
Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to Northern Ireland Act 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 10

DEVOLUTION ISSUES

PART I

PRELIMINARY

- 1 In this Schedule “devolution issue” means—
- (a) a question whether any provision of an Act of the Assembly is within the legislative competence of the Assembly;
 - (b) a question whether a purported or proposed exercise of a function by a Minister or Northern Ireland department is, or would be, invalid by reason of section 24;
 - (c) a question whether a Minister or Northern Ireland department has failed to comply with any of the Convention rights^{F1} ...; or
 - (d) any question arising under this Act about excepted or reserved matters.

Textual Amendments

- F1** Words in [Sch. 10 para. 1\(c\)](#) omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 3 para. 62](#) (with s. 19, [Sch. 8 para. 37](#)); [S.I. 2020/1622](#), reg. 3(l) (with regs. 10, 22)

- 2 A devolution issue shall not be taken to arise in any proceedings merely because of any contention of a party to the proceedings which appears to the court or tribunal before which the proceedings take place to be frivolous or vexatious.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act amendment to earlier affecting provision 2022 c. 48, s. 1 by [2024 c. 2 s. 1](#)
- Act modified (cond.) by [2006 c. 17 Sch. 2 para. 2\(5\)](#) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(2)-(2D) substituted for s. 31(2) (cond.) by [2006 c. 17 Sch. 3 para. 2\(1\)](#) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- s. 31(2)-(2D) substituted for s. 31(2) (cond.) by [2006 c. 53 Sch. 3 para. 2\(1\)](#) (This amendment not applied to legislation.gov.uk to legislation.gov.uk. It is a conditional amendment that was never brought into force. Sch. 3 repealed (10.5.2007) by Northern Ireland (St Andrews Agreement) Act 2006 (c. 53), s. 2(5) (as amended by 2007 c. 4, s. 1(1)), Sch. 4 para. 3 (with s. 1(3)); S.I. 2007/1397, art. 2)
- s. 31(2E) inserted (cond.) by [2006 c. 17 Sch. 3 para. 3\(1\)](#) (This amendment not applied to legislation.gov.uk. Conditional amendment never in force)
- Sch. 2 para. 9B inserted by [2009 c. 8 s. 27](#) (This amendment not applied to legislation.gov.uk. The amending provision was repealed (16.2.2011) without ever being in force by 2010 c. 36, ss. 2(1), 4(2))