



Sex Discrimination Act 1975 (repealed)

1975 CHAPTER 65

PART II

DISCRIMINATION IN THE EMPLOYMENT FIELD

VALID FROM 01/10/2005

10A Offices and posts to which section 10B applies

- (1) Subject to subsections (2) and (3), section 10B applies to an office or post if—
 - (a) the office or post is one—
 - (i) to which persons are appointed to discharge functions personally under the direction of another person, and
 - (ii) in respect of which they are entitled to remuneration,
 - (b) the office or post is one to which appointments are made by a Minister of the Crown, a government department, the National Assembly for Wales or any part of the Scottish Administration, or
 - (c) the office or post is one to which appointments are made on the recommendation of, or subject to the approval of, a person referred to in paragraph (b).
- (2) Section 10B does not apply to an office or post if section 6 (employment), section 9 (contract work), section 11 (partnerships), section 35A (barristers) or section 35B (advocates)—
 - (a) applies in relation to an appointment to the office or post, or
 - (b) would apply in relation to an appointment to the office or post but for the operation of any other provision of this Act.
- (3) Section 10B does not apply to—
 - (a) any office of the House of Commons held by a member of it,

Status: Point in time view as at 01/04/2000. This version of this provision is not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Sex Discrimination Act 1975 (repealed), Section 10A. (See end of Document for details)

- (b) a life peerage within the meaning of the Life Peerages Act 1958, or any office of the House of Lords held by a member of it,
 - (c) any office mentioned in Schedule 2 (Ministerial offices) to the House of Commons Disqualification Act 1975,
 - (d) the offices of Leader of the Opposition, Chief Opposition Whip or Assistant Opposition Whip within the meaning of the Ministerial and other Salaries Act 1975,
 - (e) any office of the Scottish Parliament held by a member of it,
 - (f) a member of the Scottish Executive within the meaning of section 44 of the Scotland Act 1998, or a junior Scottish Minister within the meaning of section 49 of that Act,
 - (g) any office of the National Assembly for Wales held by a member of it,
 - (h) in England, any office of a county council, a London borough council, a district council or a parish council held by a member of it,
 - (i) in Wales, any office of a county council, a county borough council or a community council held by a member of it,
 - (j) in relation to a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994, or a community council established under section 51 of the Local Government (Scotland) Act 1973, any office of such a council held by a member of it,
 - (k) any office of the Greater London Authority held by a member of it,
 - (l) any office of the Common Council of the City of London held by a member of it,
 - (m) any office of the Council of the Isles of Scilly held by a member of it, or
 - (n) any office of a political party.
- (4) For the purposes of subsection (1)(a), the holder of an office or post—
- (a) is to be regarded as discharging her functions under the direction of another person if that other person is entitled to direct her as to when and where she discharges those functions;
 - (b) is not to be regarded as entitled to remuneration merely because she is entitled to payments—
 - (i) in respect of expenses incurred by her in carrying out the functions of the office or post, or
 - (ii) by way of compensation for the loss of income or benefits she would or might have received from any person had she not been carrying out the functions of the office or post.
- (5) In this section and section 10B, appointment to an office or post does not include election to an office or post.

Status:

Point in time view as at 01/04/2000. This version of this provision is not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Sex Discrimination Act 1975 (repealed), Section 10A.