



Armed Forces Act 2006

2006 CHAPTER 52

[^{F1}PART 16A

ARMED FORCES COVENANT [^{F1}REPORT]

[^{F1}] [^{F2}343AC] **Due regard to principles: Scotland**

- (1) In exercising in relation to Scotland a relevant function, a person or body specified in subsection (3) must have due regard to—
- (a) the unique obligations of, and sacrifices made by, the armed forces,
 - (b) the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces, and
 - (c) the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.
- (2) In this section “relevant function”, in relation to a person or body specified in subsection (3), means—
- (a) a relevant housing function,
 - (b) a relevant education function, or
 - (c) a relevant healthcare function.
- (3) The specified persons and bodies are—
- (a) a local authority in Scotland;
 - (b) a local authority landlord;
 - (c) an integration authority (within the meaning of section 59 of the [Public Bodies \(Joint Working\) \(Scotland\) Act 2014 \(asp 9\)](#));
 - (d) a person or body in their capacity as an appropriate agency for the purposes of section 23 of the [Education \(Additional Support for Learning\) \(Scotland\) Act 2004 \(asp 4\)](#);
 - (e) a Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978;
 - (f) a Special Health Board constituted under section 2 of that Act;

Status: Point in time view as at 01/05/2022. This version of this provision has been superseded.

Changes to legislation: Armed Forces Act 2006, Section 343AC is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (g) the Common Services Agency for the Scottish Health Service.
- (4) In this section “relevant housing function” means a function under or by virtue of any of the following—
- (a) sections 19 to 21 of the Housing (Scotland) Act 1987 (housing lists etc);
 - (b) Part 2 of that Act (homeless persons);
 - (c) sections 1 and 2 (homelessness: strategies and advice) of the [Housing \(Scotland\) Act 2001 \(asp 10\)](#);
 - (d) section 71(2)(e) of the [Housing \(Scotland\) Act 2006 \(asp 1\)](#) (adaptation of a house for a disabled person).
- (5) In this section “relevant education function” means a function under or by virtue of any of the following—
- (a) in Part 2 of the Education (Scotland) Act 1980 (rights and duties of parents and functions of education authorities in relation to individual pupils), sections 28A, 28B, 42 and 51;
 - (b) sections 1 and 2 of the [Standards in Scotland’s Schools etc. Act 2000 \(asp 6\)](#) (provision of school education: right of child and duty of education authority);
 - (c) the [Education \(Additional Support for Learning\) \(Scotland\) Act 2004 \(asp 4\)](#), except sections 15 to 21 of, and Schedule 1 to, that Act;
 - (d) Part 3 (children’s services planning) of the [Children and Young People \(Scotland\) Act 2014 \(asp 8\)](#).
- (6) In this section “relevant healthcare function” means a function under or by virtue of the National Health Service (Scotland) Act 1978.
- (7) In this section—
- “local authority in Scotland” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
- “local authority landlord” has the same meaning as in the [Housing \(Scotland\) Act 2001 \(asp 10\)](#) (see section 11(3) of that Act).]]

Textual Amendments

- F1** Pt. 16A inserted (2.4.2012) by [Armed Forces Act 2011 \(c. 18\)](#), **ss. 2, 32(3)**; S.I. 2012/669, art. 4(a)
- F2** **Ss. 343AA-343AF** inserted (1.5.2022 for specified purposes, 22.11.2022 in so far as not already in force) by [Armed Forces Act 2021 \(c. 35\)](#), **ss. 8(3), 24(1)**; S.I. 2022/471, **reg. 3**; S.I. 2022/1161, **reg. 3**

Status:

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