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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 159**

**The Equality Act 2010 (Specific Duties)  
(Scotland) Amendment Regulations 2016**

**New regulation 6A**

**4.** After regulation 6, insert—

**“Use of member information**

**6A.**—(1) The Scottish Ministers must from time to time take steps to—

- (a) gather information on the relevant protected characteristics of members of a listed authority; and
- (b) provide information gathered by them to the listed authority in question.

(2) A listed authority in receipt of information provided to it under paragraph (1) must use the information to better perform the equality duty.

(3) Each relevant listed authority is to include in any report published by it in accordance with regulation 3 details of—

- (a) the number of men and of women who have been members of the authority during the period covered by the report; and
- (b) the way in which—
  - (i) the information provided to it under paragraph (1) has been used; and
  - (ii) the authority proposes to use the information,

in taking steps towards there being diversity amongst the authority’s members so far as relevant protected characteristics are concerned.

(4) Paragraph (3) does not apply in relation to a report published before 1st May 2016 by an authority listed in sub-paragraphs (a), (b) and (d) to (f) of regulation 2A(1).

(5) In paragraph (3), a “relevant listed authority” means any listed authority the members of which, or the board of management of which, include or includes at least one appointed member, but none of the following is a “relevant listed authority”—

- (a) the Scottish Ministers;
- (b) a council;
- (c) a joint board;
- (d) a licensing board;
- (e) an education authority;
- (f) an individual holder of a public office.

(6) Where a listed authority is not made up of members but has a board of management, paragraphs (1)(a) and (3) have effect as if a member of the board of management were a member of the authority.”