



Equality Act 2010

2010 CHAPTER 15

PART 1

SOCIO-ECONOMIC INEQUALITIES

2 Power to amend section 1

- (1) A Minister of the Crown may by regulations amend section 1 so as to—
 - (a) add a public authority to the authorities that are subject to the duty under subsection (1) of that section;
 - (b) remove an authority from those that are subject to the duty;
 - (c) make the duty apply, in the case of a particular authority, only in relation to certain functions that it has;
 - (d) in the case of an authority to which the application of the duty is already restricted to certain functions, remove or alter the restriction.
- (2) In subsection (1) “public authority” means an authority that has functions of a public nature.
- (3) Provision made under subsection (1) may not impose a duty on an authority in relation to any devolved Scottish functions or devolved Welsh functions.
- (4) The Scottish Ministers or the Welsh Ministers may by regulations amend section 1 so as to—
 - (a) add a relevant authority to the authorities that are subject to the duty under subsection (1) of that section;
 - (b) remove a relevant authority from those that are subject to the duty;
 - (c) make the duty apply, in the case of a particular relevant authority, only in relation to certain functions that it has;
 - (d) in the case of a relevant authority to which the application of the duty is already restricted to certain functions, remove or alter the restriction.
- (5) For the purposes of the power conferred by subsection (4) on the Scottish Ministers, “relevant authority” means an authority whose functions—

Status: Point in time view as at 03/12/2021.

Changes to legislation: Equality Act 2010, Section 2 is up to date with all changes known to be in force on or before 22 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)

- (a) are exercisable only in or as regards Scotland,
 - (b) are wholly or mainly devolved Scottish functions, and
 - (c) correspond or are similar to those of an authority for the time being specified in section 1(3).
- (6) For the purposes of the power conferred by subsection (4) on the Welsh Ministers, “relevant authority” means [^{F1}a devolved Welsh authority (within the meaning given by section 157A of the Government of Wales Act 2006) whose functions correspond] or are similar to those of an authority for the time being specified in subsection (3) of section 1 or referred to in subsection (4) of that section.
- ^{F2}(7)
- (8) Regulations under this section may make any amendments of section 1 that appear to the Minister or Ministers to be necessary or expedient in consequence of provision made under subsection (1) or (as the case may be) subsection (4).
- ^{F3}(9)
- ^{F4}(10)
- (11) For the purposes of this [^{F5}Part]—
- (a) a function is a devolved Scottish function if it is exercisable in or as regards Scotland and it does not relate to reserved matters (within the meaning of the Scotland Act 1998);
 - ^{F6}(b)

Textual Amendments

- F1** Words in s. 2(6) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 83(2)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)
- F2** S. 2(7) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), **ss. 45(3), 71(4)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
- F3** S. 2(9) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), **ss. 45(3), 71(4)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
- F4** S. 2(10) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), **ss. 45(3), 71(4)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(i)
- F5** Word in s. 2(11) substituted (23.5.2016) by Scotland Act 2016 (c. 11), **ss. 38(8), 72(7)**
- F6** S. 2(11)(b) omitted (1.4.2018) by virtue of Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 83(3)** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)

Commencement Information

- I1** S. 2 in force at 1.4.2018 for S. by S.S.I. 2017/403, **art. 2(1)(b)**
- I2** S. 2 in force at 22.11.2019 for specified purposes for W. by S.I. 2019/1469, **art. 2**

Status:

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