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STATUTORY INSTRUMENTS

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**2012 No. 1569 (C. 59)**

**EQUALITY**

**The Equality Act 2010 (Commencement No. 9) Order 2012**

*Made* - - - - *18th June 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by section 216(3) of the Equality Act 2010<sup>(1)</sup>:

**Citation**

1. This Order may be cited as the Equality Act 2010 (Commencement No. 9) Order 2012.

**Provision coming into force**

2. Section 197 of the Equality Act 2010 comes into force on the day after the day on which this Order is made.

**Provisions coming into force on 1st October 2012**

3. The following provisions of the Equality Act 2010 come into force on 1st October 2012—
  - (a) sections 28 to 31, in so far as they are not already in force,
  - (b) sections 100 to 105, in so far as they are not already in force,
  - (c) section 107, in so far as it is not already in force,
  - (d) Schedule 3, in so far as it is not already in force,
  - (e) Schedule 16, in so far as it is not already in force,
  - (f) Schedule 22, in so far as it applies to the protected characteristic of age, and
  - (g) Schedule 23, in so far as it applies to the protected characteristic of age.

18th June 2012

*Theresa May*  
Secretary of State for the Home  
Department

## EXPLANATORY NOTE

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

This is the ninth Commencement Order made under the Equality Act 2010 (c.15) (“the Act”). The Equality Act (Commencement No. 1) Order 2010 (S.I. 2010/1736) (C.91), the Equality Act 2010 (Commencement No. 2) Order 2010 (S.I. 2010/1966) (C.104), the Equality Act 2010 (Commencement No. 3) Order 2010 (S.I. 2010/2191 (C.109)), the Equality Act 2010 (Commencement No. 4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (S.I. 2010/2317) (C.112) (as amended by the Equality Act 2010 (Commencement No.4, Savings, Consequential, Transitional, Transitory and Incidental Provisions and Revocation) Order 2010 (Amendment) Order 2010 (S.I. 2010/2337) (C.113)), the Equality Act 2010 (Commencement No. 5) Order 2011 (S.I. 2011/96) (C.5), the Equality Act 2010 (Commencement No. 6) Order 2011 (S.I. 2011/1066) (C.43), the Equality Act 2010 (Commencement No. 7) Order 2011 (S.I. 2011/1636 (C.62)) and the Equality Act 2010 (Commencement No. 8) Order 2011 (S.I. 2011/2646) (C.94) brought into force most of the provisions of the Act. The fourth Commencement Order (as amended) also set out savings, consequential, transitional, transitory and incidental provisions and a revocation in relation to existing legislation, which were required as a result of the repeal and revocation of previous discrimination legislation and its replacement by the Act. The Equality Act 2010 (Consequential Amendments, Saving and Supplementary Provisions) Order 2010 (S.I. 2010/2279) amended the Act, including by adding new provisions into the Act and renumbering existing provisions.

This Order brings section 197 into force on the day after it is made. This provides power for the Secretary of State to make an Order that provides for exceptions from the provisions of the Act in respect of the protected characteristic of age. It also brings into force on 1st October 2012 sections 28 to 31 (services and public functions) and sections 100 to 105 and section 107 (associations) of the Act in relation to the protected characteristic of age together with relevant elements in Schedules 3 and 16, Schedule 22 (statutory provisions) and Schedule 23 (general exceptions) in so far as they relate to the protected characteristic of age. Both Part 3 and Part 7 were brought into force for other protected characteristics on 1<sup>st</sup> October 2010.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 4 and 5	1st October 2010	2010/2317
Section 6(5) (partially)	6th July 2010	2010/1736
Section 6(6) (partially)	4th August 2010	2010/1966
Section 6 (in so far as not already in force)	1st October 2010	2010/2317
Sections 7 to 13	1st October 2010	2010/2317
Sections 15 to 21	1st October 2010	2010/2317
Section 22 (partially)	6th July 2010	2010/1736
Section 22 (in so far as not already in force)	1st October 2010	2010/2317

