

Status: This is the original version (as it was originally enacted).

SCHEDULE 1
(introduced by section 2)
PUBLIC AUTHORITIES

<i>Authority</i>	<i>Excluded position</i>
Accounts Commission for Scotland	
Architecture and Design Scotland (company number SC267870)	
Board of Trustees for the National Galleries of Scotland	
Board of Trustees of the National Museums of Scotland	
Board of Trustees of the Royal Botanic Garden, Edinburgh	
Bòrd na Gàidhlig	
British Waterways Board	
Cairngorms National Park Authority	Members elected under article 5(2) of the Cairngorms National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2003 (S.S.I. 2003/1) Members nominated under article 5(4) of that Order
Caledonian Maritime Assets Limited (company number SC001854)	
Children's Hearings Scotland	
A college of further education other than a regional college (within the meanings given to those terms by the Further and Higher Education (Scotland) Act 1992)	All members other than those appointed under paragraph 3A(2)(a) and (f) of schedule 2 of that Act
A regional college (within the meaning given by the Further and Higher Education (Scotland) Act 1992)	All members other than those appointed under paragraph 3(2)(a) and (f) of schedule 2 of that Act
Common Services Agency for the Scottish Health Service	
Community Justice Scotland	
Creative Scotland	
Crofting Commission	Members elected by virtue of paragraph 7 of schedule 1 of the Crofting Reform (Scotland) Act 2010
Crown Estate Scotland (Interim Management)	

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<i>Authority</i>	<i>Excluded position</i>
David MacBrayne Limited (company number SC015304)	
Food Standards Scotland	
A Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978	<p>Councillors appointed under paragraph 2(1) (b) of schedule 1 of that Act</p> <p>Members of Health Boards mentioned in regulation 3 of the Health Boards (Membership and Procedure) (Scotland) Regulations 2001 (S.S.I. 2001/302) who hold a post in a university with a medical or dental school</p> <p>Members appointed only by virtue of being nominated for membership</p>
Healthcare Improvement Scotland	<p>The member mentioned in paragraph 2(1) (b) of schedule 5A of the National Health Service (Scotland) Act 1978 (the person appointed to chair Social Care and Social Work Improvement Scotland)</p>
A higher education institution (within the meaning given by the Higher Education Governance (Scotland) Act 2016)	<p>All members other than those appointed by the governing body (which has the same meaning as in Part II of the Further and Higher Education (Scotland) Act 1992) (for this purpose a member is not appointed by the governing body if that member is appointed only by virtue of being the winning candidate in an election for membership or by virtue of being nominated for membership by another person)</p>
Highlands and Islands Airports Limited (company number SC097647)	
Highlands and Islands Enterprise	
Historic Environment Scotland	
ILF Scotland (company number SC500075)	
Judicial Appointments Board for Scotland	
Local Government Boundary Commission for Scotland	
Loch Lomond and the Trossachs National Park Authority	<p>Members elected under article 5(2) of the Loch Lomond and The Trossachs National Park Designation, Transitional and Consequential Provisions (Scotland) Order 2002 (S.S.I. 2002/201)</p> <p>Members nominated under article 5(4) of that Order</p>

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<i>Authority</i>	<i>Excluded position</i>
Mental Welfare Commission for Scotland	
Mobility and Access Committee for Scotland	
National Confidential Forum	
National Library of Scotland	The member mentioned in paragraph 2(2) of schedule 1 of the National Library of Scotland Act 2012 (the member who is selected from persons nominated by the Dean of the Faculty of Advocates)
Newbattle Abbey College (company number SC262968)	A director nominated by the University of Aberdeen, the University of Edinburgh, the University of Glasgow or the University of St. Andrews A director who is also a member of the college
Quality Meat Scotland	
Regional Board for Glasgow Colleges	All members other than those appointed under paragraph 3(2)(a) and (f) of schedule 2B of the Further and Higher Education (Scotland) Act 2005
A regional Transport Partnership created under section 1(1) of the Transport (Scotland) Act 2005	Councillor members (mentioned in section 1(2)(b) of that Act) Members appointed only by virtue of being nominated for membership by a Health Board mentioned in section 6(1)(a)(ii) of that Act A member appointed only by virtue of being nominated for membership by Highlands and Islands Enterprise A member appointed only by virtue of being nominated for membership by Scottish Enterprise
Revenue Scotland	
Risk Management Authority	
Sabhal Mòr Ostaig (company number SC361752)	A director who is also a student of Sabhal Mòr Ostaig
Scottish Advisory Committee on Distinction Awards	All members other than the Chair, the Medical Director and the lay representatives
Scottish Agricultural Wages Board	Persons nominated or elected under paragraph 1(a) of schedule 1 of the Agricultural Wages (Scotland) Act 1949 (persons representing employers and workers)

