

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

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2018 No.**

**EQUALITY**

**The Equality Act 2010 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018**

*Made* - - - - 2018  
*Coming into force* - - 1st April 2018

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(4) of the Equality Act 2010(1) and all other powers enabling them to do so.

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 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018 and come into force on 1st April 2018.

**Amendment of section 1 of the Equality Act 2010**

2.—(1) Section 1 (public sector duty regarding socio-economic inequalities) of the Equality Act 2010(2) is amended as follows.

(2) For subsection (3) (authorities subject to the public sector duty) substitute—

“(3) The authorities to which this section applies are—

- (a) the Scottish Ministers;
- (b) Food Standards Scotland;
- (c) Keeper of the Registers of Scotland;
- (d) National Records of Scotland;
- (e) Revenue Scotland;
- (f) Scottish Courts and Tribunals Service;

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(1) 2010 c.15. Section 2 is amended by section 38 of the Scotland Act 2016 (c.11).

(2) Subsections (1) to (3) and (6) of section 1 are commenced by S.S.I. 2017/403. There are amendments that are not relevant to these Regulations.

- (g) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(3)</sup>;
- (h) an integration joint board established under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014<sup>(4)</sup>;
- (i) a Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978<sup>(5)</sup>;
- (j) a Special Health Board constituted under section 2(1)(b) of that Act;
- (k) Scottish Police Authority;
- (l) Highlands and Islands Enterprise;
- (m) Scottish Enterprise.”.

St Andrew’s House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

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(3) 1994 c.39.

(4) 2014 asp 9.

(5) 1978 c.29. See section 28 of the National Health Service and Community Care Act 1990 (c.19).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations set out a list of public authorities in Scotland that will be subject to the public sector duty regarding socio-economic inequalities in Part 1 of the Equality Act 2010. These include the Scottish Ministers.

The duty is to have due regard to the desirability of exercising functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage. Section 1(6) of the Act provides an exception, where the inequality is experienced by a person as a result of being a person subject to immigration control.