



Scotland Act 2016

CHAPTER 11

SCOTLAND ACT 2016

PART 1

CONSTITUTIONAL ARRANGEMENTS

The Scottish Parliament and the Scottish Government

- 1 Permanence of the Scottish Parliament and Scottish Government

The Sewel convention

- 2 The Sewel convention

Elections etc

- 3 Elections
- 4 Power to make provision about elections
- 5 Timing of elections
- 6 Electoral registration: the digital service
- 7 Expenditure in connection with elections
- 8 Review of electoral boundaries by the Local Government Boundary Commission for Scotland
- 9 Functions exercisable within devolved competence: elections
- 10 Minor and consequential amendments: elections etc

Legislation by the Parliament

- 11 Super-majority requirement for certain legislation
- 12 Scope to modify the Scotland Act 1998

Changes to legislation: Scotland Act 2016 is up to date with all changes known to be in force on or before 16 August 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

PART 2

TAX, BORROWING AND FINANCIAL INFORMATION

Income tax

- 13 Power of Scottish Parliament to set rates of income tax
- 14 Amendments of Income Tax Act 2007
- 15 Consequential amendments: income tax

Value added tax

- 16 Assignment of VAT

Devolved taxes

- 17 Tax on carriage of passengers by air
- 18 Tax on commercial exploitation of aggregate
- 19 Devolved taxes: further provision

Borrowing

- 20 Borrowing

Information

- 21 Provision of information to the Office for Budget Responsibility

PART 3

WELFARE BENEFITS AND EMPLOYMENT SUPPORT

Welfare benefits

- 22 Disability, industrial injuries and carer's benefits
- 23 Benefits for maternity, funeral and heating expenses
- 24 Discretionary payments: top-up of reserved benefits
- 25 Discretionary housing payments
- 26 Discretionary payments and assistance
- 27 Welfare foods
- 28 Power to create other new benefits
- 29 Universal credit: costs of claimants who rent accommodation
- 30 Universal credit: persons to whom, and time when, paid

Employment support

- 31 Employment support

General

- 32 Functions exercisable within devolved competence
- 33 Social Security Advisory Committee and Industrial Injuries Advisory Council
- 34 Information-sharing
- 35 Extension of unauthorised disclosure offence

Changes to legislation: Scotland Act 2016 is up to date with all changes known to be in force on or before 16 August 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

PART 4

OTHER LEGISLATIVE COMPETENCE

- 36 Crown Estate
- 37 Equal opportunities
- 38 Public sector duty regarding socio-economic inequalities
- 39 Tribunals
- 40 Roads
- 41 Roads: traffic signs etc
- 42 Roads: speed limits
- 43 Roads: parking
- 44 Roads: consequential provision etc
- 45 Policing of railways and railway property
- 46 British Transport Police: cross-border public authorities
- 47 Onshore petroleum
- 48 Onshore petroleum: consequential amendments
- 49 Onshore petroleum: existing licences
- 50 Consumer advocacy and advice
- 51 Functions exercisable within devolved competence: consumer advocacy and advice
- 52 Gaming machines on licensed betting premises
- 53 Abortion

PART 5

OTHER EXECUTIVE COMPETENCE

- 54 Gaelic Media Service
- 55 Commissioners of Northern Lighthouses
- 56 Maritime and Coastguard Agency
- 57 Rail: franchising of passenger services
- 58 Fuel poverty: support schemes
- 59 Energy company obligations
- 60 Apportionment of targets
- 61 Renewable electricity incentive schemes: consultation
- 62 Offshore renewable energy installations
- 63 References to Competition and Markets Authority

PART 6

MISCELLANEOUS

- 64 Gas and Electricity Markets Authority
- 65 Office of Communications
- 66 Bodies that may be required to attend before the Parliament
- 67 Destination of fines, forfeitures and fixed penalties

PART 7

GENERAL

- 68 Subordinate legislation under functions exercisable within devolved competence
- 69 Transfers of property etc to the Scottish Ministers
- 70 Transitional provision

Changes to legislation: Scotland Act 2016 is up to date with all changes known to be in force on or before 16 August 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

- 71 Power to make consequential, transitional and saving provision
- 72 Commencement
- 73 Short title

