

*These notes refer to the Scotland Act 1998 (c.46)  
which received Royal Assent on 19th November 1998*

# SCOTLAND ACT 1998

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## EXPLANATORY NOTES

### SCHEDULES

#### Schedule 5

### Part III: General provisions

#### Detail of Provisions

#### *Paragraph 3: Reserved bodies*

This paragraph makes clear what is meant by the reservation of certain bodies to which it applies which are referred to in the cross heading as “reserved bodies”.

Paragraph 3(1) provides that the reservation of a “reserved body” has effect to reserve the following key aspects of it:

- (a) its constitution, including its establishment and dissolution, its assets and liabilities and its funding and receipts;
- (b) conferring functions on it or removing functions from it; and
- (c) conferring or removing any functions specifically exercisable in relation to it.

Paragraph 3(2) provides that paragraph 3 applies to the following bodies:

- (a) bodies reserved by name in Part 11 of Schedule 5. These are<sup>1</sup>:
  - the Bank of England (Section A1);
  - the Industrial Development Advisory Board (Section C14);
  - the Health and Safety Commission, the Health and Safety Executive and the Employment Medical Advisory Service (Section H2, as inserted by [S.I. 1999/1749](#), article 6);
  - the BBC (Section K1);
- (b) each of the councils reserved by Section C12 in Part 11. These are the Research Councils;
- (c) the Commission for Racial Equality, the Equal Opportunities Commission and the Disability Rights Commission<sup>2</sup>.

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<sup>1</sup> This list also used to include the Post Office which was reserved by C11. However that Section was amended by [S.I. 2000/3252](#) and there is no longer any reference to the Post Office.

<sup>2</sup> 18 The reference to the Disability Rights Commission was substituted for a reference to the National Disability Council by paragraph 4 of Schedule 4 to the Disability Rights Commission Act 1999.