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Our Reference: 202000057921

Your Reference: Your recent correspondence with Scottish Government and partner agencies -
202000035945

30 July 2020

Dear Ms Budge

Thank you for your email correspondence of 1 July 2020, regarding the Gender Representation on Public Boards (Scotland) Act 2018 (the 2018 Act). In your letter you raise points following up on your original correspondence to the Minister for Older People and Equalities and our response to that.

Firstly please accept my apologies for the confusion relating to the date of your letter. The Scottish Government's Public Engagement Unit, which manages our correspondence, received three versions of your letter from different sources. Two had covering emails and one was just a pdf of the letter you sent, which was not dated. Two copies were removed from the system as they were duplicates and the remaining version on the system was the undated letter. The date used in our response was the date that version was added to the correspondence system.

You ask in your letter why the Scottish Government proceeded with the implementation of the reporting regulations and statutory guidance for the 2018 Act, given the concerns raised by consultation respondents. I can advise that the reason the views expressed in the responses relating to the term gender and definition of woman used in the 2018 Act were not reflected in the final regulations and guidance, is that they were not within the scope of the consultation.

These points relate directly to the Act 2018 itself, which received Royal Assent on 9 March 2018 and has been fully in force since 29 May 2020.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



With regard to your second point, I can advise you that the government's position is that the definitions in the 2018 Act only apply to that Act and legislation made under it and do not alter the meaning of any word in any other legislation.

Yours sincerely

The Equality Unit
EAHR : Equality And Human Rights Division

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