

*Changes to legislation:* There are currently no known outstanding effects  
for the Scotland Act 1998, Paragraph 1. (See end of Document for details)

## SCHEDULES

### SCHEDULE 4

#### ENACTMENTS ETC. PROTECTED FROM MODIFICATION

##### Modifications etc. (not altering text)

- C1** Sch. 4 excluded by 1974 c. 53, Sch. 3 para. 9(1) (as inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), ss. 19, 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 15)

#### PART I

##### THE PROTECTED PROVISIONS

##### *Particular enactments*

- 1 (1) An Act of the Scottish Parliament cannot modify, or confer power by subordinate legislation to modify, any of the following provisions.
- (2) The provisions are—
- (a) Articles 4 and 6 of the <sup>M1</sup>Union with Scotland Act 1706 and of the <sup>M2</sup>Union with England Act 1707 so far as they relate to freedom of trade,
  - (b) the <sup>M3</sup>Private Legislation Procedure (Scotland) Act 1936,
  - <sup>F1</sup>(c) .....
  - (d) paragraphs 5(3)(b) and 15(4)(b) of Schedule 32 to the <sup>M4</sup>Local Government, Planning and Land Act 1980 (designation of enterprise zones),
  - (e) sections 140A to 140G of the <sup>M5</sup>Social Security Administration Act 1992 (rent rebate and rent allowance subsidy and council tax benefit),
  - (f) the <sup>M6</sup>Human Rights Act 1998 [<sup>F2</sup>, ]
  - <sup>F2</sup>(g) the European Union (Withdrawal) Act 2018 (other than [<sup>F3</sup>any excluded provision of] that Act and any regulations made under that Act)[<sup>F4</sup>, and
  - (h) the United Kingdom Internal Market Act 2020.]
- <sup>F5</sup>(3) For the purposes of sub-paragraph (2)(g), the following are excluded provisions of the European Union (Withdrawal) Act 2018—
- (a) section 1B(3) and (4),
  - (b) sections 8A to 8C,
  - (c) section 10(3) and (4),
  - (d) sections 13A and 13B,
  - (e) sections 15A to 15C,
  - (f) Parts 1A to 1C of Schedule 2,
  - (g) paragraphs 8A to 8G of Schedule 7, and

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(h) paragraphs 31 to 35 of Schedule 8.]

#### Textual Amendments

- F1** Sch. 4 para. 1(2)(c) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 21\(2\)\(a\)](#) (with s. 19, Sch. 8 para. 37); S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)
- F2** Sch. 4 para. 1(2)(g) inserted (26.6.2018) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(1)(b), [Sch. 3 para. 21\(2\)\(b\)](#) (with s. 19, Sch. 8 para. 37)
- F3** Words in Sch. 4 para. 1(2)(g) substituted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(vi), [Sch. 5 para. 20\(2\)](#) (with s. 38(3))
- F4** Sch. 4 para. 1(2)(h) and preceding word inserted (31.12.2020) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), [ss. 54\(1\)](#), 59(3) (with s. 55(2)); S.I. 2020/1621, reg. 2(k)
- F5** Sch. 4 para. 1(3) inserted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(vi), [Sch. 5 para. 20\(3\)](#) (with s. 38(3))

#### Marginal Citations

- M1** 1706 c. 11.  
**M2** 1707 c. 7(S).  
**M3** 1936 c. 52.  
**M4** 1980 c. 65.  
**M5** 1992 c. 5.  
**M6** 1998 c. 42.

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