



Union with Scotland Act 1706

1706 CHAPTER 11 6 Ann

x1

An Act for an Union of the Two Kingdoms of England and Scotland

Most gracious Sovereign

Recital of Articles of Union, dated 22d July, 5 Ann.; and of an Act of Parliament passed in Scotland, 16th January, 5 Ann.

Whereas Articles of Union were agreed on the Twenty Second day of July in the Fifth year of Your Majesties reign by the Commissioners nominated on behalf of the Kingdom of England under Your Majesties Great Seal of England bearing date at Westminster the Tenth day of April then last past in pursuance of an Act of Parliament made in England in the Third year of Your Majesties reign and the Commissioners nominated on the behalf of the Kingdom of Scotland under Your Majesties Great Seal of Scotland bearing date the Twenty Seventh day of February in the Fourth year of Your Majesties Reign in pursuance of the Fourth Act of the Third Session of the present Parliament of Scotland to treat of and concerning an Union of the said Kingdoms And Whereas an Act hath passed in the Parliament of Scotland at Edinburgh the Sixteenth day of January in the Fifth year of Your Majesties reign wherein 'tis mentioned that the Estates of Parliament considering the said Articles of Union of the two Kingdoms had agreed to and approved of the said Articles of Union with some Additions and Explanations And that Your Majesty with Advice and Consent of the Estates of Parliament for establishing the Protestant Religion and Presbyterian Church Government within the Kingdom of Scotland had passed in the same Session of Parliament an Act intituled Act for securing of the Protestant Religion and Presbyterian Church Government which by the Tenor thereof was appointed to be inserted in any Act ratifying the Treaty and expressly declared to be a fundamental and essential Condition of the said Treaty or Union in all times coming the Tenor of which Articles as ratified and approved of with Additions and Explanations by the said Act of Parliament of Scotland follows

Editorial Information

X1 This Act is Chapter VIII. 5 & 6 Ann. in the Common printed Editions

Modifications etc. (not altering text)

C1 Short Title given by [Short Titles Act 1896 \(c. 14\)](#)

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Union with Scotland Act 1706. (See end of Document for details)

C2 Act amended (25.1.1999) by 1998 c. 46, s. 37; S.I. 1998/3178, art. 2(2), **Sch. 1**

ARTICLE I.

The Kingdoms United; Ensigns Armorial

That the two Kingdoms of England and Scotland shall upon the First day of May which shall be in the year One thousand seven hundred and seven and for ever 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. George and St. Andrew 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.

ARTICLE II.

Succession to the Monarchy.

That the Succession to the Monarchy of the United Kingdom of Great Britain and of the Dominions thereto 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 intituled an Act for the further Limitation of the Crown and better securing the rights and Liberites 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 Papist 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 intituled an Act declaring the Rights and Liberites of the Subject and settling the Succession of the Crown.

ARTICLE III.

Parliament.

That the United Kingdom of Great Britain be represented by one and the same Parliament to be stiled The Parliament of Great Britain.

ARTICLE IIII.

Trade and Navigation and other Rights.

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 otherwise expressly agreed in these Articles.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Union with Scotland Act 1706. (See end of Document for details)

^{F1}ARTICLE V.

Textual Amendments

- F1** [Art. V](#) repealed by virtue of repeal by [Statute Law Revision Act 1867 \(c. 59\)](#) of s. IV of this Act so far as it ratifies those articles

^{F1}

ARTICLE VI.

Regulations of Trade, Duties, &c.

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 liable 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} . . .

Textual Amendments

- F2** Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#) and [Statute Law \(repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

Textual Amendments

- F2** Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#) and [Statute Law \(repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

ARTICLE VII.

Excise.

That all parts of the United Kingdom be for ever from and after the Union liable to the same Excise upon all exciseable Liquors ^{F3} . . .

Textual Amendments

- F3** Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#)

Textual Amendments

- F3** Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#)

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^{F4}ARTICLE VIII-XV.

Textual Amendments

- F4** Arts. VIII, X-XV repealed by virtue of repeal by [Statute Law Revision Act 1867 \(c. 59\)](#) of s. IV of this Act so far as it ratifies those articles; [art. IX](#) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

^{F4}

ARTICLE XVI.

Coin.

That from and after the Union the Coin shall be of the same Standard and value throughout the United Kingdom as now in England ^{F5} . . .

Textual Amendments

- F5** Words repealed by virtue of repeal by [Statute Law Revision Act 1867 \(c. 59\)](#) of s. 4 of this Act so far as it ratifies those words

Textual Amendments

- F5** Words repealed by virtue of repeal by [Statute Law Revision Act 1867 \(c. 59\)](#) of s. 4 of this Act so far as it ratifies those words

^{F6}ARTICLE XVII.

