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**Changes to legislation:** Equality Act 2006, Part 3 is up to date with all changes known to be in force on or before 14 March 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

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## SCHEDULES

### SCHEDULE 1

#### THE COMMISSION: CONSTITUTION, &C.

#### PART 3

#### MONEY

##### *Remuneration, &c.*

- 35 (1) The Commission may pay to the Chairman, a deputy Chairman or another Commissioner—
- (a) such remuneration as the [F1Secretary of State] may determine, and
  - (b) such travelling and other allowances as the [F1Secretary of State] may determine.
- (2) The Commission may pay to or in respect of the Chairman, a deputy Chairman or another Commissioner such sums as the [F1Secretary of State] may determine by way of, or in respect of, pensions, allowances or gratuities.
- (3) If the [F1Secretary of State] thinks that there are special circumstances that make it right for a person ceasing to hold office as Chairman, deputy Chairman or Commissioner to receive compensation, the Commission may pay to him such compensation as the [F1Secretary of State] may determine.
- (4) This paragraph does not apply to the Chief Executive.

#### Textual Amendments

- F1** Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), **Sch. para. 7(2)(o)**

- 36 (1) The Commission may pay sums to or in respect of a member or former member of staff by way of or in respect of—
- (a) remuneration,
  - (b) allowances,
  - (c) pensions,
  - (d) gratuities, or
  - (e) compensation for loss of employment.
- (2) In Schedule 1 to the Superannuation Act 1972 (c. 11) (employment to which superannuation schemes may extend) in the list of other bodies insert at the appropriate place—
- (a) “The Commission for Equality and Human Rights.”

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- (3) The Commission shall pay to the Minister for the Civil Service such sums as he may determine in respect of any increase attributable to sub-paragraph (2) in the sums payable out of money provided by Parliament under the Superannuation Act 1972 (c. 11).
- 37 (1) The Commission may, with the approval of the [<sup>F1</sup>Secretary of State], pay sums to or in respect of a member or former member of an advisory or decision-making committee by way of or in respect of—
- (a) remuneration,
  - (b) allowances, or
  - (c) gratuities.
- (2) This paragraph does not apply in relation to a person who is a member of staff of the Commission.
- (3) Approval for the purposes of sub-paragraph (1) may be general or specific.

**Textual Amendments**

- F1** Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), [Sch. para. 7\(2\)\(o\)](#)

*[<sup>F1</sup>Secretary of State]*

- 38 The [<sup>F1</sup>Secretary of State] shall pay to the Commission such sums as appear to the [<sup>F1</sup>Secretary of State] reasonably sufficient for the purpose of enabling the Commission to perform its functions.

*Charging*

- 39 The Commission may make a charge for a service provided under section 13 <sup>F2</sup>....

**Textual Amendments**

- F2** Words in [Sch. 1 para. 39](#) omitted (25.6.2013) by virtue of [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [ss. 64\(11\)\(a\)](#), [103\(2\)](#)

*Accounts*

- 40 (1) The Commission shall—
- (a) keep proper accounting records, and
  - (b) prepare a statement of accounts in respect of each financial year in such form as the [<sup>F1</sup>Secretary of State] may direct.
- (2) The Commission shall send a copy of a statement under sub-paragraph (1)(b) to—
- (a) the [<sup>F1</sup>Secretary of State], and
  - (b) the Comptroller and Auditor General.

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- (3) A copy of a statement must be sent under sub-paragraph (2) within such period, beginning with the end of the financial year to which the statement relates, as the <sup>F1</sup>Secretary of State] may direct.
- (4) The Comptroller and Auditor General shall—
- (a) examine, certify and report on a statement received under this paragraph, and
  - (b) lay a copy of the statement and his report before Parliament.
- (5) The <sup>F1</sup>Secretary of State] may make a direction under sub-paragraph (1)(b) only with the consent of the Treasury.

**Textual Amendments**

- F1** Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), **Sch. para. 7(2)(o)**

*Financial year*

- 41 (1) The financial year of the Commission shall be the period of 12 months ending with 31st March.
- (2) But the first financial year of the Commission shall be the period—
- (a) beginning with the coming into force of section 1, and
  - (b) ending with—
    - (i) the following 31st March, if that section comes into force on 1st April, and
    - (ii) the second following 31st March, in any other case.

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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\(3\)](#)