



Union with England Act 1707

1707 CHAPTER 7

Act Ratifying and Approving the Treaty of Union of the Two Kingdoms of SCOTLAND and ENGLAND

The Estates of Parliament Considering that Articles of Union of the Kingdoms of Scotland and England were agreed on the twenty second of July One thousand seven hundred and six years by the Commissioners nominated on behalf of this Kingdom under Her Majesties Great Seal of Scotland bearing date the twenty seventh of February last past in pursuance of the fourth Act of the third Session of this Parliament and the Commissioners nominated on behalf of the Kingdom of England under Her Majesties Great Seal of England bearing date at Westminster the tenth day of April last past in pursuance of an Act of Parliament made in England the third year of Her Majesties Reign to treat of and concerning an Union of the said Kingdoms Which Articles were in all humility presented to Her Majesty upon the twenty third of the said Month of July and were Recommended to this Parliament by Her Majesties Royal Letter of the date the thirty one day of July One thousand seven hundred and six And that the said Estates of Parliament have agreed to and approven of the saids Articles of Union with some Additions and Explanations as is contained in the Articles hereafter insert And sicklyke Her Majesty with advice and consent of the Estates of Parliament Resolving to Establish the Protestant Religion and Presbyterian Church Government within this Kingdom has past in this Session of Parliament an Act entituled Act for secureing of the Protestant Religion and Presbyterian Church Government which by the Tenor thereof is appointed to be insert in any Act ratifying the Treaty and expressly declared to be a fundamentall and essentiall Condition of the said Treaty or Union in all time coming Therefore Her Majesty with advice and consent of the Estates of Parliament in fortification of the Approbation of the Articles as abovementioned And for their further and better Establishment of the same upon full and mature deliberation upon the forsaid Articles of Union and Act of Parliament Doth Ratifie Approve and Confirm the same with the Additions and Explanations contained in the saids Articles in manner and under the provision aftermentioned whereof the Tenor follows

Annotations:

Modifications etc. (not altering text)

- C1 Act repealed so far as it ratifies part of art. 23 by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#)
Act amended (25.1.1999) by [1998 c. 46, s. 37](#); [S.I. 1998/3178, art. 2\(2\)](#), [Sch. 1](#)

Changes to legislation: There are currently no known outstanding effects for the Union with England Act 1707. (See end of Document for details)

C2 Short title given by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), **Sch. 2**

I That the Two Kingdoms of Scotland and England shall upon the first day of May next ensuing the date hereof and forever after be United into One Kingdom by the Name of Great Britain And that the Ensigns Armorial of the said United Kingdom be such as Her Majesty shall appoint and the Crosses of St Andrew and St George be conjoined in such manner as Her Majesty shall think fit and used in all Flags Banners Standards and Ensigns both at Sea and Land

II That the Succession to the Monarchy of the United Kingdom of Great Britain and of the Dominions thereunto belonging after Her Most Sacred Majesty and in default of Issue of Her Majesty be, remain and continue to the Most Excellent Princess Sophia Electoress and Dutchess Dowager of Hanover and the Heirs of Her body being Protestants upon whom the Crown of England is settled by an Act of Parliament made in England in the twelfth year of the Reign of His late Majesty King William the Third entituled An Act for the further Limitation of the Crown and better securing the Rights and Liberties of the Subject And that all Papists and persons marrying Papists shall be excluded from and for ever incapable to inherit possess or enjoy the Imperial Crown of Great Britain and the Dominions thereunto belonging or any part thereof And in every such case the Crown and Government shall from time to time descend to and be enjoyed by such person being a Protestant as should have inherited and enjoyed the same in case such Papists or person marrying a Papist was naturally dead according to the provision for the Descent of the Crown of England made by another Act of Parliament in England in the first year of the Reign of their late Majesties King William and Queen Mary entituled An Act declaring the Rights and Liberties of the Subject and settling the Succession of the Crown

III That the United Kingdom of Great Britain be Represented by one and the same Parliament to be stiled the Parliament of Great Britain

IV That all the Subjects of the United Kingdom of Great Britain shall from and after the Union have full Freedom and Intercourse of Trade and Navigation to and from any port or place within the said United Kingdom and the Dominions and Plantations thereunto belonging And that there be a Communication of all other Rights Privileges and Advantages which do or may belong to the Subjects of either Kingdom except where it is otherwayes expressly agreed in these Articles

