



# Scotland Act 2016

## 2016 CHAPTER 11

### PART 1

#### CONSTITUTIONAL ARRANGEMENTS

##### *Legislation by the Parliament*

#### **12 Scope to modify the Scotland Act 1998**

- (1) The Scotland Act 1998 is amended as follows.
- (2) In paragraph 4 of Schedule 4 (protection of Scotland Act 1998 from modification) for sub-paragraph (2) substitute—
  - “(2) This paragraph does not apply to modifying—
    - (a) the following sections in Part 1 (the Scottish Parliament)—
      - (i) section 1(2) to (5),
      - (ii) section 2(1), (2), (2B) and (3) to (6),
      - (iii) sections 3 to 12,
      - (iv) sections 13 to 22,
      - (v) sections 24 to 26,
      - (vi) section 27(1) and (2),
      - (vii) section 28(4) and (5),
      - (viii) section 31(3),
      - (ix) section 36(1)(a) and (b), and (2) and (3), and
      - (x) sections 38 to 42,
    - (b) the following sections in Part 2 (the Scottish Administration)—
      - (i) section 44(1)(a) to (c) and (2),
      - (ii) section 45(3) to (7),
      - (iii) section 46(1) to (3),
      - (iv) section 47(2) and (3)(b) to (e),

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*Changes to legislation: Scotland Act 2016, Section 12 is up to date with all changes known to be in force on or before 16 September 2023. 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. (See end of Document for details) View outstanding changes*

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- (v) section 48(2) to (4),
  - (vi) section 49(2), (3) and (4)(b) to (e), and
  - (vii) section 50,
  - (c) in Part 3 (financial provisions)—
    - (i) section 69(2) to (5), and
    - (ii) section 70(1) to (5) and (7) to (9),
  - (d) in Part 5 (miscellaneous and general), sections 81 to 83, 85, 91, 92(1), (2) and (4) to (6), 93, 94 and 97,
  - (e) the following provisions in Part 6 (supplementary)—
    - (i) section 112(1) and (3) to (5), section 113 (except the application of subsection (9)), section 115 and Schedule 7 (so far as those sections and that Schedule apply to any power exercisable within devolved competence to make subordinate legislation),
    - (ii) sections 118, 120 and 121, and
    - (iii) section 124 (so far as that section applies to any power exercisable within devolved competence to make subordinate legislation),
  - (f) Schedule 1 (constituencies, regions and regional members),
  - (g) paragraphs 1, 2(1) and 3 to 6 of Schedule 2 (Scottish Parliamentary corporate body), and
  - (h) paragraphs 1 to 6 of Schedule 3 (standing orders - further provision).”
- (3) In paragraph 1 of Schedule 7 (procedure for subordinate legislation) in the entry for section 97 for “Type A” substitute “ Type D ”.

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**Commencement Information**

**II** S. 12 in force at 18.5.2017 by [S.I. 2017/608](#), [reg. 2\(1\)\(j\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)