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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 101**

**EQUALITY**

**The Equality Act 2010 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018**

*Made* - - - - *20th March 2018*

*Coming into force* - - *1st April 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(4) of the Equality Act 2010<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 210(2) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. These Regulations may be cited as the Equality Act 2010 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018 and come into force on 1st April 2018.

**Amendment of section 1 of the Equality Act 2010**

2.—(1) Section 1 (public sector duty regarding socio-economic inequalities) of the Equality Act 2010<sup>(2)</sup> is amended as follows.

(2) For subsection (3) (authorities subject to the public sector duty) substitute—

“(3) The authorities to which this section applies are—

- (a) the Scottish Ministers;
- (b) Food Standards Scotland;
- (c) Keeper of the Registers of Scotland;
- (d) National Records of Scotland;
- (e) Revenue Scotland;
- (f) Scottish Courts and Tribunals Service;

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<sup>(1)</sup> 2010 c.15. Section 2 is amended by section 38 of the Scotland Act 2016 (c.11).

<sup>(2)</sup> Subsections (1) to (3) and (6) of section 1 are commenced by S.S.I. 2017/403. There are amendments that are not relevant to these Regulations.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (g) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(3)</sup>;
- (h) an integration joint board established under section 9(2) of the Public Bodies (Joint Working) (Scotland) Act 2014<sup>(4)</sup>;
- (i) a Health Board constituted under section 2(1)(a) of the National Health Service (Scotland) Act 1978<sup>(5)</sup>;
- (j) a Special Health Board constituted under section 2(1)(b) of that Act;
- (k) Scottish Police Authority;
- (l) Highlands and Islands Enterprise;
- (m) Scottish Enterprise.”.

St Andrew’s House,  
Edinburgh  
20th March 2018

*ANGELA CONSTANCE*  
A member of the Scottish Government

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(3) 1994 c.39.

(4) 2014 asp 9.

(5) 1978 c.29. See section 28 of the National Health Service and Community Care Act 1990 (c.19).

## EXPLANATORY NOTE

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

These Regulations set out a list of public authorities in Scotland that will be subject to the public sector duty regarding socio-economic inequalities in Part 1 of the Equality Act 2010. These include the Scottish Ministers.

The duty is to have due regard to the desirability of exercising functions in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage. Section 1(6) of the Act provides an exception, where the inequality is experienced by a person as a result of being a person subject to immigration control.