

Draft Regulations laid before the Scottish Parliament under section 210(2) of the Equality Act 2010 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2018 No.

EQUALITY

**The Equality Act 2010 (Specific Duties)
(Scotland) Amendment Regulations 2018**

Made - - - - 2018
Coming into force - - 29th June 2018

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 153(3) of the Equality Act 2010⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 153(4) of that Act, the Scottish Ministers have consulted the Commission for Equality and Human Rights.

In accordance with section 210(2) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2018 and come into force on 29th June 2018.

Amendment of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

2. The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012⁽²⁾ are amended in accordance with regulations 3 to 6.

3. In regulation 2 (interpretation), in the definition of “listed authority” after “regulation 2A(1)” insert “or 2B(1)”.

4. In regulation 2A(1) (further listed authorities) after “listed in” insert “regulation 2B(1) and in”.

5. After regulation 2A, insert—

(1) [2010 c.15](#) (“the 2010 Act”). Section 153(3) enables the Scottish Ministers to make Regulations imposing duties on a public authority specified in Part 3 of schedule 19 of the 2010 Act. ILF Scotland was added to Part 3 of that schedule by S.S.I. 2018/xxx.

(2) [S.S.I. 2012/162](#); relevant amending instruments are [S.S.I. 2015/254](#) and [S.S.I. 2016/159](#).

“Further listed authority: ILF Scotland

2B.—(1) ILF Scotland(3) is, in addition to the public authorities listed in regulation 2A(1) and in the schedule, a listed authority.

(2) These Regulations apply to ILF Scotland subject to the modifications set out in paragraphs (3) and (4).

(3) In regulation 3(a), for “2013” substitute “2020”.

(4) In regulation 4—

(a) in paragraph (1)(a), for “2013” substitute “2020”; and

(b) in paragraph (4)(a), for “2015” substitute “2022”.”.

6. In regulation 8A (publication under regulations 7 and 8)—

(a) after paragraph (1)(c) insert—

“(d) 30th April 2020 in the case of ILF Scotland.”; and

(b) after paragraph (4)(e) insert—

“(ea) in relation to publication by ILF Scotland, the period from 1st May 2018 to 30th April 2020;”.

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (“the 2012 Regulations”) by adding ILF Scotland to the public authorities listed.

ILF Scotland is listed in paragraph (1) of new regulation 2B, which is inserted into the 2012 Regulations by regulation 5 of these Regulations. Regulation 5 also modifies the 2012 Regulations in their application to ILF Scotland so as to provide different dates by which certain duties have to be complied with. Regulations 3 and 4 of these Regulations make consequential changes to the definition of “listed authority” in regulation 2 of the 2012 Regulations and to regulation 2A of the 2012 Regulations.

Regulation 6 amends regulation 8A of the 2012 Regulations to provide different dates by which publication is to take place by ILF Scotland under regulations 7(1) and 8(1) of the 2012 Regulations, and to add a further category of “relevant period” for the purposes of regulation 8A(3) of the 2012 Regulations.