
STATUTORY INSTRUMENTS

2013 No. 7

**The Scotland Act 2012 (Transitional and
Consequential Provisions) Order 2013**

Convertible devolution issue to become compatibility issue

3.—(1) Subject to paragraphs (2) to (4), a convertible devolution issue becomes a compatibility issue for all purposes on the relevant date.

(2) Where a hearing to determine a convertible devolution issue (whether at first instance or on a reference from a lower court) commences before the relevant date but the court has not determined the issue by that date, the issue becomes a compatibility issue immediately after the court determines it.

(3) Where the hearing of an appeal against a determination of a convertible devolution issue commences before the relevant date but the court has not determined the appeal by that date, the issue becomes a compatibility issue immediately after the court disposes of the appeal.

(4) Where a convertible devolution issue arises in a trial commencing before the relevant date but the trial verdict has not been returned by that date, the issue becomes a compatibility issue immediately after the verdict is returned.

(5) In this article, a trial is taken to commence—

- (a) in solemn proceedings, when the oath is administered to the jury;
- (b) in summary proceedings, when the first witness is sworn.

(6) Except as otherwise provided for in this Order, a devolution issue arising in criminal proceedings before the relevant date remains a devolution issue notwithstanding the commencement of sections 34 to 36 of the 2012 Act.