V ^{F1}

Annotations:
.....
Amendments (Textual)
F1 [Arts. 5, 8](#) repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

Changes to legislation: There are currently no known outstanding effects for the Union with England Act 1707. (See end of Document for details)

VI That all parts of the United Kingdom for ever from and after the Union shall have the same Allowances Encouragements and Drawbacks and be under the same Prohibitions Restrictions and Regulations of Trade and lyable to the same Customs and Duties on Import and Export And that the Allowances Encouragements and Drawbacks Prohibitions Restrictions and Regulations of Trade and the Customs and Duties on Import and Export settled in England when the Union commences shall from and after the Union take place throughout the whole United Kingdom . . . ^{F2}

Annotations:

Amendments (Textual)

F2 Words repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), **Sch. 1**

VII That all parts of the United Kingdom be for ever from and after the Union lyable to the same Excises upon all Exciseable Liquors . . . ^{F3}

Annotations:

Amendments (Textual)

F3 Words repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), **Sch. 1**

VIII ^{F4}

Annotations:

Amendments (Textual)

F4 [Arts. 5, 8](#) repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

IX ^{F5}

Annotations:

Amendments (Textual)

F5 [Art. 9](#) repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), **Sch. 1**

X— ^{F6}
XV.

Annotations:

Amendments (Textual)

F6 [Arts. 10—15, 17](#) repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

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XVI That from and after the Union the Coin shall be of the same standard and value throughout the United Kingdom as now in England . . . ^{F7}

Annotations:

Amendments (Textual)

F7 Words repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

XVII ^{F8}

Annotations:

Amendments (Textual)

F8 [Arts. 10—15, 17](#) repealed by [Statute Law Revision \(Scotland\) Act 1906 \(c. 38\)](#)

XVIII That the Laws concerning Regulation of Trade, Customs and such Excises to which Scotland is by virtue of this Treaty to be lyable be the same in Scotland from and after the Union as in England and that all other Lawes in use within the Kingdom of Scotland do after the Union and notwithstanding thereof remain in the same force as before (except such as are contrary to or inconsistent with this Treaty) but alterable by the Parliament of Great Britain With this difference betwixt the Laws concerning publick Right, Policy and Civil Government and those which concern private Right That the Laws which concern publick Right Policy and Civil Government may be made the same throughout the whole United Kingdom but that no alteration be made in Laws which concern private Right except for evident utility of the subjects within Scotland

XIX That the Court of Session or Colledge of Justice do after the Union and notwithstanding thereof remain in all time coming within Scotland as it is now constituted by the Laws of that Kingdom and with the same Authority and Priviledges as before the Union subject nevertheless to such Regulations for the better Administration of Justice as shall be made by the Parliament of Great Britain And that hereafter none shall be named by Her Majesty or Her Royal Successors to be Ordinary Lords of Session but such who have served in the Colledge of Justice as Advocats or Principal Clerks of Session for the space of five years or as Writers to the Signet for the space of ten years With this provision That no Writer to the Signet be capable to be admitted a Lord of the Session unless he undergo a private and publick Tryal on the Civil Law before the Faculty of Advocats and be found by them qualified for the said Office two years before he be named to be a Lord of the Session yet so as the Qualifications made or to be made for capacitating persons to be named Ordinary Lords of Session may be altered by the Parliament of Great Britain And that the Court of Justiciary do also after the Union and notwithstanding thereof remain in all time coming within Scotland as it is now constituted by the Laws of that Kindom and with the same Authority and Priviledges as before the Union subject nevertheless to such Regulations as shall be made by the Parliament of Great Britain and without prejudice of other Rights of Justiciary . . . ^{F9} And that the Heritable Rights of Admiralty and Vice-Admiralties in Scotland be reserved to the respective Proprietors as Rights of Property

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subject nevertheless as to the manner of Exercising such Heritable Rights to such Regulations and Alterations as shall be thought proper to be made by the Parliament of Great Britain And that all other Courts now in being within the Kingdom of Scotland do remain but subject to Alterations by the Parliament of Great Britain And that all Inferior Courts within the said Limits do remain subordinate as they are now to the Supream Courts of Justice within the same in all time coming And that no Causes in Scotland be cognoscible by the Courts of Chancery, Queens-Bench, Common-Pleas or any other Court in Westminster-hall And that the said Courts or any other of the like nature after the Unions shall have no power to Cognosce Review or Alter the Acts or Sentences of the Judicatures within Scotland or stop the Execution of the same . . .