Sections 23 to 27	1st October 2010	2010/2317
Sections 28 to 31 (partially)	1st October 2010	2010/2317
Sections 32 to 35	1st October 2010	2010/2317
Section 36(1)(a) to (c), (2) to (4), (7) and (8)	1st October 2010	2010/2317
Section 37	11th July 2011	2011/1636
Section 38(1) to (7) and (9)	1st October 2010	2010/2317
Section 38(8) (partially)	4th August 2010	2010/1966
Section 38(8) (partially)	1st October 2010	2010/2317
Sections 39 to 60	1st October 2010	2010/2317
Section 61(8) and (9) (partially)	6th July 2010	2010/1736
Section 61 (in so far as not already in force)	1st October 2010	2010/2317
Sections 62 to 77	1st October 2010	2010/2317
Section 79	1st October 2010	2010/2317
Section 80(8) (partially)	4th August 2010	2010/1966
Section 80 (in so far as not already in force)	1st October 2010	2010/2317
Section 81 (partially)	6th July 2010	2010/1736
Section 81 (in so far as not already in force)	1st October 2010	2010/2317
Section 82 (partially)	6th July 2010	2010/1736
Section 82 (in so far as not already in force)	1st October 2010	2010/2317
Section 83(11) (partially)	4th August 2010	2010/1966
Section 83 (in so far as not already in force)	1st October 2010	2010/2317
Sections 84 to 93	1st October 2010	2010/2317
Section 94(12) (partially)	4th August 2010	2010/1966
Section 94 (in so far as not already in force)	1st October 2010	2010/2317
Section 95	1st October 2010	2010/2317
Section 96(9)(b) (partially)	3rd September 2010	2010/2191
Section 96(10) and (11) (partially)	6th July 2010	2010/1736
Section 96 (in so far as not already in force)	1st October 2010	2010/2317
Section 97 (partially)	6th July 2010	2010/1736
Section 97 (in so far as not already in force)	1st October 2010	2010/2317
Section 98 (partially)	1st October 2010	2010/2317
Section 99	1st October 2010	2010/2317
Sections 100 to 105 (partially)	1st October 2010	2010/2317
Section 107 (partially)	1st October 2010	2010/2317

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Sections 108 to 115	1st October 2010	2010/2317
Section 116(1)(a) and (b) and (2)	1st October 2010	2010/2317
Section 116(1)(c) (partially)	1st October 2010	2010/2317
Section 116(1)(c) (in so far as not already in force)	18th March 2011	2010/2317
Section 116(3) (partially)	4th August 2010	2010/1966
Section 116(3) (partially)	1st October 2010	2010/2317
Section 116(3) (in so far as not already in force)	18th March 2011	2010/2317
Section 117(1), (2), (3) and (4) (partially)	6th July 2010	2010/1736
Section 117 (in so far as not already in force)	1st October 2010	2010/2317
Sections 118 to 135	1st October 2010	2010/2317
Section 136(1) to (6)(a) to (e)	1st October 2010	2010/2317
Section 136(6)(f)	18th March 2011	2010/2317
Section 137	1st October 2010	2010/2317
Section 138(1), (2), (5), (6) and (7) (partially)	6th July 2010	2010/1736
Section 138 (in so far as not already in force)	1st October 2010	2010/2317
Sections 139 to 146	1st October 2010	2010/2317
Section 147(4) (partially)	6th July 2010	2010/1736
Section 147 (in so far as not already in force)	1st October 2010	2010/2317
Section 148	1st October 2010	2010/2317
Section 149	5th April 2011	2011/1066
Section 150 (partially)	18th January 2011	2011/96
Section 150 (in so far as not already in force)	5th April 2011	2011/1066
Sections 151 to 155	18th January 2011	2011/96
Section 156	5th April 2011	2011/1066
Section 157	18th January 2011	2011/96
Section 158	1st October 2010	2010/2317
Section 159 (partially)	1st October 2010	2010/2317
Section 159 (in so far as not already in force)	6th April 2011	2011/96
Section 161 (partially)	1st October 2010	2010/2317
Section 165 (partially)	1st October 2010	2010/2317
Section 166	1st October 2010	2010/2317
Section 167(1) to (5), and (7) (partially)	1st October 2010	2010/2317
Section 167(6)	1st October 2010	2010/2317

