

2001 No. 166 (C. 8)

CRIMINAL LAW

**The Criminal Justice and Court Services Act 2000
(Commencement No. 5) (Scotland) Order 2001**

Made

26th April 2001

The Scottish Ministers, in exercise of the powers conferred by section 80 of the Criminal Justice and Court Services Act 2000(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and extent

1. This Order may be cited as the Criminal Justice and Court Services Act 2000 (Commencement No. 5) (Scotland) Order 2001.
2. This Order extends to Scotland only.

Appointed day

3. 31st May 2001 is the day appointed for the coming into force of section 66 of, and Schedule 5 to, the Criminal Justice and Court Services Act 2000.

JAMES R WALLACE
A member of the Scottish Executive

St Andrew's House,
Edinburgh
26th April 2001

(a) 2000 c.43. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46) as read with section 81(6) of the Criminal Justice and Court Services Act 2000 ("the 2000 Act") which deemed section 80 so far as relating to section 66 of, and Schedule 5 to, the 2000 Act and extending to Scotland to be a pre-commencement enactment within the meaning of the said 1998 Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, in relation to Scotland, section 66 of, and Schedule 5 to, the Criminal Justice and Court Services Act 2000 (c.43). Those provisions contain amendments to the Sex Offenders Act 1997 (c.51) (“the 1997 Act”). In particular, the amendments which are made to the 1997 Act include the reduction in the initial period during which offenders must register from 14 to 3 days; a requirement that initial notification to the police be in person; a new power for the police on initial notification to take fingerprints and photographs of the offender; provision enabling the Scottish Ministers to prescribe by Regulations those police stations at which notifications may be made; an increase in the maximum penalty for a failure to comply with the Act’s requirements to 5 years imprisonment on indictment, or a fine, or both: and a new requirement that a relevant offender must notify the police of his or her intention to leave the United Kingdom and of his or her return.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Criminal Justice and Court Services Act 2000 have been brought into force in relation to Scotland by commencement order made before the date of this Order.

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Part II	11.01.2001	S.I. 2000/3302
Schedule 7 (partially)	1.04.2001	S.I. 2001/919
Schedule 8 (partially)	11.01.2001	S.I. 2000/3302

Various provisions of the Criminal Justice and Court Services Act 2000 extend to England and Wales only and these provisions have been brought into force by the following Orders:

The Criminal Justice and Court Services Act 2000 (Commencement No. 1) Order 2000 (S.I. 2000/3302);

The Criminal Justice and Court Services Act 2000 (Commencement No. 2) Order 2001 (S.I. 2001/340);

The Criminal Justice and Court Services Act 2000 (Commencement No. 3) Order 2001 (S.I. 2001/562); and

The Criminal Justice and Court Services Act 2000 (Commencement No. 4) Order 2001 (S.I. 2001/919).

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