Annotations:

Amendments (Textual)

F9 Words repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 1](#)

Modifications etc. (not altering text)

C3 Functions of Courts of Chancery, Queen's Bench and Common Pleas at Westminster now exercisable by High Court: [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), [s. 18\(2\)](#)

XX

That all heritable Offices, Superiorities, heritable Jurisdictions, Offices for life and Jurisdictions for life be reserved to the Owners thereof as Rights of Property in the same manner as they are now enjoyed by the Laws of Scotland notwithstanding of this Treaty

XXI

That the Rights and Privileges of the Royall Burroughs in Scotland as they now are Do Remain entire after the Union and notwithstanding thereof

XXII ^{F10}

Annotations:

Amendments (Textual)

F10 [Art. 22](#) repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), [Sch. 1](#)

XXIII

..... ^{F11} That all Peers of Scotland and their successors to their Honours and Dignities shall from and after the Union be Peers of Great Britain and have Rank and Precedency next and immediately after the Peers of the like orders and degrees in England at the time of the Union and before all Peers of Great Britain of the like orders and degrees who may be created after the Union. ^{F12} and shall Enjoy all Privileges of Peers as fully as the Peers of England do now or as they or any other Peers of Great Britain may hereafter Enjoy the same.

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Annotations:

Amendments (Textual)

- F11** Words repealed by [Peerage Act 1963 \(c. 45\)](#), [Sch. 2](#)
- F12** Words repealed by virtue of repeal by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#) of this Act so far as it ratifies those words

XXIV

That from and after the Union there be One Great Seal for the United Kingdom of Great Britain which shall be different from the Great Seal now used in either Kingdom And that the Quartering the Arms and the Rank and Precedency of the Lyon King of Arms of the Kingdom of Scotland as may best suit the Union be left to Her Majesty And that in the mean time the Great Seal of England be used as the Great Seal of the United Kingdom and that the Great Seal of the United Kingdom be used for Sealing Writs to Elect and Summon the Parliament of Great Britain and for sealing all Treaties with Forreign Princes and States and all publick Acts Instruments and Orders of State which Concern the whole United Kingdom and in all other matters relating to England as the Great Seal of England is now used and that a Seal in Scotland after the Union be alwayes kept and made use of in all things relating to private Rights or Grants which have usually passed the Great Seal of Scotland and which only concern Offices, Grants, Commissions and private Rights within that Kingdom And that until such Seal shall be appointed by Her Majesty the present Great Seal of Scotland shall be used for such purposes and that the Privy Seal, Signet, Casset, Signet of the Justiciary Court, Quarter Seal and Seals of Courts now used in Scotland be Continued but that the said Seals be altered and adapted to the state of the Union as Her Majesty shall think fit And the said Seals and all of them and the Keepers of them shall be subject to such Regulations as the Parlaiment of Great Britain shall hereafter make And that the Crown, Scepter and Sword of State, the Records of Parliament and all other Records Rolls and Registers whatsoever both publick and private generall and particular and Warrands thereof Continue to be kepted as they are within that part of the United Kingdom now called Scotland and that they shall so remain in all time coming notwithstanding of the Union

XXV

That all Laws and Statutes in either Kingdom so far as they are contrary to or inconsistent with the Terms of these Articles or any of them shall from and after the Union cease and become void and shall be so declared to be by the respective Parliaments of the said Kingdoms

FOLLOWS the Tenor of the foresaid Act for securing the Protestant Religion and Presbyterian Church Government

Our Sovereign Lady and the Estates of Parliament considering That by the late Act of Parliament for a Treaty with England for an Union of both Kingdoms It is provided That the Commissioners for that Treaty should not Treat of or concerning any alteration of the Worship Discipline and Government of the Church of this Kingdom as now by Law established Which Treaty being now reported to the Parliament and it being reasonable and necessary that the True Protestant Religion as presently professed within this Kingdom with the Worship Discipline and Government of this Church should be effectually and unalterably secured Therefore Her Majesty with advice and consent of the said Estates of Parliament Doth hereby Establish and Confirm the said True Protestant Religion and the Worship Discipline and Government

