

2020 No. 264

PRISONS

**The Prisons and Young Offenders Institutions (Coronavirus)
(Scotland) Amendment (No. 2) Rules 2020**

Made - - - - - *27th August 2020*
Laid before the Scottish Parliament *31st August 2020*
Coming into force - - - *29th September 2020*

The Scottish Ministers make the following Rules in exercise of the powers conferred by section 39 of the Prisons (Scotland) Act 1989(a) and all other powers enabling them to do so.

Citation and commencement

1. These Rules may be cited as the Prisons and Young Offenders Institutions (Coronavirus) (Scotland) Amendment (No. 2) Rules 2020 and come into force on 29 September 2020.

Amendment of the Prisons and Young Offenders Institutions (Scotland) Rules 2011

2.—(1) The Prisons and Young Offenders Institutions (Scotland) Rules 2011(b) are amended as follows.

- (2) In rule 2(1) (interpretation) in the definition of “for the duration of the coronavirus outbreak” for “30 September 2020” substitute “31 March 2021”.
- (3) Omit rule 33A (Provision of clothing to prisoners – coronavirus).
- (4) Omit rule 34A (Personal hygiene – coronavirus).
- (5) Omit rule 35A (Prisoners’ food and drink – coronavirus).

H YOUSAF

A member of the Scottish Government

St Andrew’s House,
Edinburgh
27th August 2020

(a) 1989 c.45; section 39 was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9) (“the 1993 Act”), sections 24 and 25, schedule 5, paragraph 6(6)(b) and schedule 7, paragraph 1; the Criminal Justice and Public Order Act 1994 (c.33) (“the 1994 Act”), section 116(4); the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40), schedule 4, paragraph 75(4)(a); and the Crime and Disorder Act 1998 (c.37), schedule 8, paragraph 71 and schedule 10, paragraph 1; and the Management of Offenders (Scotland) Act 2019 (asp 14), section 52(2). The functions of the Secretary of State, insofar as exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (c.46), section 53.

(b) S.S.I. 2011/331; as amended by S.S.I. 2011/356, S.S.I. 2012/26, S.S.I. 2013/119, S.S.I. 2014/26, S.S.I. 2015/39, S.S.I. 2016/131, S.S.I. 2017/393, S.S.I. 2018/293, S.S.I. 2020/122 and S.S.I. 2020/175.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Prisons and Young Offenders Institutions (Scotland) Rules 2011 (“the Prison Rules”) in response to the coronavirus outbreak.

Rule 2(1) of the Prison Rules is amended to extend the definition of “for the duration of a coronavirus outbreak” to mean the time period starting with the commencement of the Prisons and Young Offenders Institutions (Scotland) Amendment Rules 2020(a) and continuing until 31 March 2021.

Rules 33A, 34A and 35A are omitted from the Prison Rules by rules 2(3) to (5).

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