



# Equality Act 2010

## 2010 CHAPTER 15

### PART 9 **E+W+S**

#### ENFORCEMENT

### CHAPTER 5 **E+W+S**

#### MISCELLANEOUS

#### 141 Interpretation, etc. **E+W+S**

- (1) This section applies for the purposes of this Part.
- (2) A reference to the responsible person, in relation to an equality clause or rule, is to be construed in accordance with Chapter 3 of Part 5.
- (3) A reference to a worker is a reference to the person to the terms of whose work the proceedings in question relate; and, for the purposes of proceedings relating to an equality rule or a non-discrimination rule, a reference to a worker includes a reference to a member of the occupational pension scheme in question.
- (4) A reference to the terms of a person's work is to be construed in accordance with Chapter 3 of Part 5.
- (5) A reference to a member of an occupational pension scheme includes a reference to a prospective member.
- (6) In relation to proceedings in England and Wales, a person has an incapacity if the person—
  - (a) has not attained the age of 18, or
  - (b) lacks capacity (within the meaning of the Mental Capacity Act 2005).
- (7) In relation to proceedings in Scotland, a person has an incapacity if the person—
  - (a) has not attained the age of 16, or

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**Changes to legislation:** Equality Act 2010, Section 141 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. (See end of Document for details) View outstanding changes

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- (b) is incapable (within the meaning of the Adults with Incapacity (Scotland) Act 2000 (asp 4)).

[<sup>F1</sup>(8) Service complaint” means a complaint made under section 340A(1) or (2) of the Armed Forces Act 2006.]

- (9) “Criminal matter” means—
- (a) an investigation into the commission of an alleged offence;
  - (b) a decision whether to commence criminal proceedings;
  - (c) criminal proceedings.

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#### Textual Amendments

- F1** S. 141(8) substituted (1.1.2016) by [Armed Forces \(Service Complaints and Financial Assistance\) Act 2015 \(c. 19\)](#), s. 7(1), [Sch. para. 15](#); S.I. 2015/1957, reg. 2 (with savings and transitional provisions in S.I. 2015/1969)

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#### Commencement Information

- II** S. 141 wholly in force; s. 141 not in force at Royal Assent see s. 216; s. 141 in force at 1.10.2010 by S.I. 2010/2317, [art. 2\(1\)\(9\)\(j\)](#) (with [art. 15](#), and subject to transitional provision in [art. 7](#))

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**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](#)