
*Changes to legislation: There are currently no known outstanding effects
for the Scotland Act 1998, Paragraph 35. (See end of Document for details)*

SCHEDULES

SCHEDULE 6

DEVOLUTION ISSUES

PART V

GENERAL

Direct references to ^{F1}Supreme Court]

Textual Amendments

F1 Words in heading before Sch. 6 para. 33 substituted (1.10.2009) by [Constitutional Reform Act 2005](#) (c. 4), ss. 40(4), 148(1), [Sch. 9 para. 106\(3\)](#); S.I. 2009/1604, [art. 2](#)

- 35 (1) This paragraph applies where a reference is made under paragraph 34 in relation to a devolution issue which relates to the proposed exercise of a function by a member of the Scottish Executive.
- (2) The person making the reference shall notify a member of the Scottish Executive of that fact.
- (3) No member of the Scottish Executive shall exercise the function in the manner proposed during the period beginning with the receipt of the notification under sub-paragraph (2) and ending with the reference being decided or otherwise disposed of.
- (4) Proceedings relating to any possible failure by a member of the Scottish Executive to comply with sub-paragraph (3) may be instituted by the Advocate General.
- (5) Sub-paragraph (4) is without prejudice to any power to institute proceedings exercisable apart from that sub-paragraph by any person.

Changes to legislation:

There are currently no known outstanding effects for the Scotland Act 1998, Paragraph 35.