

**Changes to legislation:** European Union (Withdrawal) Act 2018, Cross Heading: Scotland Act 1998 is up to date with all changes known to be in force on or before 24 July 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

## SCHEDULES

### SCHEDULE 3

#### FURTHER AMENDMENTS OF DEVOLUTION LEGISLATION AND REPORTING REQUIREMENT

#### PART 3

##### OTHER AMENDMENTS OF DEVOLUTION LEGISLATION

##### *Scotland Act 1998*

6 The Scotland Act 1998 is amended as follows.

##### Commencement Information

**II** Sch. 3 para. 6 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with reg. 10)

7 In section 2 (ordinary general elections), in subsection (2A), omit paragraph (b) and the “or” before it.

##### Commencement Information

**I2** Sch. 3 para. 7 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

8 In section 12 (power of the Scottish Ministers to make provision about elections), in subsection (4)(a)—

- (a) omit “or the European Parliamentary Elections Act 2002”, and
- (b) omit “, European Parliamentary elections”.

##### Commencement Information

**I3** Sch. 3 para. 8 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

9 (1) Section 12A (power of the Secretary of State to make provision about elections) is amended as follows.

(2) In subsection (2)—

- (a) after paragraph (a) insert “ and ”, and
- (b) omit paragraph (c) and the “and” before it.

(3) In subsection (3), omit paragraph (b) and the “and” before it.

(4) In subsection (5)(a)—

- (a) omit “or the European Parliamentary Elections Act 2002”, and
- (b) omit “, European Parliamentary elections”.

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#### Commencement Information

**I4** Sch. 3 para. 9 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 10 In section 32 (submission of Bills for Royal Assent), in subsection (3), omit paragraph (b) and the “or” before it.

#### Commencement Information

**I5** Sch. 3 para. 10 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 11, 22)

- 11 Omit section 34 (ECJ references).

#### Commencement Information

**I6** Sch. 3 para. 11 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 11, 22)

- 12 (1) Section 36 (stages of Bills) is amended as follows.  
 (2) In subsection (4), omit paragraph (b) but not the “or” at the end of it.  
 (3) In subsection (5)(a), omit “, (b)”.

#### Commencement Information

**I7** Sch. 3 para. 12 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 11, 22)

- 13 (1) Section 57 (EU law and Convention rights) is amended as follows.  
 (2) In the heading—  
     (a) omit “EU law and”, and  
     <sup>F1</sup>(b) .....  
 (3) Omit subsection (1).

#### Textual Amendments

**F1** Sch. 3 para. 13(2)(b) omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), 6(4)(c)

#### Commencement Information

**I8** Sch. 3 para. 13 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 14 (1) Section 80D (Scottish taxpayers) is amended as follows.  
 (2) In subsection (4)—  
     (a) insert “ or ” at the end of paragraph (a), and  
     (b) omit paragraph (b) and the “or” at the end of it.  
 (3) In subsection (4B), for “any of paragraphs (a) to (c)” substitute “ paragraph (a) or (c) ”.

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**Commencement Information**

- I9** Sch. 3 para. 14 in force at 31.12.2020 with effect in relation to the tax year 2020-21 and subsequent tax years in accordance with reg. 12 of the commencing S.I. by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 15 In section 80DA (Scottish taxpayers: Welsh parliamentarians), in subsection (2)(a), for “any of paragraphs (a) to (c)” substitute “ paragraph (a) or (c) ”.

**Commencement Information**

- I10** Sch. 3 para. 15 in force at 31.12.2020 with effect in relation to the tax year 2020-21 and subsequent tax years in accordance with reg. 12 of the commencing S.I. by S.I. 2020/1622, reg. 3(I) (with reg. 10)

- 16 (1) Section 82 (limits on salaries of members of the Parliament) is amended as follows.
- (2) In subsection (1)—
- (a) insert “ or ” at the end of paragraph (za), and
  - (b) omit paragraph (b) and the “or” before it.
- (3) In subsection (2)(b), for “(1)(za), (a) or (b)” substitute “ (1)(za) or (a) ”.

**Commencement Information**

- I11** Sch. 3 para. 16 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 17 (1) Section 106 (power to adapt functions) is amended as follows.
- (2) In subsection (5), for “an obligation under EU law” substitute “ a retained EU obligation ”.
- (3) Omit subsection (7).

**Commencement Information**

- I12** Sch. 3 para. 17 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 18 In section 119 (Consolidated Fund etc.), omit subsection (4).

