

Management of Offenders (Scotland) Act 2019 2019 asp 14

MANAGEMENT OF OFFENDERS (SCOTLAND) ACT 2019

PART 1

ELECTRONIC MONITORING ETC.

Monitoring in criminal proceedings

- 1 Requirement when disposing of case
- 2 Particular rules regarding disposals
- 3 List of the relevant disposals
- 4 More about the list of disposals

Monitoring on release on parole

- 5 Requirement with licence conditions
- 6 Particular rules regarding conditions
- 7 List of the relevant conditions

Devices, use and information

- 8 Approved devices to be prescribed
- 9 Use of devices and information

Arrangements and designation

- 10 Arrangements for monitoring system
- 11 Designation of person to do monitoring

Obligations and compliance

- 12 Standard obligations put on offenders
- 13 Deemed breach of disposal or conditions
- 14 Documentary evidence at breach hearings

Document Generated: 2023-12-20

Changes to legislation: Management of Offenders (Scotland) Act 2019 is up to date with all changes known to be in force on or before 20 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SSI procedure and schedule

- 15 Procedure for making regulations
- 16 Additional and consequential provisions

PART 2

DISCLOSURE OF CONVICTIONS

Rules relating to disclosure

- 17 Effect of expiry of disclosure periods
- 18 Excluded sentences: convictions prevented from becoming spent
- 19 Disclosure periods for particular sentences
- 20 Table A disclosure periods: ordinary cases
- 21 Table B disclosure periods: service sentences
- 22 Disclosure period: caution for good behaviour
- 23 Disclosure period: particular court orders
- 24 Disclosure period: adjournment or deferral
- 25 Disclosure period: mental health orders
- 26 Disclosure period: compulsion orders
- 27 Disclosure period: juvenile offenders
- 28 Disclosure period: service discipline
- 29 Sentences to which no disclosure period applies
- 30 Disclosure periods applicable to convictions

Regulation-making and other powers

- 31 Powers as to alternatives to prosecution
- 32 How particular powers are exercisable

Applications for certain convictions to be treated as spent

- 33 Excluded sentences: applications for convictions to be treated as spent
- 34 Regulations under section 33: general details
- 35 Regulations under section 33: appropriate period
- Regulations under sections 33 and 35: procedure etc.

Transitional, schedule and definition

- 37 Transitional provision
- 38 Remainder of amendments
- 39 Meaning of the 1974 Act

PART 3

THE PAROLE BOARD

Independence and governance

- 40 Continued independence of action
- 41 Administrative arrangements

Membership and appointment

- 42 Mandatory categories of member
- 43 Appointment to be for fixed period
- 44 Further appointment to membership

Document Generated: 2023-12-20

Changes to legislation: Management of Offenders (Scotland) Act 2019 is up to date with all changes known to be in force on or before 20 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

45 References to the chairperson

Miscellaneous

- 46 Amendment of oversight provisions
- 47 Repeal of statutory provisions

PART 4

PRISONERS: CONTROL OF RELEASE, BEING UNLAWFULLY AT LARGE, ETC.

Control of release, etc.

- 48 Release on licence under section 3AA of the 1993 Act
- 49 Release timed to benefit re-integration
- 50 Representations by certain recalled prisoners
- 51 Frequency of review of particular decisions
- 52 Parole Board decisions: consideration of impact on prisoner's family
- 53 Re-release after revocation of licences generally
- 54 Long-term prisoners due for removal from the UK
- 55 Temporary release on licence under prison rules
- 56 Co-operation between public authorities
- 57 Operating protocol for release on licence under section 3AA of the 1993
 Act
- 58 Parole Board recommendations: publication of test

Persons unlawfully at large

- 59 Offence of remaining unlawfully at large
- 60 Arrest where unlawfully at large

PART 5

FINAL PROVISIONS

- 61 Meaning of the 1993 Act
- 62 Ancillary provision
- 63 Commencement
- 64 Short title

SCHEDULE 1 — Court orders and electronic monitoring

PART 1 — ADDITIONAL PROVISIONS

Certain restrictive measures

- 1 (1) The Criminal Procedure (Scotland) Act 1995 is amended as...
- 2 (1) The Criminal Procedure (Scotland) Act 1995 is amended as...
- 3 (1) The Criminal Procedure (Scotland) Act 1995 is amended as...

Notification, reports and addresses

- 4 (1) The Criminal Procedure (Scotland) Act 1995 is amended as...
- 5 (1) The Criminal Procedure (Scotland) Act 1995 is amended as... PART 2 CONSEQUENTIAL PROVISIONS
- 6 (1) The Prisoners and Criminal Proceedings (Scotland) Act 1993 is...

Document Generated: 2023-12-20

Changes to legislation: Management of Offenders (Scotland) Act 2019 is up to date with all changes known to be in force on or before 20 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (1) The Criminal Procedure (Scotland) Act 1995 is amended as...
- (1) The Crime and Punishment (Scotland) Act 1997 is amended...
- (1) The Criminal Justice (Scotland) Act 2003 is amended as...
- (1) The Custodial Sentences and Weapons (Scotland) Act 2007 is...

SCHEDULE 2 — Rehabilitation of Offenders Act 1974

1 (1) The 1974 Act is amended as follows.

Changes to legislation:

Management of Offenders (Scotland) Act 2019 is up to date with all changes known to be in force on or before 20 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to:

- s. 7(1)(a) word substituted by 2023 asp 4 s. 9(14)(a)
- s. 7(1)(a) words inserted by 2023 asp 4 s. 9(14)(b)
- s. 18(2)(b)(i) word substituted by 2020 c. 17 Sch. 24 para. 312(a) (This amendment not applied to legislation.gov.uk. 2019 asp 14, s. 18 is in force on 30/11/2020 by S.S.I 2020/245, reg. 2, sch.)
- s. 18(2)(b)(iii) words inserted by 2020 c. 17 Sch. 24 para. 312(b) (This amendment not applied to legislation.gov.uk. 2019 asp 14, s. 18 is in force on 30/11/2020 by S.S.I 2020/245, reg. 2, sch.)