

SCOTLAND ACT ORDERS

Delivering on devolution



Scotland Office

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WHAT ARE THEY AND WHY DO THEY MATTER?

The Scotland Act 1998 established the Scottish Parliament and the Scottish Government. It sets out matters that are **devolved** to the Scottish Parliament and those that are **reserved** to the UK Parliament. The Scotland Act 1998 was passed following the referendum the previous year and was updated in 2012 and 2016.

Scotland Act Orders are important pieces of Secondary Legislation that help manage the devolution settlement as set out in the Scotland Act and make it work effectively. They allow, for example, amendments to be made to reserved legislation or legislation applicable in other parts of the UK in consequence of legislation made by the Scottish Parliament, additional powers to be transferred to Scottish Ministers or enable laws made in Scotland to have full legislative effect.

WHAT CHANGES HAVE BEEN MADE?

Scotland Act Orders have made a large number of devolved powers, including in the areas of welfare, transport and borrowing powers. These Orders can be significant such as adjusting the legislative competence of the Scottish Parliament, or transferring functions from UK Government Ministers to Scottish Ministers.

HOW SCOTLAND ACT ORDERS ARE MADE

The Scotland Act 1998 establishes the parliamentary procedure for each type of Scotland Act Order. Most Orders require close collaboration between UK and Scottish Governments and are subject to parliamentary scrutiny in the UK Parliament. Sometimes the scrutiny of the Scottish Parliamentary is also required. The Secretary of State for Scotland is normally the minister responsible for Scotland Act Orders.



Over 250 Orders have been made since the beginning of devolution.