

2021 No. 236

PUBLIC HEALTH

The Coronavirus (Scotland) Act 2020 (Early Expiry of Provisions) (No. 2) Regulations 2021

Made - - - - at 1.15 p.m. on 10th June 2021

Laid before the Scottish Parliament at 4.00 p.m. on 10th June 2021

Coming into force - - 14th June 2021

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 13(1) of the Coronavirus (Scotland) Act 2020(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Coronavirus (Scotland) Act 2020 (Early Expiry of Provisions) (No. 2) Regulations 2021 and come into force on 14 June 2021.

(2) In these Regulations, “the 2001 Rules” means the Parole Board (Scotland) Rules 2001(b).

Expiry of provisions of the Coronavirus (Scotland) Act 2020

2. 14 June 2021 is specified as the day on which the following provisions in schedule 4 of the Coronavirus (Scotland) Act 2020 expire—

- (a) paragraph 18(2) (modification of the definition of “prisoner” provided in rule 2(1) of the 2001 Rules),
- (b) paragraph 18(4) (modification of the cases to which Part IV procedure applies as set out in rule 17 of the 2001 Rules),
- (c) paragraph 18(5) (modification of the circumstances in which an oral hearing is to be held under rule 20 of the 2001 Rules).

KEITH BROWN

A member of the Scottish Government

St Andrew’s House,
Edinburgh
At 1.15 p.m. on 10th June 2021

(a) 2020 asp 7.

(b) S.S.I. 2001/315. Relevant modifications and amendments have been made by the Coronavirus (Scotland) Act 2020, schedule 4, paragraph 18 and by S.S.I 2011/133.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations expire the following provisions in schedule 4 of the Coronavirus (Scotland) Act 2020. The expiry takes effect on 14 June 2021—

- Paragraph 18(2) and (4), which together modified the types of case to which the procedure set out in Part IV of the Parole Board (Scotland) Rules 2001 applies. The modifications removed certain types of case from that procedure.
- Paragraph 18(5), which modified the procedure in Part IV of the Parole Board (Scotland) Rules 2001 to provide that an oral hearing may be held for a case considered under that procedure if a tribunal of the Parole Board for Scotland considered that such a hearing was in the interests of justice.

Together, the effect of the expiry of these provisions is to remove modifications to the criteria under which a prisoner's case is to be considered at an oral hearing of a tribunal of the Parole Board for Scotland.

An impact assessment has not been produced for this instrument.

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