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.

(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

I1 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.