



# Gender Representation on Public Boards (Scotland) Act 2018

2018 asp 4

## 2 Key definitions

In this Act—

“appointing person” means, in relation to the function of appointing a non-executive member of a public board, a person who has that function,

“excluded position”, in relation to a public authority, means a position mentioned in the second column of the table in schedule 1 which corresponds with the public authority mentioned in the first column,

“non-executive member”, in relation to a public authority, means a position on its public board—

- (a) that is not an excluded position,
- (b) that is not held by an employee of the authority,

“public authority” means an authority listed, or within a description listed, in the first column of the table in schedule 1,

“public board” means—

- (a) if the public authority is a company, the directors,
- (b) if the public authority has a statutory board or other equivalent statutory management body, that board or body,
- (c) in relation to any other public authority, the membership of the authority,

“woman” includes a person who has the protected characteristic of gender reassignment (within the meaning of section 7 of the Equality Act 2010) if, and only if, the person is living as a woman and is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of becoming female.