

Draft Regulations laid before the Scottish Parliament under section 62(3)(a) of the Management of Offenders (Scotland) Act 2019 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

JURIES

REHABILITATION OF OFFENDERS

The Management of Offenders (Scotland) Act 2019
(Consequential Amendments) Regulations 2020

Made - - - - 2020
Coming into force - - 30th November 2020

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 62(1) of the Management of Offenders (Scotland) Act 2019⁽¹⁾ and all other powers enabling them to do so.

In accordance with section 62(3)(a) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation and commencement

1. These Regulations may be cited as the Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 and come into force on 30 November 2020.

Amendment of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980

2.—(1) Part II of schedule 1 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980⁽²⁾ is amended in accordance with paragraphs (2) and (3).

(2) In paragraph (b), for “rehabilitated” substitute “protected”.

(3) In paragraph (bb), for “rehabilitated” substitute “protected”.

(1) 2019 asp 14.

(2) 1980 c.55. Part II of schedule 1 was relevantly amended by section 78(1) of the Criminal Justice (Scotland) Act 2003 (asp 7).

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument:
The Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 No. 311

St Andrew's House,
Edinburgh
Date

Name
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in consequence of the Management of Offenders (Scotland) Act 2019 (“the 2019 Act”).

The Rehabilitation of Offenders Act 1974 (“the 1974 Act”) formerly referred to “rehabilitated persons”. That Act is amended by the 2019 Act to instead refer to “protected persons”.

Part II of schedule 1 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (“the 1980 Act”) currently refers to persons who are rehabilitated persons for the purposes of the 1974 Act. These Regulations amend Part II of schedule 1 of the 1980 Act to the effect that it will instead refer to persons who are protected persons for the purpose of the 1974 Act. This is to maintain consistency with the terminology of the 1974 Act following that Act’s amendment by the 2019 Act.