
Changes to legislation: Equality Act 2006, Part 1 is up to date with all changes known to be in force on or before 01 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

THE COMMISSION: CONSTITUTION, &C.

PART 1

CONSTITUTION

Membership

- 1 (1) The [F1Secretary of State] shall appoint not less than 10 or more than 15 individuals as members of the Commission (to be known as Commissioners).
- (2) The chief executive of the Commission (appointed under paragraph 7 below) shall be a Commissioner *ex officio*.

Textual Amendments

F1 Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), [Sch. para. 7\(2\)\(o\)](#)

- 2 (1) In appointing Commissioners the [F1Secretary of State] shall—
 - (a) appoint an individual only if the [F1Secretary of State] thinks that the individual—
 - (i) has experience or knowledge relating to a relevant matter, or
 - (ii) is suitable for appointment for some other special reason, and
 - (b) have regard to the desirability of the Commissioners together having experience and knowledge relating to the relevant matters.
- (2) For the purposes of sub-paragraph (1) the relevant matters are those matters in respect of which the Commission has functions including, in particular—
 - (a) discrimination (whether on grounds of age, disability, gender, gender reassignment, race, religion or belief, sexual orientation or otherwise), and
 - (b) human rights.
- (3) The [F1Secretary of State] shall ensure that the Commission includes—
 - (a) a Commissioner appointed under paragraph 1(1) who is (or has been) a disabled person,
 - (b) a Commissioner appointed under paragraph 1(1), with the consent of the Scottish Ministers, who knows about conditions in Scotland, and
 - (c) a Commissioner appointed under paragraph 1(1), with the consent of the [F2Welsh Ministers]^{F2}, who knows about conditions in Wales.

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- (4) A person may not be appointed for the purpose of satisfying more than one paragraph of sub-paragraph (3).

Textual Amendments

- F1** Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), [art. 1\(2\)](#), **Sch. para. 7(2)(o)**
- F2** Words in Sch. 1 para. 2(3)(c) substituted by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), [art. 3](#), **Sch. 1 para. 120**, the amending provision coming into force immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) - see [Government of Wales Act 2006](#), ss. 46, 161(5)

Tenure

- 3 (1) A Commissioner shall hold and vacate office in accordance with the terms of his appointment (subject to this Schedule).
- (2) The appointment of a Commissioner must be expressed to be for a specified period of not less than two years or more than five years.
- (3) A Commissioner whose period of membership has expired may be re-appointed.
- (4) A Commissioner may resign by notice in writing to the [F1Secretary of State].
- (5) The [F1Secretary of State] may dismiss a Commissioner who is, in the opinion of the [F1Secretary of State], unable, unfit or unwilling to perform his functions.
- (6) This paragraph does not apply to the chief executive.

Textual Amendments

- F1** Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), [art. 1\(2\)](#), **Sch. para. 7(2)(o)**

Chairman

- 4 (1) The [F1Secretary of State] shall appoint—
- (a) a Commissioner as Chairman, and
 - (b) one or more Commissioners as deputy Chairman.
- (2) The Chairman shall—
- (a) preside over meetings of the Commission,
 - (b) perform such functions as may be specified in the terms of his appointment, and
 - (c) perform such other functions as may be assigned to him by the Commission.
- (3) A deputy Chairman—
- (a) may act for the Chairman when he is unavailable, and
 - (b) shall perform—

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- (i) such functions as may be specified in the terms of his appointment, and
 - (ii) such other functions as the Chairman may delegate or assign to him.
- (4) The Chairman or a deputy Chairman—
 - (a) shall vacate office if he ceases to be a Commissioner,
 - (b) may resign by notice in writing to the [^{F1}Secretary of State], and
 - (c) otherwise, shall hold and vacate office in accordance with the terms of his appointment (and may be reappointed).
- (5) If the Chairman resigns he shall cease to be a Commissioner (but he may be reappointed as a Commissioner).
- (6) The chief executive may not be appointed Chairman or deputy Chairman.

Textual Amendments

F1 Words in Sch. 1 substituted (18.8.2010) by [Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 1(2), [Sch. para. 7\(2\)\(o\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 21(8) inserted by [2023 c. 51 s. 4\(2\)](#)
- s. 24A(1)(aa) inserted by [2023 c. 51 s. 4\(3\)](#)