

Draft Order 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

2024 No.

EQUAL OPPORTUNITIES

**The Equality Act 2010 (Specification of Public Authorities)
(Scotland) Order 2024**

Made - - - -

Coming into force - -

1st July 2024

The Scottish Ministers make the following Order in exercise of the powers conferred by section 151(3) of the Equality Act 2010(a) and all other powers enabling them to do so.

In accordance with section 152(3) of that Act(b) 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. This Order may be cited as the Equality Act 2010 (Specification of Public Authorities) (Scotland) Order 2024 and comes into force on 1 July 2024.

Amendment of schedule 19 of the Equality Act 2010

2. In Part 3 of schedule 19 of the Equality Act 2010 (public authorities: relevant Scottish authorities)(c)—

(a) under the heading “Other bodies and offices added on 6th April 2011”, omit—

(i) “A chief officer of a community justice authority.”,

(ii) “A community justice authority.”(d),

(b) at the end insert—

(a) 2010 c. 15.

(b) Section 152(3) was amended by section 37(7) of the Scotland Act 2016 (c. 11).

(c) Part 3 of schedule 19 has been amended by S.S.I. 2011/233, S.S.I. 2012/55, S.S.I. 2013/170, S.S.I. 2013/602, S.S.I. 2015/83, S.S.I. 2018/214, S.S.I. 2020/313, S.S.I. 2020/401 and S.S.I. 2021/471.

(d) Community justice authorities were dissolved by section 36(1) of the Community Justice (Scotland) Act 2016 (asp 10).

“Other bodies and offices added on 1st July 2024

Community Justice Scotland(a)
Patient Safety Commissioner for Scotland(b)”.
Name

St Andrew's House
Edinburgh
Date

A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Order)

This Order adds Community Justice Scotland and the Patient Safety Commissioner for Scotland to the list of Scottish public authorities in Part 3 of schedule 19 of the Equality Act 2010 (“the Act”). The public authorities listed in schedule 19 are subject to the public sector equality duty in section 149 of the Act.

The public sector equality duty is a duty to have regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act, to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share that protected characteristic.

This Order also removes community justice authorities and the chief officer of a community justice authority from the list of Scottish public authorities in Part 3 of schedule 19 of the Act. All community justice authorities were dissolved on 31 March 2017 by section 36(1) of the Community Justice (Scotland) Act 2016.

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- (a) Community Justice Scotland was established by section 3 of the Community Justice (Scotland) Act 2016 (asp 10).
 - (b) The Patient Safety Commissioner for Scotland was established by section 1 of the Patient Safety Commissioner for Scotland Act 2023 (asp 6).

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