

EQUALITY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 14: General Exceptions

Section 195: Sport

Effect

614. This section allows separate sporting competitions to continue to be organised for men and women where physical strength, stamina or physique are major factors in determining success or failure, and in which one sex is generally at a disadvantage in comparison with the other. It also makes it lawful to restrict participation of transsexual people in such competitions if this is necessary to uphold fair or safe competition, but not otherwise.
615. In addition, this section allows the existing selection arrangements of national sports teams, regional or local clubs or related associations to continue. It also protects “closed” competitions where participation is limited to people who meet a requirement relating to nationality, place of birth or residence.

Background

616. This section replaces similar provisions in previous legislation.

Examples

- It would be lawful to have men and women, though not necessarily younger boys and girls, compete in separate 100 metre races.
- It would be lawful to require participants in a county tennis championship to have been born in that county or to have lived there for a minimum period prior to the event.