Textual Amendments

- F6** [Art. XVII](#) repealed by [Weights and Measures Act 1878 \(c. 49\)](#), [Sch. 6 Pt. I](#)

^{F6}

ARTICLE XVIII.

Laws concerning public rights. Private rights

That the Laws concerning regulation of Trade Customs and such Excises to which Scotland is by virtue of this Treaty to be liable be the same in Scotland from and after the Union as in England and that all other Laws 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

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ARTICLE XIX.

**Court of Session. Writers to the Signet admitted Lords of Session.
Court of Justiciary. Other Courts. Causes in Scotland not
cognizable in Courts in Westminster Hall.**

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 privileges 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 Advocates 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 Advocates 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 Kingdom and with the same authority and privileges 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 ^{F7} . . . And that the heretable rights of Admiralty and Vice Admiralties in Scotland be reserved to the respective proprietors as rights of property Subject nevertheless as to the manner of exercising such heretable 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 supreme Courts of Justice within the same in all time coming And that no Causes in Scotland be cognoscible by the Courts of Chancery Queen's Bench Common Pleas or any other Court in Westminster Hall and that the said Courts or any other of the like nature after the Union 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 ^{F8} . . .

Textual Amendments

- F7** Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)
F8 Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#) and [Statute Law \(repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

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\(2\)](#)

Textual Amendments

- F7** Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)
F8 Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#) and [Statute Law \(repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. XIII](#)

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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\(2\)](#)

ARTICLE XX.

Heritable Offices, &c.

That all Heretable Offices Superiorities Heretable 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 this Treaty.

ARTICLE XXI.

Royal Burghs.

That the Rights and Privileges of the Royal Burghs in Scotland as they now are do remain entire after the Union and notwithstanding thereof.

^{F9}ARTICLE XXII.

Textual Amendments

- F9** Article XXII repealed (5.11.1993) by 1993 (c. 50), s. 1(1), Sch. 1 Pt. XI Group2

^{F9}

ARTICLE XXIII.

Privileges of the Sixteen Peers of Scotland.

^{F10} . . . 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 ^{F11} . . . 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 ^{F10} . . .

Textual Amendments

- F10** Words repealed by [Peerage Act 1963 \(c. 48\), Sch. 2](#)
- F11** Words repealed by virtue of repeal of [Criminal Justice Act 1948 \(c. 58\), Sch. 10 Pt. III](#) of s. 4 of this Act so far as it ratifies those words

Textual Amendments

- F10** Words repealed by [Peerage Act 1963 \(c. 48\), Sch. 2](#)

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F11 Words repealed by virtue of repeal of [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#) of s. 4 of this Act so far as it ratifies those words

ARTICLE XXIV.

**Heraldry;
&c. in Scotland;** **Great Seal;
Regalia** **Seal kept in Scotland;** **Privy Seal,**

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 Writts to elect and summon the Parliament of Great Britain and for sealing all Treaties with foreign 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 always 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 Parliament 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 general and particular and Warrants thereof continue to be kept as they are within that part of the United Kingdom now called Scotland and that they shall so remain in all time coming notwithstanding the Union

ARTICLE XXV.

Laws inconsistent with the Articles, void;

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. As by the said Articles of Union ratified and approved by the said Act of Parliament of Scotland relation thereunto being had may appear

II **Acts of Scotland herein mentioned, confirmed;** **Universities and colleges of Saint Andrew, Glasgow, Aberdeen and Edinburgh, to continue;**
 Subjects not liable to Oath, Test, or Subscription, inconsistent with the Presbyterian Church Government; **Successor to swear to maintain the said Settlement of Religion;** **This Act to be held a fundamental Condition of Union, and to be inserted in any Act of Parliament for concluding the said Union;** **This Ratification of the said Articles not binding until**

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they are ratified by Parliament of England, &c.;
Articles void.

Laws contrary to

And the Tenor of the aforesaid Act for securing the Protestant Religion and Presbyterian Church Government within the Kingdom of Scotland is as follows.

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 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 aforesaid ratifies approves and for ever confirms the Fifth Act of the first Parliament of King William and Queen Mary intituled Act ratifying the Confession of Faith and settling Presbyterian Church Government with all 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 April One thousand six hundred and eighty nine And Her Majesty with Advice and Consent aforesaid 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 General Assemblies all established by the foresaid 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 Andrew's Glasgow Aberdeen and Edinburgh as now established by Law shall continue within this Kingdom for ever ^{F12} . . .

And further Her Majesty with Advice aforesaid expressly declares and statutes that none of the Subjects of this Kingdom shall be liable 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 coming 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 Privileges 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 Fundamental and

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Essential 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 Fundamental and Essential 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 aforesaid statutes enacts and ordains to be and continue in all time coming the Sure and perpetual Foundation of a compleat and entire Union of the two Kingdoms of Scotland and England under the express Condition and provision that this approbation and ratification of the foresaid Articles and Act shall be no ways binding on this Kingdom until the said Articles and Act be ratified approved 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 Majesty 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 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 they are contrary to or inconsistent with the Terms of these Articles as above mentioned shall from and after the Union cease and become void.

