



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9

#### ENFORCEMENT

### CHAPTER 2

#### CIVIL COURTS

#### 118 Time limits

- (1) Proceedings on a claim within section 114 may not be brought after the end of—
  - (a) the period of 6 months starting with the date of the act to which the claim relates, or
  - (b) such other period as the county court or sheriff thinks just and equitable.
- (2) If subsection (3) or (4) applies, subsection (1)(a) has effect as if for “6 months” there were substituted “9 months”.
- (3) This subsection applies if—
  - (a) the claim relates to the act of a qualifying institution, and
  - (b) a complaint relating to the act is referred under the student complaints scheme before the end of the period of 6 months starting with the date of the act.
- (4) This subsection applies if—
  - (a) the claim relates to a dispute referred for conciliation in pursuance of arrangements under section 27 of the [Equality Act 2006](#), and
  - (b) subsection (3) does not apply.
- (5) If it has been decided under the immigration provisions that the act of an immigration authority in taking a relevant decision is a contravention of Part 3 (services and public functions), subsection (1) has effect as if for paragraph (a) there were substituted—

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*Status: This is the original version (as it was originally enacted).*

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- “(a) the period of 6 months starting with the day after the expiry of the period during which, as a result of section 114(2), proceedings could not be brought in reliance on section 114(1)(a);”.
- (6) For the purposes of this section—
- (a) conduct extending over a period is to be treated as done at the end of the period;
  - (b) failure to do something is to be treated as occurring when the person in question decided on it.
- (7) In the absence of evidence to the contrary, a person (P) is to be taken to decide on failure to do something—
- (a) when P does an act inconsistent with doing it, or
  - (b) if P does no inconsistent act, on the expiry of the period in which P might reasonably have been expected to do it.
- (8) In this section—
- “immigration authority”, “immigration provisions” and “relevant decision” each have the meaning given in section 115;
  - “qualifying institution” has the meaning given in section 11 of the [Higher Education Act 2004](#);
  - “the student complaints scheme” means a scheme for the review of qualifying complaints (within the meaning of section 12 of that Act) that is provided by the designated operator (within the meaning of section 13(5)(b) of that Act).