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House of Lords  
London SW1A 0PW

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24 February 2010

Dear Colleague

**Equality Bill: Government amendments for Report stage**

The Government tabled a number of amendments on 23 and 24 February and I thought it would be helpful to clarify the details of these amendments.

I attach an explanation of each of these amendments and am copying this letter to members who spoke at Second Reading of the Equality Bill.

As you know, I welcome any questions from colleagues and would like to take this opportunity to inform you that Lords Ministerial Colleagues will be available at the following times for anyone who wishes to discuss these or any other amendments as we move through the Committee stages.

Tuesday 9 March at 13.30 – 14.30

I am placing a copy of this letter and attachment in the House Library.

A handwritten signature in black ink, appearing to read 'Jan Royall', with a stylized flourish at the end.

**JAN ROYALL**

**EQUALITY BILL**  
**GOVERNMENT AMENDMENTS FOR REPORT**

**Clause 20, page 10, line 41**

Clause 20 sets out the three requirements of the duty to make reasonable adjustments for disabled people. The amendment makes explicit, by linking with the first and third requirements (ie those which could involve the communication of information), that this duty includes providing the information concerned in an accessible format.

**Schedule 3, page 148, line 15**

During Committee, the Government accepted two amendments whose effect is to preserve the existing position by enabling relevant persons to opt out of solemnising a marriage if they reasonably believe that one of the parties has undergone gender reassignment. Those amendments applied to marriages solemnised by clergy of the Church of England and the Church in Wales and by approved celebrants in Scotland; and to those taking place in registered buildings. This additional amendment ensures that the opt-out also applies to religious marriages carried out by religions or faiths that do not have to register buildings for the purpose of marriage. It also ensures that the opt-out is preserved for the person officiating at the marriage, in cases where someone else is responsible for managing the use of the building itself.

**New clause after clause 105 and amendments to clauses 113, 206, Schedule 24 and Schedule 26**

This new clause and related amendments are the same (apart from two very minor drafting amendments at subsections (7) and (10) and a consequential amendment to Schedule 26) as the ones debated on 27 January.

It brings into effect a recommendation of the Speaker's Conference: to require diversity reporting by political parties as a means of encouraging broader representation and increased involvement of all groups in the democratic process. The new clause sets out:

- the scope of the requirement – affecting registered political parties with candidates at a relevant election;
- the elections to which the requirement relates i.e. all elections in England, Scotland and Wales except those for local government;
- the characteristics on which political parties may report: these are, in principle: age, disability, gender reassignment, race, sex, sexual orientation, religion or belief .

The clause makes clear that no individual is required to provide any information.

The clause further provides a power, through affirmative procedure:

- to specify the characteristics on which political parties must report;
- to specify the political parties to which the duty is to apply;
- to specify the time, form and manner of publication;
- to specify the period of time after a relevant election by which parties must publish;
- to specify which selection stages the duty to publish applies to;
- to add to or specify the relevant elections to which the requirement relates.

The amendment to clause 113 prevents enforcement through the courts.

The amendment to clause 200 provides for the regulations to be subject to the affirmative procedure.

The amendment to Schedule 24 provides that the clause is an exception to the harmonisation provisions in clause 201.

The amendment to Schedule 26 provides for the Equality and Human Rights Commission to enforce non-compliance with the diversity reporting requirement.