



# Equality Act 2010

## 2010 CHAPTER 15

### PART 5

#### WORK

### CHAPTER 1

#### EMPLOYMENT, ETC.

#### *Office-holders*

#### **52 Interpretation and exceptions**

- (1) This section applies for the purposes of sections 49 to 51.
- (2) “Personal office” has the meaning given in section 49.
- (3) “Public office” has the meaning given in section 50.
- (4) An office or post which is both a personal office and a public office is to be treated as being a public office only.
- (5) Appointment to an office or post does not include election to it.
- (6) “Relevant person”, in relation to an office, means the person who, in relation to a matter specified in the first column of the table, is specified in the second column (but a reference to a relevant person does not in any case include the House of Commons, the House of Lords, the National Assembly for Wales or the Scottish Parliament).

<i>Matter</i>	<i>Relevant person</i>
A term of appointment	The person who has the power to set the term.
Access to an opportunity	The person who has the power to afford access to the opportunity (or, if there is no such person,

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*Status: This is the original version (as it was originally enacted).*

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<i>Matter</i>	<i>Relevant person</i>
Terminating an appointment	the person who has the power to make the appointment). The person who has the power to terminate the appointment.
Subjecting an appointee to any other detriment	The person who has the power in relation to the matter to which the conduct in question relates (or, if there is no such person, the person who has the power to make the appointment).
Harassing an appointee	The person who has the power in relation to the matter to which the conduct in question relates.

- (7) A reference to terminating a person’s appointment includes a reference to termination of the appointment—
- (a) by the expiry of a period (including a period expiring by reference to an event or circumstance);
  - (b) by an act of the person (including giving notice) in circumstances such that the person is entitled, because of the relevant person’s conduct, to terminate the appointment without notice.
- (8) Subsection (7)(a) does not apply if, immediately after the termination, the appointment is renewed on the same terms.
- (9) Schedule 6 (excluded offices) has effect.