

Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Subordinate legislation. (See end of Document for details)

SCHEDULES

SCHEDULE 4

ENACTMENTS ETC. PROTECTED FROM MODIFICATION

Modifications etc. (not altering text)

- C1** Sch. 4 excluded by 1974 c. 53, Sch. 3 para. 9(1) (as inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), ss. 19, 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 15)

PART II

GENERAL EXCEPTIONS

Subordinate legislation

- 11 (1) Part I of this Schedule does not prevent an Act of the Scottish Parliament modifying, or conferring power by subordinate legislation to modify, any enactment for or in connection with any of the following purposes.
- (2) Those purposes are—
- (a) making different provision in respect of the document by which a power to make subordinate legislation within sub-paragraph (3) is to be exercised,
 - (b) making different provision (or no provision) for the procedure, in relation to the Parliament, to which legislation made in the exercise of such a power (or the instrument or other document in which it is contained) is to be subject,
 - (c) applying any enactment comprised in or made under an Act of the Scottish Parliament relating to the documents by which such powers may be exercised.
- (3) The power to make the subordinate legislation, or a power to confirm or approve the legislation, must be exercisable by—
- (a) a member of the Scottish Executive,
 - (b) any Scottish public authority with mixed functions or no reserved functions,
 - (c) any other person (not being a Minister of the Crown) within devolved competence.

^{F1}(4)

Textual Amendments

- F1** Sch. 4 para. 11(4) omitted (18.5.2017) by virtue of [Scotland Act 2016 \(c. 11\)](#), ss. 10(3), 72(4)(a); S.I. 2017/608, reg. 2(1)(h)

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C1 Sch. 4 para. 11(3)(c) modified (23.3.2016) by [Scotland Act 2016 \(c. 11\)](#), **ss. 36(12)(c), 72(1)(b)**

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