



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Legislation

35 Power to intervene in certain cases.

- (1) If a Bill contains provisions—
 - (a) which the Secretary of State has reasonable grounds to believe would be incompatible with any international obligations or the interests of defence or national security, or
 - (b) which make modifications of the law as it applies to reserved matters and which the Secretary of State has reasonable grounds to believe would have an adverse effect on the operation of the law as it applies to reserved matters,he may make an order prohibiting the Presiding Officer from submitting the Bill for Royal Assent.
- (2) The order must identify the Bill and the provisions in question and state the reasons for making the order.
- (3) The order may be made at any time during—
 - (a) the period of four weeks beginning with the passing of the Bill,
 - (b) any period of four weeks beginning with any ^{F1}... approval of the Bill in accordance with standing orders made by virtue of section 36(5),
 - (c) if a reference is made in relation to the Bill under section [^{F2}32A(2)(b) or] 33, the period of four weeks beginning with the reference being decided or otherwise disposed of by the [^{F3}Supreme Court].
- (4) The Secretary of State shall not make an order in relation to a Bill if he has notified the Presiding Officer that he does not intend to do so, unless the Bill has been approved as mentioned in subsection (3)(b) since the notification.

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

- (5) An order in force under this section at a time when such approval is given shall cease to have effect.

Textual Amendments

- F1** Word in s. 35(3)(b) omitted (18.5.2017) by virtue of [Scotland Act 2016 \(c. 11\)](#), **ss. 11(14)(a)**, 72(4)(a); [S.I. 2017/608](#), [reg. 2\(1\)\(i\)](#)
- F2** Words in s. 35(3)(c) inserted (18.5.2017) by [Scotland Act 2016 \(c. 11\)](#), **ss. 11(14)(b)**, 72(4)(a); [S.I. 2017/608](#), [reg. 2\(1\)\(i\)](#)
- F3** Words in s. 35(3)(c) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), [ss. 40\(4\)](#), 148(1), [Sch. 9 para. 98](#); [S.I. 2009/1604](#), [art. 2](#)

Changes to legislation:

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