Scotland Act 1998

CHAPTER 46

SCOTLAND ACT 1998

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2 (1) There are to be eight regions for the purposes...

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3 (1) The Local Government Boundary Commission for Scotland must keep...
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7 (1) If the Local Government Boundary Commission for Scotland intend...
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10 (1) The Local Government Boundary Commission for Scotland may if...
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13 These are the regional rules. Rule 1 A constituency must...

14 (1) This paragraph applies for the purposes of the regional...

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Staff

3 (1) The corporation shall appoint Assistant Clerks and may appoint...

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4 (1) Subject to sub-paragraph (4), the corporation may do anything...

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5 The corporation may delegate any of its functions to the...

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3 (1) Paragraph 1 does not reserve property belonging to Her...
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5 Paragraph 1 does not reserve the use of the Scottish...
5A (1) Paragraph 1 does not reserve a referendum on the...

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6 The registration and funding of political parties is a reserved...

Foreign affairs etc.

7 (1) International relations, including relations with territories outside the United...

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8 (1) The Civil Service of the State is a reserved...

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9 (1) The following are reserved matters— (a) the defence of...

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10 Treason (including constructive treason), treason felony and misprision of treason...

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5 Intimation of any devolution issue which arises in any proceedings...
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8 A tribunal from which there is no appeal shall refer...
9 A court, other than any court consisting of two or...

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11 Any court consisting of two or more judges of the...

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13 An appeal against a determination of a devolution issue by——...
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18 A magistrates’ court may refer any devolution issue which arises...
19 (1) A court may refer any devolution issue which arises...
20 A tribunal from which there is no appeal shall refer...
21 A court, other than the Supreme Court or the Court...

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22 The Court of Appeal may refer any devolution issue which...

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26 A court or tribunal shall order notice of any devolution...
27 A person to whom notice is given in pursuance of...

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31 An appeal against a determination of a devolution issue by...

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35 (1) This paragraph applies where a reference is made under...

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2 The types of procedure referred to in this Schedule are—...

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3 (1) This paragraph applies if— (a) the instrument containing the...
3A If legislation under section 90B amends a scheme under that...
4 If legislation under section 129(1) makes provision as mentioned in...
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2 (1) The Crown Suits (Scotland) Act 1857 is amended as...

Sheriff Courts and Legal Officers (Scotland) Act 1927 (c.35)

3 (1) The Sheriff Courts and Legal Officers (Scotland) Act 1927...

Administration of Justice (Scotland) Act 1933 (c.41)

4 In the Administration of Justice (Scotland) Act 1933, in sections...

Private Legislation Procedure (Scotland) Act 1936 (c.52)

5 In section 1 of the Private Legislation Procedure (Scotland) Act...

United Nations Act 1946 (c.45)

6 In section 1 of the United Nations Act 1946 (measures...

Crown Proceedings Act 1947 (c.44)

7 (1) The Crown Proceedings Act 1947 is amended as follows....

Public Registers and Records (Scotland) Act 1948 (c.57)

8 In section 1(1) of the Public Registers and Records (Scotland)...
Lands Tribunal Act 1949 (c.42)
9 In section 2 of the Lands Tribunal Act 1949 (members...

Defamation Act 1952 (c.66)
10 In section 10 of the Defamation Act 1952 (limitation on...

Defamation Act (Northern Ireland) 1955 (c.11 (N.I.))
11 In section 10(2) of the Defamation Act (Northern Ireland) 1955...

Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c.49)
12 In section 1(1) of the Registration of Births, Deaths and...

Pensions (Increase) Act 1971 (c.56)
13 In Part II of Schedule 2 to the Pensions (Increase)... 

Superannuation Act 1972 (c.11)
14 In section 1(6) of the Superannuation Act 1972 (superannuation as...

European Communities Act 1972 (c.68)
15 (1) The European Communities Act 1972 is amended as follows...

Interpretation Act 1978 (c.30)
16 (1) The Interpretation Act 1978 is amended as follows.

Education (Scotland) Act 1980 (c.44)
17 In section 135(1) of the Education (Scotland) Act 1980 (interpretation)... 

Civil Jurisdiction and Judgments Act 1982 (c.27)
18 (1) Section 46 of the Civil Jurisdiction and Judgments Act...

