



Management of Offenders (Scotland) Act 2019

2019 asp 14

PART 2

DISCLOSURE OF CONVICTIONS

Rules relating to disclosure

23 Disclosure period: particular court orders

- (1) The 1974 Act is amended as follows.
- (2) After section 5C (inserted by section 22) there is inserted—

“5D Disclosure period: particular court orders

- (1) Where, in respect of a conviction, an order listed in subsection (2) was imposed on a person, the disclosure period applicable to the sentence is—
 - (a) where the person was 18 years of age or older at the date of the conviction, whichever is the longer of—
 - (i) one year from the date of the conviction,
 - (ii) a period beginning with that date and ending when the order ceases to have effect,
 - (b) where the person was under 18 years of age at the date of the conviction, whichever is the longer of—
 - (i) six months from the date of the conviction,
 - (ii) a period beginning with that date and ending when the order ceases to have effect.
- (2) The orders are—
 - (a) a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995,
 - (b) a drug treatment and testing order under section 234B of that Act,
 - (c) a restriction of liberty order under section 245A of that Act.

Changes to legislation: There are currently no known outstanding effects for the Management of Offenders (Scotland) Act 2019, Section 23. (See end of Document for details)

- (3) In subsection (1)(a)(ii) and (b)(ii), the reference to when the order ceases to have effect is—
- (a) in the case of a community payback order, a reference to when the requirement imposed by the order ceases or ceased to have effect or otherwise requires or required to be complied with,
 - (b) in the case of a drug treatment and testing order or restriction of liberty order, a reference to when the order ceases or ceased to have effect.”.

Commencement Information

II S. 23 in force at 30.11.2020 by S.S.I. 2020/245, reg. 2, sch. (with reg. 3)

Changes to legislation:

There are currently no known outstanding effects for the Management of Offenders (Scotland) Act 2019, Section 23.