



# Equality Act 2010

## 2010 CHAPTER 15

### PART 7

#### ASSOCIATIONS

##### *Special provision for political parties*

#### **104 Selection of candidates**

- (1) This section applies to an association which is a registered political party.
- (2) A person does not contravene this Part only by acting in accordance with selection arrangements.
- (3) Selection arrangements are arrangements—
  - (a) which the party makes for regulating the selection of its candidates in a relevant election,
  - (b) the purpose of which is to reduce inequality in the party's representation in the body concerned, and
  - (c) which, subject to subsection (7), are a proportionate means of achieving that purpose.
- (4) The reference in subsection (3)(b) to inequality in a party's representation in a body is a reference to inequality between—
  - (a) the number of the party's candidates elected to be members of the body who share a protected characteristic, and
  - (b) the number of the party's candidates so elected who do not share that characteristic.
- (5) For the purposes of subsection (4), persons share the protected characteristic of disability if they are disabled persons (and section 6(3)(b) is accordingly to be ignored).

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*Status: This is the original version (as it was originally enacted).*

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- (6) Selection arrangements do not include short-listing only such persons as have a particular protected characteristic.
- (7) But subsection (6) does not apply to the protected characteristic of sex; and subsection (3)(c) does not apply to short-listing in reliance on this subsection.
- (8) The following elections are relevant elections—
  - (a) Parliamentary Elections;
  - (b) elections to the European Parliament;
  - (c) elections to the Scottish Parliament;
  - (d) elections to the National Assembly for Wales;
  - (e) local government elections within the meaning of section 191, 203 or 204 of the Representation of the People Act 1983 (excluding elections for the Mayor of London).