



# 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

*Status: This is the original version (as it was originally enacted).*

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## **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

## **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

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

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## 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

- 1 Road Traffic Regulation Act 1984 (c. 52)
- 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),...
- 19 Road Traffic Act 1988 (c. 52)
- 20 Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (S.I. 1992/1215)
- 21 In regulation 9(1) (continuation of order by direction of Secretary...
- 22 In regulation 15(5) (modification of regulation 9 in its application...
- 23 Zebra, Pelican and Puffin Pedestrian Crossings Regulations and General Directions 1997 (S.I. 1997/2400)
- 24 (1) Part 1 (the Zebra, Pelican and Puffin Pedestrian Crossings...

- 25 (1) Part 2 (the Pelican and Puffin Pedestrian Crossings General...
- 26 National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672)
- 27 Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 1999 (S.I. 1999/1750)
- 28 In Schedule 1 (enactments conferring functions transferred to the Scottish...
- 29 In Schedule 3 (enactments conferring functions to be exercised subject...
- 30 Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113)
- 31 In Part 1 (the Traffic Signs Regulations 2002), in regulation...
- 32 (1) Part 2 (the Traffic Signs General Directions) is amended...
- 33 Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc) Order 2005 (S.I. 2005/849)
- PART 2 — EXERCISE OF POWERS BY AGREEMENT
- 34 Traffic Sign Powers
- 35 Powers to exempt from speed limits