
Changes to legislation: There are currently no known outstanding effects for the
Criminal Justice (Scotland) Act 1963, SCHEDULE 5. (See end of Document for details)

SCHEDULES

^{X1}SCHEDULE 5

Section 52.

MINOR AND CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of Sch. 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified here and in the Chronological Table of Statutes, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Criminal Appeal (Scotland) Act 1926 (16 & 17 Geo. 5. c. 15)

In section 11(2), the words “for his use” shall be omitted.

*The Children and Young Persons (Scotland) Act 1937 (1 Edw. 8 * 1 Geo. 6. c. 37.)*

In section 86(1)(b), for the words “or on licence” there shall be substituted the words “or under supervision”.

In section 87—in subsection (1), after the word “Act”, there shall be inserted the words “and of the Criminal Justice (Scotland) Act 1963”; in subsection (3), for the words “on licence” there shall be substituted the words “under supervision”, and after the word “Act” there shall be inserted the words “and of the Criminal Justice (Scotland) Act 1963”.

In Schedule 2, in paragraph 9(3), for the words “this Act shall have effect” there shall be substituted the words “this Act and the Criminal Justice (Scotland) Act 1963 shall have effect”.

The Criminal Justice (Scotland) Act 1949 (12, 13 & 14 Geo. 6. c. 94)

In section 9(1), for the words from “and of any subsequent proceedings” to “aggravation” there shall be substituted the words “and of laying it before a court as a previous conviction in subsequent proceedings for another offence”.

In section 20(1), after the words “institution, the court” there shall be inserted the words “subject to section 3 of the Criminal Justice (Scotland) Act 1963”.

In section 21(2)(a), after the word “more” there shall be inserted the words “or remitted thereto for sentence in respect of such an offence”.

In section 70(2), for the words “seventy-seven and seventy-eight” there shall be substituted the words “and seventy-seven”.

In section 78(4), after the word “under” there shall be inserted the words “any enactment including”.

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. . . *F1*

Textual Amendments

- F1** Entry relating to the Prisons (Scotland) Act 1952 repealed by [Prisons \(Scotland\) Act 1989 \(c. 45, SIF 39:1\)](#), s. 45(2), [Sch. 3](#)

. . . *F2*

Textual Amendments

- F2** Entry relating to Mental Health (Scotland) Act 1960 repealed by [Mental Health \(Scotland\) Act 1984 \(c. 36, SIF 85\)](#), ss. 17(2), 127(2), [Sch. 4 para. 4](#), [Sch. 5](#)

Criminal Justice Act 1961 (9 & 10 Eliz. 2 c. 39)

In section 34(6), after the words “or detention centre” there shall be inserted the words “or who, immediately before his removal, was undergoing a sentence of detention in a young offenders institution in Scotland”, and at the end of the subsection there shall be added the words “and subsections (3) to (5) of this section shall apply to any person in whose case such a direction is given as if he had been removed under this section”.

In section 38(5)(a), after the word “sentence”, where first occurring, there shall be inserted the words “of detention in a young offenders institution passed in Scotland, and a sentence”.

in section 39(1), after the paragraph (b) there shall be inserted the following paragraph—

- “(bb) in relation to a person sentenced to imprisonment when under twenty-one years of age who is so removed to Scotland, a young offenders institution ;”

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