

Draft Regulations laid before Senedd Cymru under section 209(2), (3)(a) and (6) of the Equality Act 2010, for approval by resolution of Senedd Cymru.

DRAFT WELSH STATUTORY
INSTRUMENTS

2021 No. (W.)

EQUALITY, WALES

**The Equality Act 2010 (Authorities
subject to a duty regarding Socio-
economic Inequalities) (Wales)
Regulations 2021**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 1 of the Equality Act 2010 (“the Act”) to add authorities to the list of authorities that are subject to a public sector duty regarding socio-economic inequalities under section 1(1) of that Act.

The list of Welsh authorities specified in section 1(3A) of the Act are authorities which satisfy the test in section 2(6) of the Act, that is, they are ‘devolved Welsh Authorities’ (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.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained at Education and Public Services Group, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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2021 No. (W.)

EQUALITY, WALES

**The Equality Act 2010 (Authorities
subject to a duty regarding Socio-
economic Inequalities) (Wales)
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Made

Coming into force

30 March 2021

The Welsh Ministers make the following Regulations in exercise of the power conferred on them by section 2(4)(a) of the Equality Act 2010⁽¹⁾.

In accordance with section 209(2), (3)(a) and (6) of that Act, a draft of these Regulations has been laid before and approved by a resolution of, Senedd Cymru.

Title and commencement

1. The title of these Regulations is the Equality Act 2010 (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 and they come into force on 30 March 2021.

⁽¹⁾ 2010 c. 15. Section 2(4) enables the Welsh Ministers to amend section 1 of the 2010 Act to, amongst other things, add a relevant authority to the authorities that are subject to the duty under section 1. “Relevant authority” is defined in section 2(6). Section 2(6) was amended by paragraph 83(1) and (2) of Schedule 6 to the Wales Act 2017 (c. 4) (“the 2017 Act”). Subsections (7), (9) and (10) of section 2 were omitted by section 45(3) of the 2017 Act and paragraph (b) of subsection (11) was omitted by paragraph 83(3) of Schedule 6 to the 2017 Act. There are other amendments to section 2 but none is relevant to these Regulations.

Amendment of section 1 of the Equality Act 2010

2. In section 1 of the Equality Act 2010 (public sector duty regarding socio-economic inequalities), after subsection (3)(1), insert—

“(3A) This section also applies to the following authorities—

- (a) the Welsh Ministers;
- (b) a county council or county borough council in Wales;
- (c) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006(2);
- (d) an NHS Trust established under section 18 of the National Health Service (Wales) Act 2006;
- (e) a Special Health Authority established under section 22(3) of the National Health Service (Wales) Act 2006 other than a cross-border Special Health Authority (within the meaning of section 8A(5)(4) of the National Health Service (Wales) Act 2006);
- (f) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004, or a scheme to which section 4 of that Act applies, for an area in Wales;
- (g) a National Park authority established by an order under section 63 of the Environment Act 1995(5) for an area in Wales;
- (h) the Welsh Revenue Authority or Awdurdod Cyllid Cymru.”

Name

Deputy Minister and Chief Whip, under authority of the Welsh Ministers

Date

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- (1) Paragraphs (h) and (i) of section 1(3) were omitted by paragraph 181(a) and (b) of Schedule 5 to the Health and Social Care Act 2012 (c. 7) (“the 2012 Act”). Section 1(3)(j) was repealed by paragraph 1 of Schedule 6 to the Public Bodies Act 2011 (c. 24). There are other amendments to section 1 but none is relevant to these Regulations.
 - (2) 2006 c. 42.
 - (3) Section 22(6) was omitted by paragraph 18 of Schedule 21 to the 2012 Act.
 - (4) Section 8A was inserted by paragraph 14 of Schedule 21 to the 2012 Act.
 - (5) 1995 c. 25.