



# Islands (Scotland) Act 2018

## 2018 asp 12

### PART 3

#### DUTIES IN RELATION TO ISLAND COMMUNITIES

##### *Duties of certain authorities in respect of policies, strategies and services*

#### **7 Duty to have regard to island communities**

- (1) A relevant authority must have regard to island communities in carrying out its functions.
- (2) In this Part, a “relevant authority” means a body, office-holder or other person listed in the schedule.
- (3) The Scottish Ministers may by regulations amend the schedule by—
  - (a) adding an entry for any person, body or office-holder,
  - (b) varying the description of an entry, or
  - (c) removing an entry.

#### **Commencement Information**

**II** S. 7 in force at 23.12.2020 by S.S.I. 2020/346, reg. 2

#### **8 Island communities impact assessment**

- (1) A relevant authority must prepare an island communities impact assessment in relation to a—
  - (a) policy,
  - (b) strategy, or
  - (c) service,which, in the authority's opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions.

*Changes to legislation: There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Cross Heading: Duties of certain authorities in respect of policies, strategies and services. (See end of Document for details)*

- (2) Subsection (1) applies to the development, delivery and redevelopment of the policy, strategy or service (as the case may be).
- (3) An island communities impact assessment prepared under subsection (1) must—
- (a) describe the likely significantly different effect of the policy, strategy or service (as the case may be), and
  - (b) assess the extent to which the authority considers that the policy, strategy or service (as the case may be) can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.
- (4) If a relevant authority does not prepare an island communities impact assessment in relation to a—
- (a) policy,
  - (b) strategy, or
  - (c) service,
- which has an effect on an island community, it must publish, as soon as reasonably practicable afterwards and in such manner as it considers appropriate, an explanation of its reasons for not doing so.

**Commencement Information**

**I2** [S. 8](#) in force at 23.12.2020 by [S.S.I. 2020/346](#), [reg. 2](#)

**9      Reviews of decisions relating to island communities impact assessments**

- (1) The Scottish Ministers must by regulations make provision about reviews of decisions of relevant authorities relating to island communities impact assessments under section 8(1).
- (2) Regulations under subsection (1) may, in particular, make provision about—
- (a) the procedure to be followed in connection with reviews,
  - (b) the manner in which reviews are to be conducted,
  - (c) the time limits within which applications for reviews are to be made,
  - (d) the circumstances under which applications for reviews may or may not be made,
  - (e) the persons to whom applications for reviews may be made, and
  - (f) the steps that may be taken by a relevant authority following a review.

**Commencement Information**

**I3** [S. 9](#) in force at 23.12.2020 by [S.S.I. 2020/346](#), [reg. 2](#)

**10     Compliance with section 7 duty**

- A relevant authority demonstrates compliance with the duty imposed by section 7—
- (a) by making such arrangements as it considers appropriate to review any policy, strategy or service (as the case may be) which it develops or delivers in carrying out its functions, and
  - (b) either—

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**Changes to legislation:** There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Cross  
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- (i) in the case where the authority must prepare an island communities impact assessment under section 8(1), by preparing that assessment, or
- (ii) in any other case, by making such an assessment or taking such other steps as the authority considers appropriate.

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**Commencement Information**

**I4** S. 10 in force at 23.12.2020 by [S.S.I. 2020/346](#), reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Islands (Scotland) Act 2018, Cross  
Heading: Duties of certain authorities in respect of policies, strategies and services.