

*Status: Point in time view as at 27/06/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Scotland Act 1998, Cross Heading: Particular enactments. (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 I

##### THE PROTECTED PROVISIONS

###### *Particular enactments*

- 1 (1) An Act of the Scottish Parliament cannot modify, or confer power by subordinate legislation to modify, any of the following provisions.
- (2) The provisions are—
- (a) Articles 4 and 6 of the <sup>M1</sup>Union with Scotland Act 1706 and of the <sup>M2</sup>Union with England Act 1707 so far as they relate to freedom of trade,
  - (b) the <sup>M3</sup>Private Legislation Procedure (Scotland) Act 1936,
  - (c) the following provisions of the <sup>M4</sup>European Communities Act 1972—
    - Section 1 and Schedule 1,
    - Section 2, other than subsection (2), the words following “such Community obligation” in subsection (3) and the words “subject to Schedule 2 to this Act” in subsection (4),
    - Section 3(1) and (2),
    - Section 11(2),
  - (d) paragraphs 5(3)(b) and 15(4)(b) of Schedule 32 to the <sup>M5</sup>Local Government, Planning and Land Act 1980 (designation of enterprise zones),
  - (e) sections 140A to 140G of the <sup>M6</sup>Social Security Administration Act 1992 (rent rebate and rent allowance subsidy and council tax benefit),
  - (f) the <sup>M7</sup>Human Rights Act 1998.
- [<sup>F1</sup>, ]
- [<sup>F1</sup>(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)]

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### Textual Amendments

- F1** Sch. 4 para. 1(2)(g) inserted (26.6.2018) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(1)(b), [Sch. 3 para. 21\(2\)\(b\)](#) (with s. 19, Sch. 8 para. 37)
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### Marginal Citations

- M1** 1706 c. 11.  
**M2** 1707 c. 7(S).  
**M3** 1936 c. 52.  
**M4** 1972 c. 68.  
**M5** 1980 c. 65.  
**M6** 1992 c. 5.  
**M7** 1998 c. 42.

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