Mental Health Act 1983 (c.20)
19 In section 141 of the Mental Health Act 1983 (members...

National Audit Act 1983 (c.44)
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Tourism (Overseas Promotion) (Scotland) Act 1984 (c.4)
21 In section 1 of the Tourism (Overseas Promotion) (Scotland) Act...

Bankruptcy (Scotland) Act 1985 (c.66)
22 For section 1 of the Bankruptcy (Scotland) Act 1985 there...

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23 (1) The Insolvency Act 1986 is amended as follows.
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24 In section 26(1) of the Public Order Act 1986 (savings... 

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28 In section 6 of the European Communities (Amendment) Act 1993...

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29 In section 1 of the Scottish Land Court Act 1993...

Value Added Tax Act 1994 (c.23)
30 In section 41 of the Value Added Tax Act 1994...

Requirements of Writing (Scotland) Act 1995 (c.7)
31 In section 12(1) of the Requirements of Writing (Scotland) Act...

Criminal Procedure (Scotland) Act 1995 (c.46)
32 (1) The Criminal Procedure (Scotland) Act 1995 is amended as...

Defamation Act 1996 (c.31)
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34 In section 6 of the Damages Act 1996 (guarantees for...

SCHEDULE 9 — Repeals
Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Scotland Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:
- s. 57 heading word omitted by 2018 c. 16 Sch. 3 para. 13(2)(a)
- s. 57 heading words inserted by 2018 c. 16 Sch. 3 para. 13(2)(b)
- s. 2(2A)(b) and word omitted by 2018 c. 16 Sch. 3 para. 7
- s. 6 applied by Regulation (EC) No 648/2004, Art. 15(7) (as inserted) by S.I. 2019/671 reg. 3(4)
- s. 12(4)(a) words omitted by 2018 c. 16 Sch. 3 para. 8(a)
- s. 12(4)(a) words omitted by 2018 c. 16 Sch. 3 para. 8(b)
- s. 12A(2)(a) word inserted by 2018 c. 16 Sch. 3 para. 9(2)(a)
- s. 12A(2)(c) and word omitted by 2018 c. 16 Sch. 3 para. 9(2)(b)
- s. 12A(3)(b) and word omitted by 2018 c. 16 Sch. 3 para. 9(3)
- s. 12A(5)(a) words omitted by 2018 c. 16 Sch. 3 para. 9(4)(a)
- s. 12A(5)(a) words omitted by 2018 c. 16 Sch. 3 para. 9(4)(b)
- s. 29(2)(d) words substituted by 2018 c. 16 s. 12(1)
- s. 32(3)(b) and word omitted by 2018 c. 16 Sch. 3 para. 10
- s. 34 omitted by 2018 c. 16 Sch. 3 para. 11
- s. 36(4)(b) omitted by 2018 c. 16 Sch. 3 para. 12(2)
- s. 36(5)(a) word omitted by 2018 c. 16 Sch. 3 para. 12(3)
- s. 57(1) omitted by 2018 c. 16 Sch. 3 para. 13(2)(c)
- s. 57(2) excluded by 2020 c. 1 Sch. 5 para. 64
- s. 57(2) words omitted by 2018 c. 16 Sch. 3 para. 1(a)
- s. 80D(4)(a) word inserted by 2018 c. 16 Sch. 3 para. 14(2)(a)
- s. 80D(4)(b) word omitted by 2018 c. 16 Sch. 3 para. 14(2)(b)
- s. 80D(4B) words substituted by 2018 c. 16 Sch. 3 para. 14(3)
- s. 80DA(2)(a) words substituted by 2018 c. 16 Sch. 3 para. 15
- s. 82(1)(b) and word omitted by 2018 c. 16 Sch. 3 para. 16(2)(b)
- s. 82(1)(za) word inserted by 2018 c. 16 Sch. 3 para. 16(2)(a)
- s. 82(2)(b) words substituted by 2018 c. 16 Sch. 3 para. 16(3)
- s. 106(5) words substituted by 2018 c. 16 Sch. 3 para. 17(2)
- s. 106(7) omitted by 2018 c. 16 Sch. 3 para. 17(3)
- s. 110(2) words inserted by 2012 c. 11 Sch. 2 para. 1(2)(a)
- s. 110(2) words omitted by 2014 c. 26 Sch. 38 para. 16(8)(b)
- s. 110(2) words substituted by 2012 c. 11 Sch. 2 para. 1(2)(b)
- s. 110(2) words substituted by 2014 c. 26 Sch. 38 para. 16(8)(a)
- s. 110(2) words substituted by 2016 c. 11 s. 15(1)
- s. 110(3) words substituted by 2012 c. 11 Sch. 2 para. 1(2)(c)
- s. 110(4) words substituted by 2012 c. 11 Sch. 2 para. 1(2)(d)
- s. 113(10)(a) words substituted by 2003 c. 44 Sch. 27 para. 7(2)
- s. 117 applied by S.I. 2020/276 art. 5
- s. 119(4) omitted by 2018 c. 16 Sch. 3 para. 18
- s. 126(9) omitted by 2018 c. 16 Sch. 3 para. 19(2)
- s. 126(10) words omitted by 2018 c. 16 Sch. 3 para. 19(3)
- s. 127 entry omitted by 2018 c. 16 Sch. 3 para. 20
- Sch. 1 para. 3 by 2000 c. 41 Sch. 3 para. 18 (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament (Constituencies) Act 2004 (c. 13), s. 1(5))
- Sch. 1 para. 4A by 2000 c. 41 Sch. 3 para. 19 (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament (Constituencies) Act 2004 (c. 13), s. 1(5))
Sch. 1 para. 5(1) by 2000 c. 41 Sch. 3 para. 20(2) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 5(2) by 2000 c. 41 Sch. 3 para. 20(3) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 5(3)(4) by 2000 c. 41 Sch. 3 para. 20(4) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 6(1) by 2000 c. 41 Sch. 3 para. 21(2) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 6(2) by 2000 c. 41 Sch. 3 para. 21(3) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 6(3) by 2000 c. 41 Sch. 3 para. 21(5) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 6(6)(7) by 2000 c. 41 Sch. 3 para. 21(5) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 7 by 2000 c. 41 Sch. 3 para. 22 (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 8(1) by 2000 c. 41 Sch. 3 para. 23(a) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 8(3) by 2000 c. 41 Sch. 3 para. 23(b) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 1 para. 9 by 2000 c. 41 Sch. 3 para. 24 (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 17-24 repealed (22.7.2004) without ever being in force by Scottish Parliament ( Constituencies) Act 2004 (c. 13), s. 1(5))

