



# 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.

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*Status: This is the original version (as it was originally enacted).*

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- (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.”.