SCHEDULES

SCHEDULE 1 — DISAPPLICATION OF UK AGGREGATES LEVY: FURTHER AMENDMENTS

- 1 Part 2 of The Finance Act 2001 (aggregates levy) is...
- 2 (1) Section 17 (meanings of “aggregate” and “taxable aggregate”) is...
- 3 (1) Section 19 (commercial exploitation) is amended as follows.
- 4 In section 20(1)(a) (originating sites) for “the United Kingdom” substitute...
- 5 (1) Section 24 (levy register) is amended as follows.
- 6 In section 26(3) (offence of failing to provide security for...
- 7 (1) Section 30 (credit for aggregates levy) is amended as...
- 8 In section 44(a) (destination of receipts collected or received in...
- 9 In section 48(1) (interpretation of Part 2) in the definition...
- 10 In Schedule 4 (registration), in paragraph 8(2) (interpretation of references...
- 11 In Schedule 6 (evasion etc), in paragraph 4(1)(a) (preparations for...
- 12 (1) Schedule 7 (information and evidence etc) is amended as...
- 13 In Schedule 23 to the Finance Act 2011 (data-gathering powers...

SCHEDULE 2 — ROADS: CONSEQUENTIAL AND RELATED PROVISION PART 1 — AMENDMENTS

Road Traffic Regulation Act 1984 (c. 52)

- 1 The Road Traffic Regulation Act 1984 is amended as follows....
- 2 (1) Section 15 (duration of orders etc under section 14)...
- 3 (1) Section 16 (supplementary provision as to orders etc under...
- 4 In section 17 (traffic regulation on special roads)—
- 5 In section 24 (Secretary of State to establish crossings on...
- 6 In section 25(6)(b) (meaning of “crossing” in section 25 includes...
- 7 In section 28 (stopping of vehicles at school crossings) for...
- 8 (1) Section 86 (speed limits for particular classes of vehicles)...
- 9 In section 88 (temporary speed limits) for “national authority” in...
- 10 In section 124(1) (purposes of Schedule 9 etc) in paragraphs...
- 11 (1) Section 131 (application of road traffic enactments to Crown...
- 12 (1) Section 134 (regulations) is amended as follows.
- 13 In section 142(1) (general interpretation) omit the definition of “the...
- 14 (1) Part 1 of Schedule 9 (reserve powers of Secretary...
- 15 (1) Part 2 of Schedule 9 (consent of Secretary of...
- 16 (1) Part 3 of Schedule 9 (procedure as to certain...
- 17 (1) Part 4 of Schedule 9 (variation or revocation of...
- 18 In Part 5 of Schedule 9 (consultation with traffic commissioners),...

Road Traffic Act 1988 (c. 52)

- 19 In section 195 of the Road Traffic Act 1988 (regulations)...

Changes to legislation: Scotland Act 2016 is up to date with all changes known to be in force on or before 16 August 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

Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (S.I. 1992/1215)

- 20 The Road Traffic (Temporary Restrictions) Procedure Regulations 1992 are amended...
- 21 In regulation 9(1) (continuation of order by direction of Secretary...
- 22 In regulation 15(5) (modification of regulation 9 in its application...

Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 (S.I. 1997/2400)

- 23 The Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General...
- 24 (1) Part 1 (the Zebra, Pelican and Puffin Pedestrian Crossings...
- 25 (1) Part 2 (the Pelican and Puffin Pedestrian Crossings General...

National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)

- 26 In Schedule 1 to the National Assembly for Wales (Transfer...

Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 1999 (S.I. 1999/1750)

- 27 The Scotland Act 1998 (Transfer of Functions to the Scottish...
- 28 In Schedule 1 (enactments conferring functions transferred to the Scottish...
- 29 In Schedule 3 (enactments conferring functions to be exercised subject...

Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113)

- 30 The Traffic Signs Regulations and General Directions 2002 are amended...
- 31 In Part 1 (the Traffic Signs Regulations 2002), in regulation...
- 32 (1) Part 2 (the Traffic Signs General Directions) is amended...

Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 2005 (S.I. 2005/849)

- 33 In the Schedule to the Scotland Act 1998 (Transfer of...
PART 2 — EXERCISE OF POWERS BY AGREEMENT

Traffic Sign Powers

- 34 (1) Sub-paragraph (2) applies if the Secretary of State makes...

Powers to exempt from speed limits

- 35 (1) Sub-paragraph (2) applies in relation to the first statutory...

Changes to legislation:

Scotland Act 2016 is up to date with all changes known to be in force on or before 16 August 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 23(5) coming into force by [S.I. 2017/455 reg. 3](#) (This S.I. is amended by S.I. 2019/1438, reg. 2, S.I. 2022/409, reg. 3 and S.I. 2023/395, reg. 2)
- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)