



Equality Act 2010

2010 CHAPTER 15

PART 3 **E+W+S**

SERVICES AND PUBLIC FUNCTIONS

Preliminary

28 Application of this Part **E+W+S**

- (1) This Part does not apply to the protected characteristic of—
 - (a) age, so far as relating to persons who have not attained the age of 18;
 - (b) marriage and civil partnership.
- (2) This Part does not apply to discrimination, harassment or victimisation—
 - (a) that is prohibited by Part 4 (premises), 5 (work) or 6 (education), or
 - (b) that would be so prohibited but for an express exception.
- (3) This Part does not apply to—
 - (a) a breach of an equality clause or rule;
 - (b) anything that would be a breach of an equality clause or rule but for section 69 or Part 2 of Schedule 7;
 - (c) a breach of a non-discrimination rule.

Commencement Information

- II** S. 28 wholly in force at 1.10.2012; s. 28 not in force at Royal Assent see s. 216; s. 28 in force for certain purposes at 1.10.2010 by S.I. 2010/2317, art. 2(3); s. 28 in force so far as not already in force at 1.10.2012 by S.I. 2012/1569, art. 3(a)

Changes to legislation:

Equality Act 2010, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 24 April 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.

[View outstanding changes](#)

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. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)