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SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

The Prisons (Scotland) Act 1952 (c.61)

- 1 In section 14 (legalised police cells), after subsection (7), there shall be added the following subsection—
- “ (8) For the purposes of sections 7 and 35 of this Act, legalised police cells shall be deemed to be prisons.”.
- 2 In section 28(2) (discontinuance of prison) for the words " young offenders institution or Borstal institution " there shall be substituted the words " or young offenders institution ".
- 3 In section 31 (remand centres, etc.)—
- (a) in subsection (1)—
- (i) in paragraph (b) for the words from " not less " to " 1949" there shall be substituted the words " upon whom detention therein has been imposed under section 207 or 415 of the Criminal Procedure (Scotland) Act 1975 ";
- (ii) paragraph (c) shall cease to have effect; and
- (iii) in paragraph (d) for the words " the Criminal Justice (Scotland) Act 1963 " there shall be substituted the words " section 207 or 415 of the Criminal Procedure (Scotland) Act 1975 ";
- (b) in subsection (3) ,for the words " young offenders institution and Borstal institution " there shall be substituted the words " and young offenders institution " ; and
- (c) in subsection (4), for the words " young offenders institutions and Borstal institutions " there shall be substituted the words " and young offenders institutions " and for the words " young offenders institutions or Borstal institutions " there shall be substituted the words " or young offenders institutions " .
- 4 In section 34 (temporary detention) for the words " Borstal institution or a young offenders institution " there shall be substituted the words " young offenders institution or a detention centre " .
- 5 In section 35 (rules for the management of prisons and other institutions)—
- (a) in subsection (1), for the words " young offenders institutions and Borstal institutions " there shall be substituted the words " and young offenders institutions " ;
- (b) in subsection (5)(c), for the words " Criminal Appeal (Scotland) Act 1926" there shall be substituted the words " Criminal Procedure (Scotland) Act 1975 " ; and

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- (c) in subsection (6), for the words ", corrective training, preventive detention, detention in a young offenders institution or Borstal training" there shall be substituted the words " or detention ".
- 6 In section 37 (persons unlawfully at large)—
- (a) in subsection (1), for the words from " corrective training " to " detained in a " there shall be substituted the words " or to detention in a young offenders institution or ";
 - (b) in subsection (2)—
 - (i) for the words from " corrective training " to " detained in a " there shall be substituted the words " or to detention in a young offenders institution or ";
 - (ii) the words " Borstal institution", in both places where they occur, shall cease to have effect; and
 - (c) after subsection (2) there shall be inserted the following subsection—

“(2A) Without prejudice to section 69(2) of the Criminal Justice Act 1967, in subsection (2) above references to a prison shall be construed as including references to a place which is the subject of a direction of the Secretary of State under section 206(1) of the Criminal Procedure (Scotland) Act 1975.”.