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## EXPLANATORY NOTE

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

These Regulations, which are made under sections 24B(1)(b) and 24D(4) of the Criminal Procedure (Scotland) Act 1995 (“the 1995 Act”), as inserted by section 17 of the Criminal Procedure (Amendment) (Scotland) Act 2004 and sections 245A(8) and 245(C)3 of the 1995 Act, as inserted by section 5 of the Crime and Punishment (Scotland) Act 1997, make provision for the monitoring of certain groups of people by means of electronic or radio devices.

Regulation 3 specifies the methods by which compliance with movement restriction conditions, as defined in section 24A(18) of the 1995 Act, may be monitored.

Regulation 4 and the Schedule specify the electronic and radio devices which may be used for monitoring the compliance of those on bail with movement restriction conditions.

Regulation 5 amends the list of specified devices which may be used to monitor the compliance of offenders with the requirements of restriction of liberty orders. Such devices are already specified in the Restriction of Liberty Order (Scotland) Regulations 1998, and this regulation adds more devices to the list of those which may be used for monitoring.