

Gender Representation on Public Boards (Scotland) Bill

Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

Meaning of “woman”

10

Regional Transport Partnerships

2

Meaning of “characteristic”

1

Encouragement of applications

11

Guidance

3

Reports

4, 5, 6, 7

Procedure for regulations

8, 9

THIS IS NOT THE MARSHALLED LIST

Amendments in debating order

Meaning of “woman”

Mary Fee

- 10** In section 2, page 1, line 26, at end insert—

<“woman” includes a person who has the protected characteristic of gender reassignment (within the meaning of section 7 of the Equality Act 2010) if, and only if, the person is living as a woman and is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of becoming female.>

Regional Transport Partnerships

Angela Constance

- 2** In schedule 1, page 7, line 26, column 2, at end insert—

<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>

Meaning of “characteristic”

Alex Cole-Hamilton

- 1** In section 4, page 2, line 30, at end insert—

<() In subsection (4), “characteristic” includes a protected characteristic (within the meaning of section 4 of the Equality Act 2010).>

Encouragement of applications

Alex Cole-Hamilton

- 11** In section 5, page 2, line 36, at end insert—

<() For the avoidance of doubt, nothing in subsections (1) and (2) prevents an appointing person or a public authority from taking such steps as it considers appropriate to encourage persons with other protected characteristics (within the meaning of section 4 of the Equality Act 2010) to apply to become non-executive members of the public board.>

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Guidance

Angela Constance

3 After section 6, insert—

<Guidance on operation of Act

- (1) The Scottish Ministers must publish guidance on the operation of this Act.
- (2) The guidance must in particular cover—
 - (a) an appointing person's functions in—
 - (i) appointing non-executive members under sections 3 and 4,
 - (ii) encouraging applications by women under section 5(1),
 - (iii) taking any steps under section 6(2),
 - (iv) reporting under section 7(A4),
 - (b) a public authority's functions in—
 - (i) encouraging applications by women under section 5(2),
 - (ii) taking any steps under section 6(3),
 - (iii) reporting under section 7(1).
- (3) An appointing person must have regard to the guidance in carrying out its functions under this Act.
- (4) A public authority must have regard to the guidance in carrying out its functions under this Act.>

Reports

Angela Constance

4 In section 7, page 3, line 7, at end insert—

- <(A1) The Scottish Ministers must lay before the Scottish Parliament reports on the operation of this Act in accordance with provision made in regulations under subsection (2).
- (A2) Regulations under subsection (2) must ensure that reports under subsection (A1) are laid before the Scottish Parliament at intervals of no more than two years.
- (A3) The Scottish Ministers must publish reports on the carrying out of their functions under sections 3 to 6 in accordance with provision made in regulations under subsection (2).
- (A4) An appointing person (other than the Scottish Ministers) specified in regulations under subsection (2) must publish reports on the carrying out of its functions under sections 3 to 6 in accordance with provision made in regulations under subsection (2).>

Angela Constance

5 In section 7, page 3, line 9, leave out <operation of this Act> and insert <carrying out of its functions under sections 5 and 6>

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Angela Constance

- 6 In section 7, page 3, line 11, at end insert—
<() specify appointing persons for the purposes of subsection (A4),>

Angela Constance

- 7 In section 7, page 3, line 13, leave out <subsection (1)> and insert <subsections (A1) to (1)>

Procedure for regulations

Angela Constance

- 8 In section 11, page 3, line 30, leave out <sections 7 and 8> and insert <section 7>

Angela Constance

- 9 In section 11, page 3, line 30, at end insert—
<() Regulations under section 8 are subject to the affirmative procedure.>

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