

*Draft Order in Council laid before Parliament and the Scottish Parliament under section 115 of, and paragraphs 1 and 2 of Schedule 7 to, the Scotland Act 1998 for approval by resolution of each House of Parliament and of the Scottish Parliament*

---

DRAFT STATUTORY INSTRUMENTS

---

**2005 No.**

**CONSTITUTIONAL LAW  
DEVOLUTION, SCOTLAND**

**The Scotland Act 1998 (Modifications  
of Schedule 5) (No. 3) Order 2005**

*Made* - - - - 2005  
*Coming into force* - - 1st March 2006

At the Court at , the day of  
Present,  
The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred by section 30(2) of the Scotland Act 1998<sup>(1)</sup>.

In accordance with section 115 of, and paragraphs 1 and 2 of Schedule 7 to, that Act, a draft of this Order has been—

- (a) laid before and approved by a resolution of each House of Parliament; and
- (b) laid before and approved by a resolution of the Scottish Parliament.

Accordingly, Her Majesty, by and with the advice of Her Privy Council, makes the following Order:

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the Scotland Act 1998 (Modifications of Schedule 5) (No. 3) Order 2005 and shall come into force on 1st March 2006.

(2) In this Order, “the Act” means the Scotland Act 1998.

**The Commission for Equality and Human Rights**

2. In Part 3 of Schedule 5 to the Act, in paragraph 3(2) (which lists bodies which are reserved for the purposes of the Act), after paragraph (c) insert—

“(d) the Commission for Equality and Human Rights.”.

Clerk of the Privy Council

## EXPLANATORY NOTE

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

This Order modifies Schedule 5 to the Scotland Act 1998 (c. 46). Schedule 5 defines reserved matters (matters which are outside the legislative competence of the Scottish Parliament) for the purposes of that Act. The Order adds the Commission for Equality and Human Rights to the list of bodies reserved by Part 3 of Schedule 5.