Changes to legislation: There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, Part II. (See end of Document for details)

SCHEDULES

SCHEDULE 1

INELIGIBILITY FOR AND DISQUALIFICATION AND EXCUSAL FROM JURY SERVICE

PART II

PERSONS DISQUALIFIED

- (a) Persons who have at any time been sentenced in the United Kingdom, the Channel Islands or the Isle of Man—
 - (i) to imprisonment for life or for a term of 5 years or more; or
 - (ii) to be detained during Her Majesty's pleasure, during the pleasure of the Secretary of State or during the pleasure of the Governor of Northern Ireland;
- (b) persons who have at any time in the United Kingdom, the Channel Islands or the Isle of Man—
 - (i) served any part of a sentence of imprisonment [F1 detention or youth custody], being a sentence for a term of 3 months or more; or
 - (ii) been detained in a borstal institution,
 - and who are not [F2protected] persons for the purposes of the Rehabilitation of Offenders Act M1 1974.
- [F3(bb)] persons who have been convicted of an offence if, in respect of the conviction, one or more of the following orders was made—
 - [F4(i) a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995 (c.46);]
 - (ii) a drug treatment and testing order under section 234B(2) of that Act;
 - (iii) F5
 - (iv) a restriction of liberty order under section 245A(1) of that Act;
 - [F6(v) a community order within the meaning of section 177 of the Criminal Justice Act 2003 [F7 or imposed under Chapter 2 of Part 9 of the Sentencing Code];
 - (va) a youth community order as defined by section 33 of the Powers of Criminal Courts (Sentencing) Act 2000;]
 - (vi) a community order as defined by article 2(2) of the Criminal Justice (Northern Ireland) Order 1996 (SI 1996/3160 (N.I.24));
 - (vii) a drug treatment and testing order under article 8(2) of the Criminal Justice (Northern Ireland) Order 1998 (SI 1998/2839 (N.I.20)),
 - except where they are [F8protected] persons for the purposes of the Rehabilitation of Offenders Act 1974 (c. 53);]
- $[^{F9}(c)]$ in respect of jury service in any criminal proceedings, persons who are on bail in or in connection with criminal proceedings in any part of the United Kingdom.]

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, Part II. (See end of Document for details)

Textual Amendments

- F1 Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 123(6), 124, Sch. 8 para. 16, Sch. 9 para. 4
- F2 Word in Sch. 1 Pt. 2 para. (b) substituted (30.11.2020) by The Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 (S.S.I. 2020/311), regs. 1, 2(2)
- F3 Sch. 1 Pt. 2 para. (bb) inserted (27.6.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), ss. 78(1), 89(2) (with s. 78(2)(3)): S.S.I. 2003/288, art. 2, Sch.
- F4 Sch. 1 Pt. 2 para. (bb)(i) substituted (1.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. 14(2), 206(1), Sch. 2 para. 33(a); S.S.I. 2010/413, art. 2(1), Sch.
- F5 Sch. 1 Pt. 2 para. (bb)(iii) repealed (1.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. 14(2), 206(1), Sch. 2 para. 33(b); S.S.I. 2010/413, art. 2(1), Sch.
- F6 Sch. 1 Pt. 2 para. (bb)(v)(va) substituted for para. (bb)(v) (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 304, 336(3), Sch. 32 para. 31; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(15) (with Sch. 2 (as explained by S.I. 2005/2122 and amended by S.I. 2007/391, 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2, S.I. 2009/616, and S.I. 2009/3111))
- F7 Words in Sch. 1 Pt. II inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 para. 61 (with Sch. 27); S.I. 2020/1236, reg. 2
- Word in Sch. 1 Pt. 2 para. (bb) substituted (30.11.2020) by The Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 (S.S.I. 2020/311), regs. 1, 2(3)
- F9 Sch. 1 Pt. 2 para. (c) inserted (1.4.1996) by 1996 c. 40, ss. 5, 7(2), Sch. 4 para. 32(4)(b)

Marginal Citations

M1 1974 c. 53.

Textual Amendments

- F1 Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 123(6), 124, Sch. 8 para. 16, Sch. 9 para. 4
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- F3 Sch. 1 Pt. 2 para. (bb) inserted (27.6.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), ss. 78(1), 89(2) (with s. 78(2)(3)): S.S.I. 2003/288, art. 2, Sch.
- F4 Sch. 1 Pt. 2 para. (bb)(i) substituted (1.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. 14(2), 206(1), Sch. 2 para. 33(a); S.S.I. 2010/413, art. 2(1), Sch.
- F5 Sch. 1 Pt. 2 para. (bb)(iii) repealed (1.2.2011) by Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), ss. 14(2), 206(1), Sch. 2 para. 33(b); S.S.I. 2010/413, art. 2(1), Sch.
- F6 Sch. 1 Pt. 2 para. (bb)(v)(va) substituted for para. (bb)(v) (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 304, 336(3), Sch. 32 para. 31; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(15) (with Sch. 2 (as explained by S.I. 2005/2122 and amended by S.I. 2007/391, 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2, S.I. 2009/616, and S.I. 2009/3111))
- F7 Words in Sch. 1 Pt. II inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 61** (with Sch. 27); S.I. 2020/1236, reg. 2
- F8 Word in Sch. 1 Pt. 2 para. (bb) substituted (30.11.2020) by The Management of Offenders (Scotland) Act 2019 (Consequential Amendments) Regulations 2020 (S.S.I. 2020/311), regs. 1, 2(3)
- F9 Sch. 1 Pt. 2 para. (c) inserted (1.4.1996) by 1996 c. 40, ss. 5, 7(2), Sch. 4 para. 32(4)(b)

Marginal Citations

M1 1974 c. 53.

Changes to legislation:

There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, Part II.