



Management of Offenders (Scotland) Act 2019 2019 asp 14

PART 4

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

Persons unlawfully at large

60 Arrest where unlawfully at large

- (1) The Prisons (Scotland) Act 1989 is amended as follows.
- (2) In section 40—
 - (a) in subsection (1), after the word “required” there is inserted “ or liable ”,
 - (b) in subsection (4), for the words “For the purposes of this section, a” there is substituted “ A ”,and the title of section 40 becomes “ Arrest of and rules for absent prisoners ”.
- (3) In section 40A—
 - (a) in subsection (1), after the word “application” there is inserted “ by a constable ”,
 - (b) after subsection (1) there is inserted—

“(1A) A warrant for a person's arrest under this section confers power on a constable—

 - (a) to enter and search any premises or other places specified in the warrant, and
 - (b) to use reasonable force in doing so.”.
- (4) The Custodial Sentences and Weapons (Scotland) Act 2007 is amended as follows.
- (5) In paragraph 4 of schedule 6, in the provision numbered as if inserted as section 9C(4) of the 1993 Act, the words “for the purposes of section 40 of the Prisons (Scotland) Act 1989 (c.45) (persons unlawfully at large)” are repealed.

Changes to legislation: *There are currently no known outstanding effects for the Management of Offenders (Scotland) Act 2019, Section 60. (See end of Document for details)*

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Commencement Information

II [S. 60](#) in force at 11.10.2019 by [S.S.I. 2019/309](#), reg. 2, [sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Management of Offenders (Scotland) Act 2019, Section 60.