

2023 No. 375

EQUALITY

The Equality Act 2010 (Specific Duties) (Use of Member Information) (Scotland) Revocation Regulations 2023

Made - - - - *12th December 2023*

Laid before the Scottish Parliament *14th December 2023*

Coming into force - - *8th February 2024*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 155(5)(c) of the Equality Act 2010(a), and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Equality Act 2010 (Specific Duties) (Use of Member Information) (Scotland) Revocation Regulations 2023 and come into force on 8 February 2024.

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

2. Regulation 6A of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012(b) (Use of member information) is omitted.

Consequential amendment

3. As a consequence of regulation 2, regulation 4 of the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016(c) (New regulation 6A) is omitted.

EMMA RODDICK

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
12th December 2023

(a) 2010 c. 15. The regulation-making powers conferred by the Act include the power to make consequential provision by virtue of section 207(4).
(b) S.S.I. 2012/162, relevant amending instrument is S.S.I. 2016/159.
(c) S.S.I. 2016/159.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 revokes regulation 6A of the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 (“the 2012 Regulations”).

This removes the requirement in regulation 6A for Scottish Ministers to gather information on the relevant protected characteristics of members of a listed authority and provide that information to the listed authority in question. The consequent duties in regulation 6A on listed authorities are also revoked. They are: the duty to use the information to better perform their public sector equality duty; the duty to include in their mainstreaming progress reports details of the number of men and of women who have been members of the authority during the period covered by the report; and how it has used or is planning to use the information provided by the Scottish Ministers to take steps towards increasing diversity amongst its members so far as relevant protected characteristics are concerned.

Regulation 3 is consequential to the revocation in regulation 2, revoking regulation 4 of the Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2016, which inserted regulation 6A into the 2012 Regulations.

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