



Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37 1 Edw 8 and 1 Geo 6

PART IV

PROTECTION OF CHILDREN AND YOUNG PERSONS IN RELATION TO CRIMINAL PROCEEDINGS

Juvenile Offenders

62 Power of Secretary of State to send certain juvenile offenders to approved schools.

The Secretary of State may by order direct that—

- (a) a person who is under the age of eighteen years and is undergoing detention in a Borstal institution; or
- (b) a child or young person with respect to whom he is authorised to give directions under [^{F1} . . . ^{F2} section 206 of the ^{M1}Criminal Procedure (Scotland) Act 1975; or]
- (c) a young person who has been ordered to be imprisoned and has been pardoned by His Majesty on condition of his agreeing to undergo training in a [^{F3}residential establishment],

shall be transferred or sent to and detained in [^{F3}a residential establishment] specified in the order; and any such order shall be an authority for the detention of the person to whom it relates until such date as may be specified in the order:

Provided that the date to be so specified shall be not later than that on which he will in the opinion of the Secretary of State attain the age of nineteen years nor later—

- (a) in the case of a person who was . . . ^{F4} sentenced to detention under the said subsection (2), than the date on which his detention would have expired; or
- (b) in the case of a young person who has been ordered to be imprisoned and has been pardoned as aforesaid, than three years from the date as from which the order for his imprisonment began to run.

Changes to legislation: There are currently no known outstanding effects for the Children and Young Persons (Scotland) Act 1937, Section 62. (See end of Document for details)

- [^{F5}(c) in the case of a person who was undergoing detention in a Borstal institution, than the end of the period for which he would have been liable to be detained therein.]

Textual Amendments

- F1** Words substituted by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#), **Sch. 9 para. 9**
F2 Words repealed by [Prisons \(Scotland\) Act 1989 \(c. 45, SIF 39:1\)](#), s. 45(2), **Sch. 3**
F3 Words substituted by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), **Sch. 2 para. 18**
F4 Words repealed by [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), **Sch. 12**
F5 S. 62 proviso (c) added by [Criminal Justice \(Scotland\) Act 1949 \(c. 94\)](#), **Sch. 11**
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Marginal Citations

- M1** 1975 c. 21.

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