

# EQUALITY ACT 2010

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 16: General and Miscellaneous**

#### *Schedule 22: Statutory provisions*

#### **Crown employment, etc.: paragraph 5**

##### Effect

986. **Paragraph 5** allows restrictions on the employment of foreign nationals in the civil, diplomatic, armed or security and intelligence services and by certain public bodies. It also allows restrictions on foreign nationals holding public offices.

##### Background

987. The paragraph replaces similar provisions in the Race Relations Act 1976.

##### Examples

- Posts in the security and intelligence services are automatically reserved for UK nationals.
- People who are neither British, Commonwealth or Irish citizens nor British protected persons are generally prohibited from serving in the armed forces, with the notable exception of Gurkhas.