Scotland Act 1998

CHAPTER 46

SCOTLAND ACT 1998

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10 (1) The Local Government Boundary Commission for Scotland may if...
11 Section 210(4) and (5) of the Local Government (Scotland) Act...

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13 These are the regional rules. Rule 1 A constituency must...
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5 The corporation may delegate any of its functions to the...

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The law on reserved matters

2 (1) An Act of the Scottish Parliament cannot modify, or...
3 (1) Paragraph 2 does not apply to modifications which——

This Act

4 (1) An Act of the Scottish Parliament cannot modify, or...

4A (1) Paragraph 4 does not apply to prevent an Act...

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5 An Act of the Scottish Parliament cannot modify, or confer...

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9 (1) Part I of this Schedule does not prevent an...

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10 Part I of this Schedule does not prevent an Act...

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13 (1) Paragraph 12 does not apply to any function conferred...

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3 (1) Paragraph 1 does not reserve property belonging to Her...
4 (1) Paragraph 1 does not reserve property held by Her...
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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3 Any illustrations, exceptions or interpretation provisions in a Section relate...

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C7. Consumer protection
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1 (1) This Schedule does not reserve any Scottish public authority...
2 Paragraph 1 of Part I of this Schedule does not...

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2A (1) This Schedule does not reserve the transfer to a...

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3 (1) The reservation of any body to which this paragraph...
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5 (1) References in this Schedule to the subject-matter of any...

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1 In this Schedule “devolution issue” means— (a) a question whether...
2 A devolution issue shall not be taken to arise in...
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Application of Part II

3 This Part of this Schedule applies in relation to devolution...

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4 (1) Proceedings for the determination of a devolution issue may...

Intimation of devolution issue

5 Intimation of any devolution issue which arises in any proceedings...
6 A person to whom intimation is given in pursuance of...

Reference of devolution issue to higher court

7 A court, other than the Supreme Court or any court...
8 A tribunal from which there is no appeal shall refer...
9 A court, other than any court consisting of two or...

References from superior courts to Supreme Court

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

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12 An appeal against a determination of a devolution issue by...
13 An appeal against a determination of a devolution issue by...
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14 This Part of this Schedule applies in relation to devolution...

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15 (1) Proceedings for the determination of a devolution issue may...

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16 A court or tribunal shall order notice of any devolution...
17 A person to whom notice is given in pursuance of...
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A magistrates’ court may refer any devolution issue which arises...
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A person to whom notice is given in pursuance of...

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A tribunal from which there is no appeal shall refer...

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The Court of Appeal in Northern Ireland may refer any...

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The Lord Advocate, the Advocate General, the Attorney General or...
The Lord Advocate, the Attorney General, the Advocate General or...
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Types of procedure

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

Special cases

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...
5 (1) An instrument containing an Order in Council or order...
6 (1) This paragraph applies where a draft of an instrument...

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Crown Suits (Scotland) Act 1857 (c.44)

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)
20 Sections 6 and 7 of the National Audit Act 1983...

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...

Insolvency Act 1986 (c.45)
23 (1) The Insolvency Act 1986 is amended as follows.
Public Order Act 1986 (c.64)
24 In section 26(1) of the Public Order Act 1986 (savings...  

Copyright, Designs and Patents Act 1988 (c.48)
25 (1) The Copyright, Designs and Patents Act 1988 is amended...

Official Secrets Act 1989 (c.6)
26 (1) Section 12 of the Official Secrets Act 1989 (meaning...

Prisons (Scotland) Act 1989 (c.45)
27 (1) The Prisons (Scotland) Act 1989 is amended as follows....

European Communities (Amendment) Act 1993 (c.32)
28 In section 6 of the European Communities (Amendment) Act 1993...

Scottish Land Court Act 1993 (c.45)
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)
33 (1) The Defamation Act 1996 is amended as follows.

Damages Act 1996 (c.48)
34 In section 6 of the Damages Act 1996 (guarantees for...

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Changes to legislation:
Scotland Act 1998 is up to date with all changes known to be in force on or before 13 November 2019. There are changes that may be brought into force at a future date. Changes that have been made 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) words omitted by 2018 c. 16 Sch. 3 para. 14(2)(a)
- s. 80D(4)(a) word inserted by 2018 c. 16 Sch. 3 para. 14(2)(a)
- s. 80D(4)(b) and 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. 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))
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