



# Equality Act 2010

## 2010 CHAPTER 15

### PART 5

#### WORK

#### CHAPTER 1

#### EMPLOYMENT, ETC.

#### *Police officers*

#### **42 Identity of employer**

- (1) For the purposes of this Part, holding the office of constable is to be treated as employment—
  - (a) by the chief officer, in respect of any act done by the chief officer in relation to a constable or appointment to the office of constable;
  - (b) by the responsible authority, in respect of any act done by the authority in relation to a constable or appointment to the office of constable.
- (2) For the purposes of this Part, holding an appointment as a police cadet is to be treated as employment—
  - (a) by the chief officer, in respect of any act done by the chief officer in relation to a police cadet or appointment as one;
  - (b) by the responsible authority, in respect of any act done by the authority in relation to a police cadet or appointment as one.
- (3) Subsection (1) does not apply to service with the Civil Nuclear Constabulary (as to which, see section 55(2) of the Energy Act 2004).
- (4) Subsection (1) does not apply to a constable at [<sup>F1</sup>NCA][<sup>F2</sup>or SPA].

*Status: Point in time view as at 28/03/2016.*

*Changes to legislation: Equality Act 2010, Section 42 is up to date with all changes known to be in force on or before 22 May 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)*

- (5) A constable at [F1NCA] or [F3SPA] is to be treated as employed by it, in respect of any act done by it in relation to the constable.
- (6) F4 .....

#### Textual Amendments

- F1** Word in s. 42(4)(5) substituted (7.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), **Sch. 8 para. 181**; [S.I. 2013/1682](#), art. 3(v)
- F2** Words in s. 42(4) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), arts. 1(2), 26, **Sch. 2 para. 63(2)(a)**
- F3** Word in s. 42(5) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), arts. 1(2), 26, **Sch. 2 para. 63(2)(b)**
- F4** S. 42(6) omitted (1.4.2013) by virtue of [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), arts. 1(2), 26, **Sch. 2 para. 63(2)(c)**

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