Draft Regulations laid before the Scottish Parliament under section 210(2) of the Equality Act 2010, section 26(2)(b) of the Consumer (Scotland) Act 2020 and section 19(3) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2026 No.

CONSUMER PROTECTION

EDUCATION

EQUALITY

HUMAN RIGHTS

The Qualifications Scotland and His Majesty's Chief Inspector of Education in Scotland (Miscellaneous Listings) Regulations 2026

Made - - - -	*2026*
Coming into force - -	*2026*

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**), section 21(2) of the Consumer (Scotland) Act 2020(**b**), section 19(2)(a) and (b) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024(**c**) and all other powers enabling them to do so.

In accordance with section 153(4) of the Equality Act 2010, the Scottish Ministers have consulted the Commission for Equality and Human Rights.

In accordance with section 21(4) and (5) of the Consumer (Scotland) Act 2020, the Scottish Ministers have consulted such persons as they consider appropriate, including Qualifications Scotland(**d**).

(**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, which includes office-holders in the Scottish Administration. His Majesty's Chief Inspector of Education in Scotland (in Gaelic, Àrd-Neach-sgrùdaidh an Rìgh airson Foghlam ann an Alba) was established by section 33(1) of the Education (Scotland) Act 2025 (asp 11) and was made part of the Scottish Administration by S.I. 2025/1350. Section 155(2) was relevantly amended by S.I. 2025/163.
(**b**) 2020 asp 11.
(**c**) 2024 asp 1.
(**d**) Qualifications Scotland (in Gaelic, Teisteanasan Alba) was established by section 1(1) of the Education (Scotland) Act 2025.

In accordance with section 19(4) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers have consulted (a) Qualifications Scotland and His Majesty's Chief Inspector of Education in Scotland, and (b) such other persons as they consider appropriate.

In accordance with section 210(2) of the Equality Act 2010, section 26(2)(b) of the Consumer (Scotland) Act 2020 and section 19(3) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, 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 Qualifications Scotland and His Majesty's Chief Inspector of Education in Scotland (Miscellaneous Listings) Regulations 2026 and come into force on the day after the day on which they are made.

Amendment of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

2.—(1) The United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 is amended as follows.

(2) In section 19(1) (listed authorities)—

(a) in paragraph (g) for "the Scottish Qualifications Authority" substitute "Qualifications Scotland",

(b) after paragraph (g) insert—

"(ga) His Majesty's Chief Inspector of Education in Scotland,".

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

3.—(1) The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012(**a**) are amended as follows.

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

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

(4) After regulation 2H insert—

"Further listed authority: His Majesty's Chief Inspector of Education in Scotland

2I.—(1) His Majesty's Chief Inspector of Education in Scotland is a listed authority.

(2) These Regulations apply to His Majesty's Chief Inspector of Education in Scotland 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 "2027".

(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 "2027",

(**a**) 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, S.S.I. 2024/176 and S.S.I. 2025/369.

(b) in paragraph (4)(a) "2015" is to be read as if it were "2029".".

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

(a) after paragraph (1)(i) insert—

"(j) 30th April 2027 in the case of His Majesty's Chief Inspector of Education in Scotland.",

(b) after paragraph (4)(eg) insert—

"(eh) in relation to publication by His Majesty's Chief Inspector of Education in Scotland, the period from 1st March 2026 to 30th April 2027.".

(6) In the schedule (list of public authorities), under the heading "Other bodies and offices", omit "Scottish Qualifications Authority.".

Amendment of the Consumer Scotland Act 2020 (Relevant Public Authorities) Regulations 2024

4.—(1) The Consumer Scotland Act 2024 (Relevant Public Authorities) Regulations 2024(**a**) are amended as follows.

(2) In the schedule, under the heading "Executive Non-Departmental Public Bodies"—

(a) after "National Museums of Scotland" insert "Qualifications Scotland",

(b) omit "Scottish Qualifications Authority".

Name
A member of the Scottish Government

St Andrew's House,
Edinburgh
Date

(**a**) S.S.I. 2024/78, to which there are amendments not relevant to these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 ("the 2024 Act"), the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 ("the 2012 Regulations") and the Consumer Scotland Act 2020 (Relevant Public Authorities) Regulations 2024 ("the 2024 Regulations").

Regulation 2 amends the 2024 Act. Section 19(1) of the 2024 Act sets out the listed authorities for the purposes of the reporting duty in section 18(1) of that Act. Regulation 2 amends the listed authorities in section 19(1) by replacing the Scottish Qualifications Authority with Qualifications Scotland and adding His Majesty's Chief Inspector of Education in Scotland ("the Chief Inspector"). The Education (Scotland) Act 2025 established Qualifications Scotland and the office of the Chief Inspector. It also dissolved the Scottish Qualifications Authority.

Regulation 3 amends the 2012 Regulations. Regulation 3—

• adds the Chief Inspector as a listed authority for the purpose of the 2012 Regulations,

• modifies the 2012 Regulations in their application to the Chief Inspector, so as to provide different dates by which the Chief Inspector must comply with the duties in regulations 3, 4(1) and 4(4) of the 2012 Regulations,

• amends regulation 8A(1) of the 2012 Regulations to provide different dates by which the Chief Inspector must publish gender pay gap information and statements on equal pay etc. under regulations 7(1) and 8(1) of the 2012 Regulations,

• amends regulation 8A(4) of the 2012 Regulations to define the "relevant period" which is applicable to the Chief Inspector 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), and

• removes from the schedule of listed authorities for the purpose of the 2012 Regulations the entry for the Scottish Qualifications Authority.

Regulation 4 amends the 2024 Regulations. The 2024 Regulations specify the public authorities that are relevant public authorities for the purposes of section 21 of the Consumer Scotland Act 2020 and therefore subject to the duty to have regard to consumer interests when making decisions of a strategic nature about how to exercise their functions. The public authorities specified are listed in the schedule of the 2024 Regulations. Regulation 4 amends the schedule by adding Qualifications Scotland and removing the Scottish Qualifications Authority.

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