

## 2001 No. 64

### PRISONS

#### The Discontinuance of Legalised Police Cells (Portree) Rules 2001

<i>Made</i>	<i>5th March 2001</i>
<i>Laid before the Scottish Parliament</i>	<i>6th March 2001</i>
<i>Coming into force</i>	<i>31st March 2001</i>

The Scottish Ministers, in exercise of the powers conferred by sections 14 and 39 of the Prisons (Scotland) Act 1989(a) and of all other powers enabling them in that behalf, and on the application of Northern Police Joint Board, hereby make the following Rules:

#### **Citation and commencement**

1. These Rules may be cited as the Discontinuance of Legalised Police Cells (Portree) Rules 2001 and shall come into force on 31st March 2001.

#### **Revocation**

2. The Rule made by the Secretary of State under section 30 of the Prisons (Scotland) Act 1877(b) dated 28th January 1881(c) which appointed the discontinued prison of Portree to be a legal prison for the detention of prisoners before, during or after trial for any period not exceeding 14 days is hereby revoked.

*JAMES WALLACE*  
A member of the Scottish Executive

St Andrew's House,  
Edinburgh  
5th March 2001

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(a) 1989 c.45; section 14(1) was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9) ("the 1993 Act"), Schedule 5, paragraph 6(3); section 39 was amended by the 1993 Act, sections 24 and 25, Schedule 5, paragraph 6(6) and Schedule 7; by the Criminal Justice and Public Order Act 1994 (c.33), sections 116(4) and 130(4); by the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40), Schedule 4, paragraph 75(4); and by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 71. 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).

(b) 40 & 41 Vict, c.53; section 30 was repealed by the Prisons (Scotland) Act 1952 (c.61) ("the 1952 Act") but re-enacted with modifications by section 14 of the 1952 Act. Section 14 of the 1952 Act was repealed by the Prisons (Scotland) Act 1989 ("the 1989 Act") but re-enacted with modifications by section 14 of the 1989 Act.

(c) S. R. & O. Volume 5, p.702.

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules provide for the discontinuance, as at 31st March 2001, of the police cells in the possession of the Northern Joint Police Board at Portree as a place in which prisoners may be detained before, during or after trial for any period not exceeding 14 days.

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