

*This Statutory Instrument has been made in consequence of a defect in [S.I. 2010/2317 \(C. 112\)](#) and is being issued free of charge to all known recipients of that Statutory Instrument.*

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## STATUTORY INSTRUMENTS

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# 2010 No. 2337 (C. 113)

## EQUALITY

### The Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010

		<i>22nd September</i>
<i>Made</i>	- - - -	<i>2010</i>
<i>Coming into force</i>	- -	<i>1st October 2010</i>

The Secretary of State, in exercise of the powers conferred by sections 207(4) and 216(3) of the Equality Act 2010(1), makes the following Order:

#### **Citation and commencement**

1.—(1) This Order may be cited as the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010.

(2) This Order comes into force on 1st October 2010 at the same time as the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010(2).

#### **Amendment of transitory provisions relating to ships and hovercraft**

2. After paragraph (4) of article 11 of the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010, insert—

“(5) Despite their amendment by article 24 and Schedule 8, the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004(3) continue to apply in the form immediately before their amendment by those provisions, so far as they relate to work on

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(1) [2010 c.15](#).  
(2) [S.I. 2010/2317 \(C. 112\)](#).  
(3) [S.I. 2004/1861](#).

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ships, work on hovercraft and seafarers, until regulations under section 81 of the 2010 Act come into force.”.

22nd September 2010

*Theresa May*  
Secretary of State for the Home Department

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is made under the Equality Act 2010 (c.15) (“the Act”). It amends the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317 (C. 112)) (“Commencement Order No. 4”). Commencement Order No. 4 brings the majority of the Act into force on 1st October 2010 and makes various savings, consequential, transitional, transitory and incidental provisions and a revocation. These savings and other provisions are made as a result of the repeal and revocation of previous discrimination legislation and its replacement by the Act, and of the lapse of previous subordinate legislation because of the repeal of previous discrimination legislation by that Act.

This Order inserts a provision as new paragraph (5) of article 11, which saves the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2004 (S.I. 2004/1861) in the form in which they stand immediately prior to their amendment by article 24 of, and Schedule 8 to, Commencement Order No. 4. These are saved only so far as they relate to work on ships, work on hovercraft and seafarers, and only until regulations under section 81 of the Act come into force.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The provisions commenced by Commencement Order No. 4 are not listed below since they are not coming into force until 1st October 2010 and this Order does not alter which provisions are commenced by Commencement Order No. 4.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 6(5) (partially)	6th July 2010	2010/1736
Section 6(6) (partially)	4th August 2010	2010/1966
Section 22 (partially)	6th July 2010	2010/1736
Section 38(8) (partially)	4th August 2010	2010/1966
Section 61(8) and (9) (partially)	6th July 2010	2010/1736
Section 80(8) (partially)	4th August 2010	2010/1966
Section 81 (partially)	6th July 2010	2010/1736
Section 82 (partially)	6th July 2010	2010/1736
Section 83(11) (partially)	4th August 2010	2010/1966
Section 94(12) (partially)	4th August 2010	2010/1966
Section 96(9)(b) (partially)	3rd September 2010	2010/2191
Section 96(10) and (11) (partially)	6th July 2010	2010/1736
Section 97 (partially)	6th July 2010	2010/1736
Section 116(3) (partially)	4th August 2010	2010/1966

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 117(1), (2), (3) and (4) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 138(1), (2), (5), (6) and (7) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 147(4) (partially)	6th July 2010	<a href="#">2010/1736</a>
Section 189 (partially)	4th August 2010	<a href="#">2010/1966</a>
Section 211(1) (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 1, paragraphs 1, 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15 and 16 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 4, paragraph 9 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 7, paragraphs 4, 5 and 6 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 9, paragraph 16 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 12, paragraph 5 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 17, paragraphs 1 and 6(1) to (7) (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 21, paragraph 6 (partially)	6th July 2010	<a href="#">2010/1736</a>
Schedule 26, paragraph 61(4) (partially)	4th August 2010	<a href="#">2010/1966</a>
Schedule 26, paragraph 65(1), (2), (3) and (5)(5)	6th July 2010	<a href="#">2010/1736</a>

(4) Previously paragraph 6, prior to amendment of the Equality Act 2010 by [S.I. 2010/2279](#).

(5) Previously paragraph 10(1), (2), (3) and (5), prior to amendment of the Equality Act 2010 by [S.I. 2010/2279](#).