

SCHEDULES

SCHEDULE 6

DEVOLUTION ISSUES

PART III

PROCEEDINGS IN ENGLAND AND WALES

Reference of devolution issue to High Court or Court of Appeal

- 18 A magistrates' court may refer any devolution issue which arises in proceedings (other than criminal proceedings) before it to the High Court.
- 19 (1) A court may refer any devolution issue which arises in proceedings (other than criminal proceedings) before it to the Court of Appeal.
- (2) Sub-paragraph (1) does not apply to—
- (a) a magistrates' court, the Court of Appeal or the House of Lords, or
 - (b) the High Court if the devolution issue arises in proceedings on a reference under paragraph 18.
- 20 A tribunal from which there is no appeal shall refer any devolution issue which arises in proceedings before it to the Court of Appeal; and any other tribunal may make such a reference.
- 21 A court, other than the House of Lords or the Court of Appeal, may refer any devolution issue which arises in criminal proceedings before it to—
- (a) the High Court (if the proceedings are summary proceedings), or
 - (b) the Court of Appeal (if the proceedings are proceedings on indictment).