



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),

Status: This is the original version (as it was originally enacted).

- (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”.