



# Equality Act 2010

## 2010 CHAPTER 15

### PART 5

#### WORK

#### CHAPTER 1

##### EMPLOYMENT, ETC.

##### *Office-holders*

#### **51 Public offices: recommendations for appointments, etc.**

- (1) A person (A) who has the power to make a recommendation for or give approval to an appointment to a public office within section 50(2)(a) [F1, (b) or (d)], must not discriminate against a person (B)—
  - (a) in the arrangements A makes for deciding who to recommend for appointment or to whose appointment to give approval;
  - (b) by not recommending B for appointment to the office;
  - (c) by making a negative recommendation of B for appointment to the office;
  - (d) by not giving approval to the appointment of B to the office.
- (2) A person who has the power to make a recommendation for or give approval to an appointment to a public office within section 50(2)(a) [F1, (b) or (d)] must not, in relation to the office, harass a person seeking or being considered for the recommendation or approval.
- (3) A person (A) who has the power to make a recommendation for or give approval to an appointment to a public office within section 50(2)(a) [F1, (b) or (d)], must not victimise a person (B)—
  - (a) in the arrangements A makes for deciding who to recommend for appointment or to whose appointment to give approval;

*Status: Point in time view as at 28/11/2016.*

*Changes to legislation: Equality Act 2010, Section 51 is up to date with all changes known to be in force on or before 27 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)*

- (b) by not recommending B for appointment to the office;
  - (c) by making a negative recommendation of B for appointment to the office;
  - (d) by not giving approval to the appointment of B to the office.
- (4) A duty to make reasonable adjustments applies to a person who has the power to make a recommendation for or give approval to an appointment to a public office within section 50(2)(a) [<sup>F1</sup>, (b) or (d)].
- (5) A reference in this section to a person who has the power to make a recommendation for or give approval to an appointment to a public office within section 50(2)(a) [<sup>F2</sup> or (d)] is a reference only to a relevant body which has that power; and for that purpose “relevant body” means a body established—
- (a) by or in pursuance of an enactment, or
  - (b) by a member of the executive.

#### **Textual Amendments**

- F1** Words in s. 51(1)-(4) substituted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 51\(2\)](#); [S.I. 2013/2200](#), art. 3(e) (with savings in [S.I. 2013/2192](#), regs. 48, 49)
- F2** Words in s. 51(5) inserted (1.10.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 13 para. 51\(3\)](#); [S.I. 2013/2200](#), art. 3(e) (with savings in [S.I. 2013/2192](#), regs. 48, 49)

**Status:**

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