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*Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Head L – Miscellaneous. (See end of Document for details)*

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# SCHEDULES

## SCHEDULE 5

### RESERVED MATTERS

#### PART II

##### SPECIFIC RESERVATIONS

##### ***Head L – Miscellaneous***

###### *L1. Judicial remuneration*

###### Section L1.

Determination of the remuneration of—

- (a) judges of the Court of Session,
- (b) sheriffs principal and sheriffs,
- (c) members of the Lands Tribunal for Scotland, and
- (d) the Chairman of the Scottish Land Court.

###### *L2. Equal opportunities*

###### Section L2.

Equal opportunities <sup>F1</sup> ...

###### *Exceptions*

The encouragement (other than by prohibition or regulation) of equal opportunities, and in particular of the observance of the equal opportunity requirements.

Imposing duties on—

- (a) any office-holder in the Scottish Administration, or any Scottish public authority with mixed functions or no reserved functions, to make arrangements with a view to securing that the functions of the office-holder or authority are carried out with due regard to the need to meet the equal opportunity requirements, or
- (b) any cross-border public authority to make arrangements with a view to securing that its Scottish functions are carried out with due regard to the need to meet the equal opportunity requirements.

[<sup>F2</sup>Equal opportunities so far as relating to the inclusion of persons with protected characteristics in non-executive posts on boards of Scottish public authorities with mixed functions or no reserved functions.

Equal opportunities in relation to the Scottish functions of any Scottish public authority or cross-border public authority, other than any function that relates to the inclusion of persons in non-executive posts on boards of Scottish public authorities with mixed functions or no reserved functions. The provision falling within this exception does not include any modification of the Equality Act 2010, or of any subordinate legislation made under that Act, but does include—

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- (a) provision that supplements or is otherwise additional to provision made by that Act;
- (b) in particular, provision imposing a requirement to take action that that Act does not prohibit;
- (c) provision that reproduces or applies an enactment contained in that Act, with or without modification, without affecting the enactment as it applies for the purposes of that Act.]

#### *Interpretation*

[<sup>F3</sup> “ Board ” includes any other equivalent management body. ]

“ Equal opportunities ” means the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

“ Equal opportunity requirements ” means the requirements of the law for the time being relating to equal opportunities.

[<sup>F3</sup> “ Non-executive post ” in relation to an authority means any position the holder of which is not an employee of the authority. ]

[<sup>F3</sup> “ Protected characteristic ” has the same meaning as in the Equality Act 2010. ]

“ Scottish functions ” means functions which are exercisable in or as regards Scotland and which do not relate to reserved matters.

[<sup>F4</sup>The references to the Equality Act 2010 and any subordinate legislation made under that Act are to be read as references to those enactments, as at the day on which section 37 of the Scotland Act 2016 comes into force, but treating any provision of them that is not yet in force on that day as if it were in force.]

#### **Textual Amendments**

- F1** Words in Sch. 5 Pt. II Section L2 omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\)](#) , [ss. 37\(2\)](#) , [72\(7\)](#)
- F2** Words in Sch. 5 Pt. II Section L2 inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#) , [ss. 37\(3\)](#) , [72\(7\)](#)
- F3** Words in Sch. 5 Pt. II Section L2 inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#) , [ss. 37\(4\)](#) , [72\(7\)](#)
- F4** Words in Sch. 5 Pt. II Section L2 inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\)](#) , [ss. 37\(5\)](#) , [72\(7\)](#)

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### *L3. Control of weapons*

#### Section L3.

Control of nuclear, biological and chemical weapons and other weapons of mass destruction.

### *L4. Ordnance survey*

#### Section L4.

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The subject-matter of the Ordnance Survey Act 1841.

*L5. Time*

Section L5.

Timescales, time zones and the subject-matter of the Summer Time Act 1972.

The calendar; units of time; the date of Easter.

*Exceptions*

The computation of periods of time.

The subject-matter of—

(a) section 1 of the Banking and Financial Dealings Act 1971 (bank holidays), and

(b) the Term and Quarter Days (Scotland) Act 1990.

*L6. Outer space*

Section L6.

Regulation of activities in outer space.

*[<sup>F5</sup>L7. Antarctica*

Regulation of activities in Antarctica.

*Interpretation* “Antarctica” has the meaning given by section 1 of the Antarctic Act 1994.]

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**Textual Amendments**

**F5** Words in Sch. 5 Pt. II inserted (1.7.2012) by [Scotland Act 2012 \(c. 11\)](#) , **ss. 11** , 44(2)(a)

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