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of this Church to continue without any alteration to the people of this Land in all succeeding generations And more especially Her Majesty with advice and consent foresaid Ratifies Approves and for ever Confirms the fifth Act of the first Parliament of King William and Queen Mary Entituled Act Ratifying the Confession of Faith and settling Presbyterian Church Government with the haill other Acts of Parliament relating thereto in prosecution of the Declaration of the Estates of this Kingdom containing the Claim of Right bearing date the eleventh of Aprile One thousand six hundred and eighty nine And Her Majesty with advice and consent foresaid expressly Provides and Declares That the foresaid True Protestant Religion contained in the above-mentioned Confession of Faith with the form and purity of Worship presently in use within this Church and its Presbyterian Church Government and Discipline that is to say the Government of the Church by Kirk Sessions, Presbyteries, Provincial Synods and Generall Assemblies all established by the forsaid Acts of Parliament pursuant to the Claim of Right shall Remain and Continue unalterable and that the said Presbyterian Government shall be the only Government of the Church within the Kingdom of Scotland And further for the greater security of the foresaid Protestant Religion and of the Worship Discipline and Government of this Church as above established Her Majesty with advice and consent foresaid Statutes and Ordains That the Universities and Colledges of Saint Andrews Glasgow Aberdeen and Edinburgh as now Established by Law shall Continue within this Kingdom for ever . . . ^{F13} And further Her Majesty with advice foresaid expressly Declares and Statutes that none of the Subjects of this Kingdom shall be lyable to but all and every one of them for ever free of any Oath Test or Subscription within this Kingdom contrary to or inconsistent with the foresaid True Protestant Religion and Presbyterian Church Government Worship and Discipline as above established And that the same within the bounds of this Church and Kingdom shall never be imposed upon or required of them in any sort And Lastly that after the Decease of Her Present Majesty (whom God long preserve) the Sovereign succeeding to her in the Royal Government of the Kingdom of Great Britain shall in all time comeing at his or her accession to the Crown Swear and Subscribe That they shall inviolably maintain and preserve the foresaid settlement of the True Protestant Religion with the Government Worship Discipline Right and Priviledges of this Church as above established by the Laws of this Kingdom in prosecution of the Claim of Right And it is hereby Statute and Ordained That this Act of Parliament with the Establishment therein contained shall be held and observed in all time coming as a fundamentall and essentiall Condition of any Treaty or Union to be Concluded betwixt the Two Kingdoms without any Alteration thereof or Derogation thereto in any sort for ever As also that this Act of Parliament and Settlement therein contained shall be Insert and Repeated in any Act of Parliament that shall pass for agreeing and concluding the foresaid Treaty or Union betwixt the Two Kingdoms And that the same shall be therein expressly Declared to be a fundamentall and essentiall Condition of the said Treaty or Union in all time coming

WHICH ARTICLES OF UNION and Act immediately above-written Her Majesty with advice and consent foresaid Statutes Enacts and Ordains to be and Continue in all time coming the sure and perpetuall foundation of ane compleat and intire Union of the Two Kingdoms of Scotland and England under this express Condition and Provision That the Approbation and Ratification of the foresaids Articles and Act shall be nowayes binding on this Kingdom untill the said Articles and Act be Ratified Approven and Confirmed by Her Majesty with and by the Authority of the Parliament of England as they are now Agreed to Approved and Confirmed by Her Majestie with and by the Authority of the Parliament of Scotland Declaring nevertheless that the Parliament of England may provide for the security of the Church of England as they think expedient to take place within the bounds of the said Kingdom of England and

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not Derogating from the security above provided for Establishing of the Church of Scotland within the bounds of this Kingdom As also the said Parliament of England may extend the Additions and other provisions contained in the Articles of Union as above insert in favours of the Subjects of Scotland to and in favours of the Subjects of England which shall not suspend or Derogate from the force and effect of this present Ratification But shall be understood as herein included without the necessity of any new Ratification in the Parliament of Scotland And lastly Her Majesty Enacts and Declares That all Laws and Statutes in this Kingdom so far as they are contrary to or inconsistent with the terms of these Articles as abovementioned shall from and after the Union cease and become void

Annotations:

Amendments (Textual)

F13 Words repealed by [Statute Law Revision \(Scotland\) Act 1964 \(c. 80\)](#), **Sch. 1**

Changes to legislation:

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