



# Scotland Act 1998

## 1998 CHAPTER 46

### PART I

#### THE SCOTTISH PARLIAMENT

##### *Legislation*

### 33 Scrutiny of Bills by the [<sup>F1</sup>Supreme Court][<sup>F2</sup>(legislative competence)] .

- (1) The Advocate General, the Lord Advocate or the Attorney General may refer the question of whether a Bill or any provision of a Bill would be within the legislative competence of the Parliament to the [<sup>F3</sup>Supreme Court] for decision.
- (2) Subject to subsection (3), he may make a reference in relation to a Bill at any time during—
  - (a) the period of four weeks beginning with the passing of the Bill, and
  - (b) any period of four weeks beginning with any <sup>F4</sup>... approval of the Bill in accordance with standing orders made by virtue of section 36(5).
- (3) He shall not make a reference in relation to a Bill if he has notified the Presiding Officer that he does not intend to make a reference in relation to the Bill, unless the Bill has been approved as mentioned in subsection (2)(b) since the notification.

#### Textual Amendments

- F1** S. 33: words in sidenote substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 96\(1\)](#); S.I. 2009/1604, [art. 2](#)
- F2** Words in s. 33 heading inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\), ss. 11\(12\), 72\(4\)\(a\)](#); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)
- F3** Words in s. 33(1) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40\(4\), 148\(1\), Sch. 9 para. 96\(2\)](#); S.I. 2009/1604, [art. 2](#)
- F4** Word in s. 33(2)(b) omitted (18.5.2017) by virtue of [Scotland Act 2016 \(c. 11\), ss. 11\(13\), 72\(4\)\(a\)](#); S.I. 2017/608, [reg. 2\(1\)\(i\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Scotland Act 1998, Section 33.