
STATUTORY INSTRUMENTS

2017 No. 353

The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

Meaning of “employment”

2.—(1) In these Regulations, “employment” means—

- (a) employment under a contract of employment, a contract of apprenticeship or a contract personally to do work, and
- (b) Crown employment (within the meaning of section 191(3) of the 1996 Act ^{M1}).

(2) Section 191(4) of the 1996 Act ^{M2} applies for the purposes of these Regulations as it applies for the purposes set out in that subsection.

(3) For the purposes of these Regulations, an employee of an English local authority at a maintained school is to be treated as an employee of the governing body of that school.

(4) These Regulations apply to service in the armed forces as they apply to employment by, (or in the case of Crown employment, under or for the purposes of) a public authority, and for that purpose, references to terms of employment, or to a contract of employment, are to be read as including references to terms of service.

(5) For the purposes of these Regulations, the holding, otherwise than under a contract of employment, of the office of constable, or of an appointment as a police cadet, is to be treated as employment by the relevant officer (and for that purpose, references to terms of employment, or to a contract of employment, are to be read as including references to terms of service).

(6) In paragraph (4)—

- (a) “constable” does not include a special constable;
- (b) “police cadet” means a person appointed to undergo training with a view to becoming a constable;
- (c) “relevant officer” means—
 - (i) in relation to a member of a police force or a police cadet appointed for a police area, the chief officer of police;
 - (ii) in relation to any other person holding the office of constable or an appointment as a police cadet, the person who has the direction and control of the body of constables or cadets in question.

Marginal Citations

M1 1996 c. 18.

M2 Section 191(4) was amended by paragraph 34(2) and (3) of Schedule 1, and paragraph 1 of Schedule 2, to the [Employment Relations Act 2004](#) (c. 24).

Status:

Point in time view as at 31/03/2017.

Changes to legislation:

There are currently no known outstanding effects for the The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017, Section 2.