Draft Regulations laid before the Scottish Parliament under section 210(2) of the Equality Act 2010, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2025 No.

EQUAL OPPORTUNITIES

The Equality Act 2010 (Specific Duties) (Scotland) Amendment Regulations 2025

Made - - - -	*2025*
Coming into force - -	*1st December 2025*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 153(3), 155(1)(c) and (2), and 207(4) of the Equality Act 2010(**a**) and all other powers enabling them to do so.

In accordance with section 153(4) of that Act, the Scottish Ministers have consulted the Commission for Equality and Human Rights.

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 (Specific Duties) (Scotland) Amendment Regulations 2025 and come into force on 1 December 2025.

Amendment to the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012

2.—(1) The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012(**b**) are amended in accordance with paragraphs (2) to (6).

(2) In regulation 2 (interpretation) in the definition of "listed authority" for "or 2G(1)" substitute ", 2G(1) or 2H(1)".

(3) In regulations 2A(1), 2B(1), 2C(1), 2D(1), 2E(1) and 2F(1) (further listed authorities) for "and 2G(1)" substitute ", 2G(1) and 2H(1)".

(4) In regulation 2G(1) (further listed authority: Patient Safety Commissioner for Scotland), for "and 2F(1)" substitute ", 2F(1) and 2H(1)".

(**a**) 2010 c. 15. Section 153(3) enables the Scottish Ministers to make Regulations imposing duties on a public authority specified in Part 3 of schedule 19 of the Equality Act 2010 ("the 2010 Act"). Zero Waste Scotland Limited was added to Part 3 of schedule 19 of the 2010 Act by S.S.I. 2025/XXX. Section 155(2) was relevantly amended by S.I. 2025/163.

(**b**) S.S.I. 2012/162 as relevantly amended by S.S.I. 2015/254, S.S.I. 2016/159, S.S.I. 2018/220, S.S.I. 2020/403, S.S.I. 2021/473, S.S.I. 2022/151 and S.S.I. 2024/176.

(5) After regulation 2G insert—

"Further listed authority: Zero Waste Scotland Limited

2H.—(1) Zero Waste Scotland Limited(**a**) is a listed authority.

(2) These Regulations apply to Zero Waste Scotland Limited subject to the modifications set out in paragraphs (3) and (4).

(3) In regulation 3(a) (duty to report progress on mainstreaming the equality duty), "2013" is to be read as if it were "2026".

(4) In regulation 4 (duty to publish equality outcomes and report progress)—

(a) in paragraph (1)(a), "2013" is to be read as if it were "2026",

(b) in paragraph (4)(a), "2015 is to be read as if it were "2028".".

(6) In regulation 8A (publication under regulations 7 and 8)—

(a) after paragraph (1)(h) insert—

"(ha) 30th April 2026 in the case of Zero Waste Scotland Limited;",

(b) after paragraph (4)(ef) insert—

"(eg) in relation to publication by Zero Waste Scotland Limited, the period from 1st December 2024 to 30th of April 2026.".

Name
A member of the Scottish Government

St Andrew's House
Edinburgh
Date

(**a**) Registered in Scotland under company number SC436030.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 ("the principal Regulations").

Regulation 2:

- adds Zero Waste Scotland Limited as a listed authority for the purpose of the principal Regulations,
- modifies the principal Regulations in their application to Zero Waste Scotland Limited, so as to provide different dates by which Zero Waste Scotland Limited must comply with the duties in regulations 3, 4(1) and 4(4) of the principal Regulations,
- amends regulation 8A(1) of the principal Regulations to provide different dates by which Zero Waste Scotland Limited must publish gender pay gap information and statements on equal pay etc. under regulations 7(1) and 8(1) of the principal Regulations, and
- amends regulation 8A(4) of the principal Regulations to define the "relevant period" which is applicable to Zero Waste Scotland Limited for the purposes of regulation 8A(3) (which provides that a listed authority is not required to publish the information if it did not have 20 or more employees at any time during the relevant period).

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