



Equality Act 2006

2006 CHAPTER 3

PART 1

THE COMMISSION FOR EQUALITY AND HUMAN RIGHTS

Miscellaneous

42 Transitional: functions of the dissolved Commissions

- (1) An order under section 36(1)(a) or (b) may—
 - (a) provide for a former Commission to continue to exercise a function in respect of a transitional case of a kind specified;
 - (b) provide for the Commission for Equality and Human Rights to exercise a function of a former Commission in respect of a transitional case of a kind specified.
- (2) An order under section 93 commencing a provision of Schedule 3 or 4 may include a saving or a consequential or incidental provision for the purpose of the operation of provision made by virtue of subsection (1) above; and the saving, consequential or incidental provision may, in particular, include provision applying, disapplying or modifying the application of a provision of this Act or of another enactment (including an enactment in or under an Act of the Scottish Parliament).
- (3) A code of practice issued by a Commission dissolved by virtue of section 36, or which relates to a function of a Commission removed by virtue of section 36(1)(b)—
 - (a) shall continue to have effect until revoked by the Secretary of State, at the request of the Commission for Equality and Human Rights, by order made by statutory instrument, and
 - (b) may be revised by the Commission for Equality and Human Rights as if it had been issued under section 14.
- (4) Consultation undertaken by a former Commission in relation to the issue or revision of a code of practice may be relied upon by the Commission for Equality and Human Rights for a purpose of section 14.

Changes to legislation: Equality Act 2006, Section 42 is up to date with all changes known to be in force on or before 28 February 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](#)

- (5) An order under subsection (3)(a) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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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\(3\)](#)