
Changes to legislation: There are currently no known outstanding effects for the Northern Ireland Act 1998.
Cross Heading: Reference of devolution issue to High Court or Court of Appeal. (See end of Document for details)

SCHEDULES

SCHEDULE 10

DEVOLUTION ISSUES

PART III

PROCEEDINGS IN ENGLAND AND WALES

Reference of devolution issue to High Court or Court of Appeal

- 15 A magistrates' court may refer any devolution issue which arises in proceedings (other than criminal proceedings) before it to the High Court.
- 16 (1) A court may refer any devolution issue which arises in proceedings (other than criminal proceedings) before it to the Court of Appeal.
- (2) Sub-paragraph (1) does not apply to—
- (a) a magistrates' court, the Court of Appeal or the [^{F1}Supreme Court]; or
 - (b) the High Court if the devolution issue arises in proceedings on a reference under paragraph 15.

Textual Amendments

- F1** Words in Sch. 10 para. 16(2)(a) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148, Sch. 9 para. 116\(2\)](#); S.I. 2009/1604, [art. 2\(a\)\(d\)](#)

- 17 A tribunal from which there is no appeal shall refer any devolution issue which arises in proceedings before it to the Court of Appeal; and any other tribunal may make such a reference.
- 18 A court, other than the [^{F2}Supreme Court] or the Court of Appeal, may refer any devolution issue which arises in criminal proceedings before it to—
- (a) the High Court (if the proceedings are summary proceedings); or
 - (b) the Court of Appeal (if the proceedings are proceedings on indictment).

Textual Amendments

- F2** Words in Sch. 10 para. 18 substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 40, 148, Sch. 9 para. 116\(3\)](#); S.I. 2009/1604, [art. 2\(a\)\(d\)](#)

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