Sch. 4 para. 1(2)(c) omitted by 2018 c. 16 Sch. 3 para. 21(2)(a)

Sch. 4 para. 13(1)(a) omitted by 2018 c. 16 Sch. 3 para. 21(3)

Sch. 4 para. 4(3) words omitted by 2012 c. 11 Sch. 2 para. 1(3)

Sch. 6 para. 1 words omitted by 2018 c. 16 Sch. 3 para. 23(3)

Sch. 6 para. 1 words substituted by 2018 c. 16 Sch. 3 para. 23(2)

Sch. 6 para. 1 words substituted by 2018 c. 16 Sch. 3 para. 23(4)

Sch. 7 para. 1 words omitted by 2014 c. 26 Sch. 38 para. 16(11)

Sch. 7 para. 1(2) words omitted by 2014 c. 26 Sch. 38 para. 16(10)(a)

Sch. 7 words substituted by 2012 c. 11 Sch. 2 para. 1(4)(a)

Sch. 7 Note words substituted by 2012 c. 11 Sch. 2 para. 1(4)(b)(i)

Sch. 7 Note words substituted by 2012 c. 11 Sch. 2 para. 1(4)(b)(ii)

Sch. 8 para. 28 repealed by S.I. 2019/628 Sch. Pt. 1

Sch. 8 para. 15 and cross-heading omitted by 2018 c. 16 Sch. 3 para. 26

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

s. 113(10A) inserted by 2003 c. 44 Sch. 27 para. 7(3)

Sch. 5 Pt. 2 s. C8 words substituted by 2018 c. 16 Sch. 3 para. 22

Sch. 5 Pt. 2 s. C8 words substituted by 2020 c. 1 Sch. 5 para. 21