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**Changes to legislation:** There are currently no known outstanding effects for the Scotland Act 1998,  
Cross Heading: Reference of devolution issue to higher court. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 6

#### DEVOLUTION ISSUES

#### PART II

#### PROCEEDINGS IN SCOTLAND

##### *Reference of devolution issue to higher court*

- 7 A court, other than the [<sup>F1</sup>Supreme Court] or any court consisting of three or more judges of the Court of Session, may refer any devolution issue which arises in proceedings (other than criminal proceedings) before it to the Inner House of the Court of Session.

#### Textual Amendments

- F1** Words in Sch. 6 para. 7 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(2\)](#); S.I. 2009/1604, [art. 2](#)

- 8 A tribunal from which there is no appeal shall refer any devolution issue which arises in proceedings before it to the Inner House of the Court of Session; and any other tribunal may make such a reference.
- 9 A court, other than any court consisting of two or more judges of the High Court of Justiciary, may refer any devolution issue which arises in criminal proceedings before it to the High Court of Justiciary.

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading:  
Reference of devolution issue to higher court.