

Draft Order laid before the National Assembly for Wales under section 209(2), (3) and (6) of the Equality Act 2010, for approval by resolution of the National Assembly for Wales.

DRAFT WELSH STATUTORY
INSTRUMENTS

2011 No. (W.)

EQUALITY

**The Equality Act 2010
(Specification of Relevant Welsh
Authorities) Order 2011**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the list of authorities specified in Part 2 of Schedule 19 to the Equality Act 2010 (“the Act”). These authorities are subject to the public sector equality duty (“general duty”) set out in section 149 of the Act, by virtue of section 150 of the Act, to have due regard, when exercising their functions, to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The authorities listed in Part 2 of Schedule 19, as amended by this Order, are also subject to specific equality duties imposed by the Welsh Ministers by virtue of the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 under the power conferred on them by section 153(2) of the Act.

This Order omits entries from the list of authorities specified. However, the authorities omitted that exercise public functions will remain subject to the general duty in section 149(1) of the Act in the exercise of those functions, by virtue of section 149(2) of the Act. Articles 2(a), (b) and (d) amend Part 2 of

Schedule 19 to include the authorities listed in those paragraphs.

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INSTRUMENTS

2011 No. (W.)

EQUALITY

**The Equality Act 2010
(Specification of Relevant Welsh
Authorities) Order 2011**

Made

2011

Coming into force in accordance with article 1

In accordance with section 209(2), (3) and (6) of the Equality Act 2010⁽¹⁾, a draft of this instrument has been laid before and approved by a resolution of the National Assembly for Wales.

In accordance with section 152(2) of that Act the Welsh Ministers have obtained the consent of a Minister of the Crown and have consulted the Commission for Equality and Human Rights.

The Welsh Ministers, in exercise of the powers conferred by section 151(2) of the Equality Act 2010, make the following Order:

Title, commencement and application

1.—(1) The title of this Order is the Equality Act 2010 (Specification of Relevant Welsh Authorities) Order 2011.

(2) This Order comes into force on the day after the day on which it is made.

⁽¹⁾ 2010 c.15.

Amendment of Part 2 of Schedule 19 to the Equality Act 2010

2. Part 2 (Public Authorities: Relevant Welsh Authorities) of Schedule 19 to the Equality Act 2010 is amended as follows:

- (a) after the last entry under the sub-heading “*National Health Service*” insert—

“The Board of Community Health Councils in Wales or Bwrdd Cynghorau Iechyd Cymuned Cymru.”;
- (b) for the entry “A county council, county borough council or community council in Wales.” substitute “A county council or county borough council in Wales.”;
- (c) omit the following entries—

“A Special Health Authority established under section 22 of that Act other than NHS Blood and Transplant and the NHS Business Services Authority.”;

“Charter trustees constituted under section 246 of the Local Government Act 1972 for an area in Wales.”;

“An internal drainage board which is continued in being by virtue of section 1 of the Land Drainage Act 1991 for an area in Wales.”;

“A port health authority constituted by an order under section 2 of the Public Health (Control of Disease) Act 1984 for an area in Wales.”;

“A joint authority established under Part 4 of the Local Government Act 1985 for an area in Wales.”;

“A joint committee constituted in accordance with section 102(1)(b) of the Local Government Act 1972 for an area in Wales.”;

“A joint board which is continued in being by virtue of section 263(1) of that Act for an area in Wales.”;
- (d) after the last entry under the sub-heading “*Other educational bodies*” insert—

“The Higher Education Funding Council for Wales or Cyngor Cyllido Addysg Uwch Cymru.

The General Teaching Council for Wales or Cyngor Addysgu Cyffredinol Cymru.

Her Majesty’s Chief Inspector of Education and Training in Wales or Prif Arolygydd Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru.

Other public authorities

The Auditor General for Wales or Archwilydd Cyffredinol Cymru.

The Public Services Ombudsman for Wales or Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

The Care Council for Wales or Cyngor Gofal Cymru.

The Arts Council for Wales or Cyngor Celfyddydau Cymru.

The National Museum of Wales or Amgueddfa Genedlaethol Cymru.

The National Library of Wales or Llyfrgell Genedlaethol Cymru.

The Sports Council for Wales or Cyngor Chwaraeon Cymru.

The Welsh Language Board or Bwrdd yr Iaith Gymraeg.

The Countryside Council for Wales or Cyngor Cefn Gwlad Cymru.

The Commissioner for Older People in Wales or Comisiynydd Pobl Hŷn Cymru.

The Children's Commissioner for Wales or Comisiynydd Plant Cymru.”.

Minister for Social Justice and Local Government, one of the Welsh Ministers

Date