



# Equality Act 2010

## 2010 CHAPTER 15

### PART 5

#### WORK

### CHAPTER 3

#### EQUALITY OF TERMS

#### *Sex equality*

#### 66 Sex equality clause

- (1) If the terms of A's work do not (by whatever means) include a sex equality clause, they are to be treated as including one.
- (2) [<sup>F1</sup>Where this section applies by virtue of section 64(1),] a sex equality clause is a provision that has the following effect—
  - (a) if a term of A's is less favourable to A than a corresponding term of B's is to B, A's term is modified so as not to be less favourable;
  - (b) if A does not have a term which corresponds to a term of B's that benefits B, A's terms are modified so as to include such a term.
- (3) Subsection (2)(a) applies to a term of A's relating to membership of or rights under an occupational pension scheme only in so far as a sex equality rule would have effect in relation to the term.
- (4) In the case of work within section 65(1)(b), a reference in subsection (2) above to a term includes a reference to such terms (if any) as have not been determined by the rating of the work (as well as those that have).
- [<sup>F2</sup>(5) Where this section applies by virtue of section 64(3), a sex equality clause is a provision that has the effect that if, by virtue of the application of the guaranteed minimum pension provisions, a term of A's that relates to membership of or rights

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**Status:** Point in time view as at 31/12/2023.

**Changes to legislation:** Equality Act 2010, Section 66 is up to date with all changes known to be in force on or before 25 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)

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under the scheme concerned is less favourable to A than it would be if A were of the opposite sex, the term, in so far as a sex equality rule would have effect in relation to it, is modified so as not to be less favourable.

- (6) “Guaranteed minimum pension provisions” means so much of the Pension Schemes Act 1993 and of any other enactment as relates to guaranteed minimum pensions (within the meaning of that Act).]

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**Textual Amendments**

- F1** Words in s. 66(2) inserted (coming into force in accordance with reg. 1(b) of the amending S.I.) by [The Pensions Act 2004 and the Equality Act 2010 \(Amendment\) \(Equal Treatment by Occupational Pension Schemes\) Regulations 2023 \(S.I. 2023/1308\), reg. 3\(3\)\(a\)](#)
- F2** S. 66(5)(6) inserted (coming into force in accordance with reg. 1(b) of the amending S.I.) by [The Pensions Act 2004 and the Equality Act 2010 \(Amendment\) \(Equal Treatment by Occupational Pension Schemes\) Regulations 2023 \(S.I. 2023/1308\), reg. 3\(3\)\(b\)](#)

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