Sections 168 to 185	1st October 2010	2010/2317
Sections 187 and 188	1st October 2010	2010/2317
Section 189 (partially)	4th August 2010	2010/1966
Section 189 (in so far as not already in force)	1st October 2010	2010/2317
Section 190	1st October 2010	2010/2317
Section 191 (partially)	1st October 2010	2010/2317
Sections 192 to 195	1st October 2010	2010/2317
Section 196 (partially)	1st October 2010	2010/2317
Section 202(1) (partially)	11th July 2011	2011/1636
Section 202(3)	11th July 2011	2011/1636
Section 202(4) (partially)	11th July 2011	2011/1636
Section 202 (in so far as not already in force)	5 <sup>th</sup> December 2011	2011/2646
Section 206	1st October 2010	2010/2317
Section 211(1) (partially)	6th July 2010	2010/1736
Section 211(1) (partially)	1st October 2010	2010/2317
Section 211(1) (partially)	5th April 2011	2011/1066
Section 211(2) (partially)	1st October 2010	2010/2317
Section 211(2) (partially)	5th April 2011	2011/1066
Schedule 1, paragraphs 1, 2, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15 and 16 (partially)	6th July 2010	2010/1736
Schedule 1 (in so far as not already in force)	1st October 2010	2010/2317
Schedules 2 to 3 (partially)	1st October 2010	2010/2317
Schedule 4, paragraphs 1 to 4	1st October 2010	2010/2317
Schedule 4, paragraph 8 (partially)	1st October 2010	2010/2317
Schedule 4, paragraph 9 (partially)	6th July 2010	2010/1736
Schedule 4, paragraph 9 (in so far as not already in force)	1st October 2010	2010/2317
Schedules 5 and 6	1st October 2010	2010/2317
Schedule 7, paragraphs 4, 5 and 6 (partially)	6th July 2010	2010/1736
Schedule 7 (in so far as not already in force)	1st October 2010	2010/2317
Schedule 8	1st October 2010	2010/2317
Schedule 9, paragraph 16 (partially)	6th July 2010	2010/1736
Schedule 9 (in so far as not already in force)	1st October 2010	2010/2317
Schedules 10 and 11	1st October 2010	2010/2317
Schedule 12, paragraph 5 (partially)	6th July 2010	2010/1736

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Schedule 12 (in so far as not already in force)	1st October 2010	2010/2317
Schedule 13 (partially)	1st October 2010	2010/2317
Schedules 14 and 15	1st October 2010	2010/2317
Schedule 16 (partially)	1st October 2010	2010/2317
Schedule 17, paragraphs 1 and 6(1) to (7) (partially)	6th July 2010	2010/1736
Schedule 17, paragraphs 1 and 6(1) to (7) (in so far as not already in force)	1st October 2010	2010/2317
Schedule 17, paragraphs 2 to 5	1st October 2010	2010/2317
Schedule 17, paragraph 6(8) and (9)	1st October 2010	2010/2317
Schedule 17, paragraphs 7 to 12 (partially)	1st October 2010	2010/2317
Schedule 17, paragraphs 7 to 12 (in so far as not already in force)	18th March 2011	2010/2317
Schedule 17, paragraphs 13 and 14	1st October 2010	2010/2317
Schedule 18	5th April 2011	2011/1066
Schedule 19	18th January 2011	2011/96
Schedule 21, paragraph 6 (partially)	6th July 2010	2010/1736
Schedule 21 (in so far as not already in force)	1st October 2010	2010/2317
Schedules 22 and 23 (partially)	1st October 2010	2010/2317
Schedule 25	1st October 2010	2010/2317
Schedule 26, paragraphs 1 to 8	1st October 2010	2010/2317
Schedule 26, paragraphs 9 to 12	5th April 2011	2011/1066
Schedule 26, paragraphs 13 to 60	1st October 2010	2010/2317
Schedule 26, paragraph 61 (partially)	4th August 2010	2010/1966
Schedule 26, paragraph 61 (in so far as not already in force)	1st October 2010	2010/2317
Schedule 26, paragraphs 62 to 64	1st October 2010	2010/2317
Schedule 26, paragraph 65(1), (2), (3) and (5)	6th July 2010	2010/1736
Schedule 26, paragraph 65(4)	1st October 2010	2010/2317
Schedule 26, paragraphs 65(6)	5th April 2011	2011/1066
Schedule 26, paragraphs 66 to 72	1st October 2010	2010/2317
Schedule 26, paragraphs 73 and 74	5th April 2011	2011/1066
Schedule 26, paragraph 75	1st October 2010	2010/2317
Schedule 26, paragraph 76 (partially)	1st October 2010	2010/2317
Schedule 26, paragraphs 76 (partially)	5th April 2011	2011/1066

Schedule 26, paragraphs 77 to 81	1st October 2010	2010/2317
Schedule 26, paragraph 82 (partially)	1st October 2010	2010/2317
Schedule 26, paragraphs 82 (in so far as not already in force)	5th April 2011	2011/1066
Schedule 26, paragraphs 83 to 106	1st October 2010	2010/2317
Schedule 26, paragraph 106A	5th April 2011	2011/1066
Schedule 26, paragraph 107	1st October 2010	2010/2317
Schedule 27 (partially)	1st October 2010	2010/2317
Schedule 27 (partially)	5th April 2011	2011/1066