**Commencement Information**

- I13** Sch. 3 para. 18 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 19 (1) Section 126 (interpretation) is amended as follows.
- (2) Omit subsection (9).
- (3) In subsection (10), omit “EU law or”.

**Commencement Information**

- I14** Sch. 3 para. 19 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

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20 In section 127 (index of defined expressions), omit the entry for EU law.

**Commencement Information**

**I15** Sch. 3 para. 20 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

21 (1) Schedule 4 (enactments etc. protected from modification) is amended as follows.

(2) In paragraph 1(2)—

(a) omit paragraph (c), and

(b) after paragraph (f) insert “,

(g) the European Union (Withdrawal) Act 2018 (other than paragraphs 31 to 35 of Schedule 8 to that Act and any regulations made under that Act)”.

(3) Omit paragraph 13(1)(a).

**Commencement Information**

**I16** Sch. 3 para. 21(2)(b) in force at Royal Assent, see s. 25(1)(b)

**I17** Sch. 3 para. 21(1)(2)(a)(3) in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

22 In Part 2 of Schedule 5 (specific reservations), in section C8 (product standards, safety and liability), for the words from “Technical standards and” to “EU law” substitute— “ The subject matter of all technical standards and requirements in relation to products that had effect immediately before exit day in pursuance of an obligation under EU law. ”

**Commencement Information**

**I18** Sch. 3 para. 22 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with reg. 10)

23 (1) Paragraph 1 of Schedule 6 (devolution issues) is amended as follows.

<sup>F2</sup>(2) . . . . .

(3) In paragraph (e), omit “or with EU law”.

(4) In the second sentence for the words from “the compatibility” to the end substitute “ a compatibility issue (within the meaning given by section 288ZA(2) of the Criminal Procedure (Scotland) Act 1995) ”.

**Textual Amendments**

**F2** Sch. 3 para. 23(2) omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), 6(4)(c)

**Commencement Information**

**I19** Sch. 3 para. 23 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

<sup>F3</sup>24 . . . . .

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#### Textual Amendments

- F3** Sch. 3 para. 24 omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), **6(4)(c)**

**F4** 25 . . . . .

#### Textual Amendments

- F4** Sch. 3 para. 25 omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), **6(4)(c)**

26 In Schedule 8 (modifications of enactments), omit paragraph 15 and the heading before it.

#### Commencement Information

- I20** Sch. 3 para. 26 in force at 31.12.2020 by S.I. 2020/1622, **reg. 3(1)** (with regs. 10, 22)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(A1)-(A3) inserted by [2023 c. 28 s. 3\(1\)](#)
- s. 5(A4) inserted by [2023 c. 28 s. 4\(2\)\(a\)](#)
- s. 5(A2) words substituted by [2023 c. 28 Sch. 2 para. 8\(2\)](#)
- s. 5(8) inserted by [2023 c. 28 s. 3\(2\)](#)
- s. 5(8) words substituted by [2023 c. 28 Sch. 2 para. 8\(2\)](#)
- s. 6(4)-(5ZA) word substituted by [2023 c. 28 Sch. 2 para. 8\(3\)\(c\)](#)
- s. 6(5ZA) inserted by [2023 c. 28 s. 6\(5ZA\)](#)
- s. 6(6B) inserted by [2023 c. 28 s. 6\(6\)](#)
- s. 6A-6C inserted by [2023 c. 28 s. 6\(8\)](#)
- s. 6A word substituted by [2023 c. 28 Sch. 2 para. 8\(4\)](#)
- s. 6B word substituted by [2023 c. 28 Sch. 2 para. 8\(5\)](#)
- s. 6C word substituted by [2023 c. 28 Sch. 2 para. 8\(6\)](#)
- s. 6D inserted by [2023 c. 28 s. 8](#)
- s. 6D(1)(a) words substituted by [2023 c. 28 Sch. 2 para. 8\(7\)](#)
- s. 6D(1)(b) words substituted by [2023 c. 28 Sch. 2 para. 8\(7\)](#)
- s. 7(4A) words substituted by [2023 c. 28 Sch. 2 para. 8\(8\)\(b\)](#)
- Sch. 8 para. 11A(2) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(b\)](#)
- Sch. 8 para. 11B(2) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(b\)](#)
- Sch. 8 para. 11A(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(i\)](#)
- Sch. 8 para. 11B(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(i\)](#)
- Sch. 8 para. 11A(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(ii\)](#)
- Sch. 8 para. 11B(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(ii\)](#)