Textual Amendments

F12 Words repealed by [Statute Law Revision Act 1948 \(c. 62\), Sch. 1](#)

III Cap. 8 ante.

And Whereas an ^MAct hath passed in this present Session of Parliament intituled An Act for securing the Church of England as by Law established the Tenor whereof follows

Whereas by an Act made in the Session of Parliament held in the third and fourth year of Her Majesties reign whereby Her Majesty was impowered to appoint Commissioners under the Great Seal of England to treat with Commissioners to be authorized by the Parliament of Scotland concerning an Union of the Kingdoms of England and Scotland It is Provided and enacted that the Commissioners to be named in pursuance of the said Act should not treat of or concerning any Alteration of the Liturgy Rites Ceremonies Discipline or Government of the Church as by Law established within this Realm And whereas certain Commissioners appointed by Her Majesty in pursuance of the said Act and also other Commissioners nominated by Her Majesty by the Authority of the Parliament of Scotland have met and agreed upon a Treaty of Union of the said Kingdoms which Treaty is now under the Consideration of this present Parliament And whereas the said Treaty (with some Alterations therein made) is ratified and approved by Act of Parliament in Scotland and the said Act

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of Ratification is by Her Majesties Royal Command laid before the Parliament of this Kingdom And whereas it is reasonable and necessary that the true Protestant Religion Professed and established by Law in the Church of England and the Doctrine Worship Discipline and Government thereof should be effectually and unalterably secured Be it enacted by the Queens most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and the Commons in this present Parliament assembled and by Authority of the same That an ^{F13} . . . Act made in the thirteenth year of the reign of the late King Charles the Second intituled an Act for the Uniformity of the publick Prayers and Administration of Sacraments and other rites and ceremonies and for establishing the form of making ordaining and consecrating Bishops Priests and Deacons in the Church of England (other than such Clauses in the said Acts or either of them as have been repealed or altered by any subsequent Act or Acts of Parliament) and all and singular other Acts of Parliament now in force for the Establishment and Preservation of the Church of England and the Doctrine Worship Discipline and Government thereof shall remain and be in full force for ever

And be it further enacted by the Authority aforesaid That after the Demise of Her Majesty (whom God long preserve) the Sovereign next succeeding to Her Majesty in the Royal Government of the Kingdom of Great Britain and so for ever hereafter every King or Queen succeeding and coming to the Royal Government of the Kingdom of Great Britain at His or Her Coronation shall in the presence of all persons who shall be attending assisting or otherwise then and there present take and subscribe an Oath to maintain and preserve inviolably the said Settlement of the Church of England and the Doctrine Worship Discipline and Government thereof as by Law established within the Kingdoms of England and Ireland the Dominion of Wales and Town of Berwick upon Tweed and the Territories thereunto belonging.

And be it further enacted by the Authority aforesaid That this Act and all and every the matters and things therein contained be and shall for ever be holden and adjudged to be a Fundamental and Essential part of any Treaty of Union to be concluded between the said two Kingdoms and also that this Act shall be inserted in express Terms in any Act of Parliament which shall be made for settling and ratifying any such Treaty of Union and shall be therein declared to be an Essential and Fundamental part thereof.

Textual Amendments

F13 Words repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\), Sch. 1 Pt. XIII](#)

Marginal Citations

M1 c. 8. ante.

^{F14}IV The said Articles and Act of Parliament of Scotland confirmed;

May It therefore please Your most Excellent Majesty that it may be enacted and be it enacted by the Queen’s most Excellent Majesty by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by Authority of the same That all and every the said Articles of Union as ratified and approved by the said Act of Parliament of Scotland as aforesaid and herein before particularly mentioned and inserted and also the said Act of Parliament of Scotland for establishing the Protestant Religion and Presbyterian Church Government within that Kingdom intituled Act for Securing the Protestant Religion and Presbyterian Church Government and every Clause matter and thing in the said Articles and Act

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contained shall be and the said Articles and Act are hereby for ever ratified approved and confirmed.

