6.2013) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(1)(a)**, 103(2)

## 11 Monitoring the law

- (1) The Commission shall monitor the effectiveness of the equality and human rights enactments.
- (2) The Commission may—
  - (a) advise central government about the effectiveness of any of the equality and human rights enactments;
  - (b) recommend to central government the amendment, repeal, consolidation (with or without amendments) or replication (with or without amendments) of any of the equality and human rights enactments;
  - (c) advise central or devolved government about the effect of an enactment (including an enactment in or under an Act of the Scottish Parliament);
  - (d) advise central or devolved government about the likely effect of a proposed change of law.
- (3) In this section—
  - (a) “central government” means Her Majesty’s Government,
  - (b) “devolved government” means—
    - (i) the Scottish Ministers, and
    - (ii) the [<sup>F8</sup>Welsh Ministers, the First Minister for Wales and the Counsel General to the Welsh Assembly Government]<sup>F8</sup>, and
  - [<sup>F9</sup>(c) a reference to the equality and human rights enactments is a reference to the Human Rights Act 1998, this Act and the Equality Act 2010.]

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### Textual Amendments

- F8** Words in s. 11(3)(b)(ii) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), art. 3, **Sch. 1 para. 113**, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [Government of Wales Act 2006](#), ss. 46, 161(5)
- F9** [S. 11\(3\)\(c\)](#) substituted (1.10.2010) by [Equality Act 2010 \(c. 15\)](#), s. 216(3), **Sch. 26 para. 64** (with [ss. 6\(4\)](#), 205); [S.I. 2010/2317](#), art. 2(15)(e)(iv) (as amended (1.10.2010) by [S.I. 2010/2337](#), art. 2)

## 12 Monitoring progress

- (1) The Commission shall from time to time identify—
- (a) changes in society that have occurred or are expected to occur and are relevant to <sup>F10</sup>the duties specified in sections 8 and 9],
  - (b) results at which to aim for the purpose of encouraging and supporting <sup>F11</sup>changes in society that are consistent with those duties] (“outcomes”), and
  - (c) factors by reference to which progress towards those results may be measured (“indicators”).
- (2) In identifying outcomes and indicators the Commission shall—
- (a) consult such persons having knowledge or experience relevant to the Commission's functions as the Commission thinks appropriate,
  - (b) consult such other persons as the Commission thinks appropriate,
  - (c) issue a general invitation to make representations, in a manner likely in the Commission's opinion to bring the invitation to the attention of as large a class of persons who may wish to make representations as is reasonably practicable, and
  - (d) take account of any representations made.
- (3) The Commission shall from time to time monitor progress towards each identified outcome by reference to any relevant identified indicator.
- (4) The Commission shall publish a report on progress towards the identified outcomes by reference to the identified indicators—
- (a) within the period of three years beginning with the date on which this section comes into force, and
  - (b) within each period of <sup>F12</sup>five] years beginning with the date on which a report is published under this subsection.
- (5) The Commission shall send each report to the <sup>F13</sup>Secretary of State], who shall lay a copy before Parliament.

### Textual Amendments

- F10** Words in s. 12(1)(a) substituted (25.6.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(6)(a)**, 103(2)
- F11** Words in s. 12(1)(b) substituted (25.6.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(6)(b)**, 103(2)
- F12** Word in s. 12(4)(b) substituted (25.6.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), **ss. 64(2)**, 103(2)

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**F13** Words in s. 12(5) substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), [Sch. para. 7\(2\)\(c\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(8) inserted by [2023 c. 51 s. 4\(2\)](#)
- s. 24A(1)(aa) inserted by [2023 c. 51 s. 4\(3\)](#)