

SCHEDULE

CONSEQUENTIAL AND SUPPLEMENTARY MODIFICATIONS

PART 2

Secondary Legislation

Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013

15. In rule 12(3)(b) of the Children's Hearings (Scotland) Act 2011 (Rules of Procedure in Children's Hearings) Rules 2013⁽¹⁾ (record keeping by the Reporter of investigation and determination) for "section 43(5) (arrangements where children arrested) of the Criminal Procedure (Scotland) Act 1995" substitute "section 53(2) of the Criminal Justice (Scotland) Act 2016 (duty to inform Principal Reporter if child not being prosecuted)".

Secure Accommodation (Scotland) Regulations 2013

16. In regulation 12(1)(b) of the Secure Accommodation (Scotland) Regulations 2013⁽²⁾ (children otherwise dealt with under the Criminal Procedure Act) for "section 43 of the Criminal Procedure Act" substitute "section 22 or 53 of the Criminal Justice (Scotland) Act 2016".

Right to Information (Suspects and Accused Persons) (Scotland) Regulations 2014

17. In regulation 2 of the Right to Information (Suspects and Accused Persons) (Scotland) Regulations 2014⁽³⁾ (interpretation) for paragraph (1) substitute—

"(1) For the purposes of these Regulations, a person is in police custody if the person has been arrested by a constable in connection with an offence, except where arrested under the Extradition Act 2003, and is in custody in a police station or other premises."

Right to Interpretation and Translation in Criminal Proceedings (Scotland) Regulations 2014

18. In regulation 2 of the Right to Interpretation and Translation in Criminal Proceedings (Scotland) Regulations 2014⁽⁴⁾ (interpretation) for paragraph (2) substitute—

"(2) For the purposes of these Regulations, a person is in police custody if the person has been arrested by a constable in connection with an offence, except where arrested under the Extradition Act 2003, and is in custody in a police station or other premises."

(1) S.S.I. 2013/194.

(2) S.S.I. 2013/205.

(3) S.S.I. 2014/159.

(4) S.S.I. 2014/95.