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<i>Authority</i>	<i>Excluded position</i>
Scottish Charity Regulator	
Scottish Children's Reporter Administration	
Scottish Commission for Human Rights	The member appointed to chair the commission under paragraph 1(1)(a) of the Scottish Commission for Human Rights Act 2006
Scottish Courts and Tribunals Service	The Lord President The Lord Justice Clerk The President of the Scottish Tribunals
Scottish Criminal Cases Review Commission	
Scottish Enterprise	
Scottish Environment Protection Agency	
Scottish Fire and Rescue Service	
Scottish Fiscal Commission	
Scottish Further and Higher Education Funding Council	
Scottish Futures Trust Limited (company number SC348382)	
Scottish Housing Regulator	
Scottish Land Commission	
Scottish Legal Aid Board	
Scottish Legal Complaints Commission	
Scottish Natural Heritage	
Scottish Police Authority	
Scottish Qualifications Authority	
Scottish Social Services Council	The member mentioned in regulation 2(3) of the Scottish Social Services Council (Appointments, Procedure and Access to the Register) Regulations 2001 (S.S.I. 2001/303) (the person who is the chair or a member of Social Care and Social Work Improvement Scotland)
Scottish Sports Council	
Scottish Water	
Skills Development Scotland Co. Limited (company number SC202659)	
Social Care and Social Work Improvement Scotland	The member mentioned in paragraph 2(1)(b) of schedule 11 of the Public Services Reform

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<i>Authority</i>	<i>Excluded position</i>
	(Scotland) Act 2010 (the person appointed to chair Healthcare Improvement Scotland)
	The member mentioned in paragraph 2(1)(c) of that schedule (the person appointed as convener of the Scottish Social Services Council)
A Special Health Board constituted under section 2(1)(b) of the National Health Service (Scotland) Act 1978	Councillors appointed under paragraph 2(1)(b) of schedule 1 of that Act
	Members appointed only by virtue of being nominated for membership
Standards Commission for Scotland	
VisitScotland	
Water Industry Commission for Scotland	
West Highland College UHI (company number SC153921)	A director who is also a student of the college

SCHEDULE 2

(introduced by section 10)

APPLICATION OF ACT TO CERTAIN PUBLIC AUTHORITIES

Judicial Appointments Board for Scotland

- 1 When the Lord President is making an appointment of a judicial member under paragraph 2(a) of schedule 1 of the Judiciary and Courts (Scotland) Act 2008, the Lord President must act with a view to achieving the gender representation objective in relation to the judicial members only.
- 2 When the Scottish Ministers are making an appointment of a legal member or a lay member under paragraph 2(b) or (c) of that schedule, they must act with a view to achieving the gender representation objective in relation to the legal members and lay members only (taken together).

Regional Board for Glasgow Colleges

- 3 When the Scottish Ministers are making an appointment under paragraph 3(2)(a) of schedule 2B of the Further and Higher Education (Scotland) Act 2005 (“schedule 2B”) they may, for the purpose of identifying the number of non-executive members, disregard a vacancy in a position mentioned in paragraph 3(2)(f) of schedule 2B.
- 4 When the board mentioned in paragraph 3(2)(f) of schedule 2B is making an appointment under that paragraph, the board may, for the purpose of identifying the number of non-executive members, disregard a vacancy in a position mentioned in paragraph 3(2)(a) of schedule 2B.

Regional colleges

- 5 When the Scottish Ministers are making an appointment under paragraph 3(2)(a) of schedule 2 of the Further and Higher Education (Scotland) Act 1992 (“schedule 2”) they may, for the purpose of identifying the number of non-executive members, disregard a vacancy in a position mentioned in paragraph 3(2)(f) of schedule 2.
- 6 When the board mentioned in paragraph 3(2)(f) of schedule 2 is making an appointment under that paragraph, the board may, for the purpose of identifying the number of non-executive members, disregard a vacancy in a position mentioned in paragraph 3(2)(a) of schedule 2.

Scottish Criminal Cases Review Commission

- 7 For the purposes of the application of this Act in relation to appointments to the Scottish Criminal Cases Review Commission—
 - (a) the Scottish Ministers, in making a recommendation under section 194A(4) of the Criminal Procedure (Scotland) Act 1995, are to be treated as the appointing person (instead of Her Majesty), and
 - (b) references in this Act to the making of an appointment are to be construed as references to the making of a recommendation under that section.