



Equality Act 2010

2010 CHAPTER 15

PART 9

ENFORCEMENT

CHAPTER 4

EQUALITY OF TERMS

127 Jurisdiction

- (1) An employment tribunal has, subject to subsection (6), jurisdiction to determine a complaint relating to a breach of an equality clause or rule.
- (2) The jurisdiction conferred by subsection (1) includes jurisdiction to determine a complaint arising out of a breach of an equality clause or rule; and a reference in this Chapter to a complaint relating to such a breach is to be read accordingly.
- (3) An employment tribunal also has jurisdiction to determine an application by a responsible person for a declaration as to the rights of that person and a worker in relation to a dispute about the effect of an equality clause or rule.
- (4) An employment tribunal also has jurisdiction to determine an application by the trustees or managers of an occupational pension scheme for a declaration as to their rights and those of a member in relation to a dispute about the effect of an equality rule.
- (5) An employment tribunal also has jurisdiction to determine a question that—
 - (a) relates to an equality clause or rule, and
 - (b) is referred to the tribunal by virtue of section 128(2).
- (6) This section does not apply to a complaint relating to an act done when the complainant was serving as a member of the armed forces unless—
 - (a) the complainant has made a service complaint about the matter, and
 - (b) the complaint has not been withdrawn.

Status: This is the original version (as it was originally enacted).

- (7) Subsections (2) to (5) of section 121 apply for the purposes of subsection (6) of this section as they apply for the purposes of subsection (1) of that section.
- (8) In proceedings before an employment tribunal on a complaint relating to a breach of an equality rule, the employer—
 - (a) is to be treated as a party, and
 - (b) is accordingly entitled to appear and be heard.
- (9) Nothing in this section affects such jurisdiction as the High Court, a county court, the Court of Session or the sheriff has in relation to an equality clause or rule.