

*Status: Point in time view as at 01/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Appeals from superior courts to Supreme Court. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 6

#### DEVOLUTION ISSUES

#### PART II

#### PROCEEDINGS IN SCOTLAND

#### *Appeals from superior courts to [F1Supreme Court]*

##### Textual Amendments

- F1** Words in heading before Sch. 6 para. 12 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(6\)](#); S.I. 2009/1604, [art. 2](#)

- 12 An appeal against a determination of a devolution issue by the Inner House of the Court of Session on a reference under paragraph 7 or 8 shall lie to the [F2Supreme Court].

##### Textual Amendments

- F2** Words in [Sch. 6 para. 12](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(7\)](#); S.I. 2009/1604, [art. 2](#)

- 13 An appeal against a determination of a devolution issue by—
- (a) a court of two or more judges of the High Court of Justiciary (whether in the ordinary course of proceedings or on a reference under paragraph 9), or
  - (b) a court of three or more judges of the Court of Session from which there is no appeal to the [F3Supreme Court apart from this paragraph],
- shall lie to the [F4Supreme Court], but only with [F5permission] of the court [F6from which the appeal lies] or, failing such [F5permission], with [F7permission] of the [F4Supreme Court].

##### Textual Amendments

- F3** Words in [Sch. 6 para. 13](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(8\)\(a\)](#); S.I. 2009/1604, [art. 2](#)
- F4** Words in [Sch. 6 para. 13](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(8\)\(b\)](#); S.I. 2009/1604, [art. 2](#)
- F5** Words in [Sch. 6 para. 13](#) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 103\(8\)\(c\)](#); S.I. 2009/1604, [art. 2](#)

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| <p><b>F6</b> Words in Sch. 6 para. 13 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 40(4), 148(1), <b>Sch. 9 para. 103(8)(d)</b>; S.I. 2009/1604, <b>art. 2</b></p> <p><b>F7</b> Words in Sch. 6 para. 13 substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 40(4), 148(1), <b>Sch. 9 para. 103(8)(e)</b>; S.I. 2009/1604, <b>art. 2</b></p> |
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