Textual Amendments

- F14** S. 4 repealed (a) so far as it ratifies art. 5, part of art. 6, arts. 8, 10-15 and parts of arts. 16, 19, 22 by [Statute Law Revision Act 1867 \(c. 59\)](#); (b) so far as it ratifies part of art. 22 by [Promissory Oaths Act 1871 \(c. 48\)](#), Sch. 1 Pt. II; (c) so far as it ratifies part of art. 23 by [Criminal Justice Act 1948 \(c. 58\)](#), [Sch. 10 Pt. III](#)

V **Cap. 8 ante, and the said Act of Parliament of Scotland to be observed as fundamental Conditions of the said Union; and the said Articles and Acts of Parliament to continue the Union.**

And it is hereby further enacted by the Authority aforesaid That the said Act passed in this present Session of Parliament intituled An Act for securing the Church of England as by Law established and all and every the matters and things therein contained And also the said Act of Parliament of Scotland intituled Act for securing the Protestant Religion and Presbyterian Church Government with the Establishment in the said Act contained be and shall for ever be held and adjudged to be and observed as Fundamental and Essential Conditions of the said Union And shall in all times coming be taken to be and are hereby declared to be essential and fundamental parts of the said Articles and Union And the said Articles of Union so as aforesaid ratified approved and confirmed by Act of Parliament of Scotland and by this present Act And the said Act passed in this present Session of Parliament intituled an Act for securing the Church of England as by Law established And also the said Act passed in the Parliament of Scotland intituled Act for securing the Protestant Religion and Presbyterian Church Government are hereby enacted and ordained to be and continue in all times coming the complete and intire Union of the two Kingdoms of England and Scotland

VI **Recital of Act of Parliament of Scotland for settling Election of the Sixteen Peers and Forty-five Members for Scotland.**

And whereas since the passing the said Act in the Parliament of Scotland for ratifying the said Articles of Union one other Act intituled Act settling the manner of electing the Sixteen Peers and Forty Five Members to represent Scotland in the Parliament of Great Britain hath likewise passed in the said Parliament of Scotland at Edinburgh the Fifth day of February One thousand seven hundred and seven the Tenor whereof follows

Our Sovereign Lady considering that by the Twenty Second Article of the Treaty of Union as the same is ratified by an Act passed in this Session of Parliament upon the Sixteenth of January last It is provided That by virtue of the said Treaty of the Peers of Scotland at the time of the Union Sixteen shall be the number to sit and vote in the House of Lords and Forty Five the number of the Representatives of Scotland in the House of Commons of the Parliament of Great Britain and that the said Sixteen Peers and Forty Five Members in the House of Commons be named and chosen in such manner as by a subsequent Act in this present Session of Parliament in Scotland should be settled which Act is thereby declared to be as valid as if it were a part of and ingrossed in the said Treaty Therefore Her Majesty with Advice and Consent of the Estates of Parliament statutes enacts and ordains that the said Sixteen Peers who shall have right to sit in the House of Peers in the Parliament of Great Britain on the part of

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Scotland by virtue of this Treaty shall be named by the said Peers of Scotland whom they represent their Heirs or Successors to their Dignities and Honours out of their own number and that by open Election and Plurality of Voices of the Peers present and of the Proxies for such as shall be absent the said Proxies being Peers and producing a Mandate in Writing duly signed before Witnesses and both the Constituent and Proxy being qualified according to Law declaring also that such Peers as are absent being qualified as aforesaid may send to all such meetings Lists of the Peers whom they judge fittest validly signed by the said absent Peers which shall be reckoned in the same manner as if the parties had been present and given in the said List And in case of the Death or legal incapacity of any of the said Sixteen Peers that the aforesaid Peers of Scotland shall nominate another of their own Number in place of the said Peer or Peers in manner before and after mentioned^{F15}. . . It is always hereby expressly provided and declared that none shall be capable to elect or be elected for any of the said Estates but such as are twenty one years of Age complete^{F15}. . .

Textual Amendments

F15 Words repealed by [Statute Law Revision Act 1948 \(c. 62\)](#), [Sch. 1](#)

Modifications etc. (not altering text)

C4 [S. 6](#) modified (1.1.2007 for E.W.S. and 7.2.2007 for N.I.) by [Electoral Administration Act 2006 \(c. 22\)](#), [ss. 17\(8\)](#), [77\(2\)](#); [S.I. 2006/3412](#), [art. 3](#), [Sch. 1 para. 14\(d\)](#) (subject to [art. 6](#)); [S.I. 2007/230](#), [art. 2](#)

VII The said Act declared valid as if it had been Part of the said Articles of Union

As by the said Act passed in Scotland for settling the manner of electing the Sixteen Peers and Forty Five Members to represent Scotland in the Parliament of Great Britain may appear

Be it therefore further enacted and declared by the Authority aforesaid That the said last mentioned Act Passed in Scotland for settling the manner of electing the Sixteen Peers and Forty Five Members to represent Scotland in the Parliament of Great Britain as aforesaid shall be and the same is hereby declared to be as valid as if the same had been part of and engrossed in the said Articles of Union ratified and approved by the said Act of Parliament of Scotland and by this Act as aforesaid.

Status:

Point in time view as at 05/11/1993.

Changes to legislation:

There are currently no known outstanding effects for the Union with Scotland Act 1706.