

GENDER REPRESENTATION ON PUBLIC BOARDS (AMENDMENT) (SCOTLAND) BILL

FINANCIAL MEMORANDUM

INTRODUCTION

1. As required under Rule 9.3.2 of the Parliament’s Standing Orders, this Financial Memorandum is published to accompany the Gender Representation on Public Boards (Amendment) (Scotland) Bill, introduced in the Scottish Parliament on 7 November 2023 (“the Bill”).
2. The following other accompanying documents are published separately:
 - Explanatory Notes (SP Bill 37–EN);
 - a Policy Memorandum (SP Bill 37–PM);
 - statements on legislative competence by the Presiding Officer and the Scottish Government (SP Bill 37–LC).
3. This Financial Memorandum has been prepared by the Scottish Government to set out the costs associated with the measures introduced by the Bill. It does not form part of the Bill and has not been endorsed by the Parliament.
4. The substantive provision of the Bill is of a technical nature and will not result in any significant new or additional costs or savings.

COSTS ON THE SCOTTISH ADMINISTRATION

5. The Scottish Government does not anticipate significant costs associated with implementing the Bill as it removes from the statute book the definition of “woman” in section 2 of the Gender Representation on Public Boards (Scotland) Act 2018 which has already been reduced by the Court of Session. Therefore the definition has had no legal effect since 19 April 2022, following the decisions of the Court of Session dated 18 February¹ and 22 March² 2022 that it was “not law”. Changes to the relevant statutory guidance were made at that time, with effect from 19 April 2022. The only very minimal cost will be that the Scottish Government will revise the online Statutory Guidance once the Bill is in force to footnote the fact that the statute book has been amended.

¹ [2022csih4.pdf \(scotcourts.gov.uk\)](#)

² [Interlocutor.pdf \(forwomen.scot\)](#)

COSTS ON LOCAL AUTHORITIES

6. The Scottish Government does not anticipate any costs associated with implementing the Bill for local authorities.

COSTS ON OTHER BODIES, INDIVIDUALS AND BUSINESSES

7. The Scottish Government does not anticipate any costs associated with implementing the Bill for any other bodies, individuals or businesses.

This document relates to the Gender Representation on Public Boards (Amendment) (Scotland) Bill (SP Bill 37) as introduced in the Scottish Parliament on 7 November 2023

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