



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART VIII

#### PRISON SERVICES AND THE PRISON SERVICE

#### CHAPTER II

#### SCOTLAND

#### *Supplemental*

#### **116 Minor and consequential amendments.**

- (1) In section 19(4)(b) of the 1989 Act (remand centres and young offenders institutions), for “33” there shall be substituted “ 33A ”.
- (2) Section 33 of that Act (miscellaneous duties of prison governor) shall cease to have effect.
- (3) After section 33 of that Act there shall be inserted the following section—

#### **“33A Power of governor to delegate functions.**

Rules made under section 39 of this Act may permit the governor of a prison to authorise an officer of the prison, or a class of such officers, to exercise on his behalf such of the governor’s functions as the rules may specify.”.

- (4) In section 39 of that Act (prison rules)—
  - (a) in subsection (1), after “Act” there shall be inserted “ or any other enactment ”;
  - (b) in subsection (8), for “the purpose so specified” there shall be substituted “ any purpose specified in the rules ”; and

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*Status: Point in time view as at 01/03/1998. This version of this provision has been superseded.*

*Changes to legislation: Criminal Justice and Public Order Act 1994, Section 116 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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(c) after subsection (11), there shall be inserted the following subsection—

“(12) Rules made under this section may (without prejudice to the generality of subsection (1) above) confer functions on a governor.”.

**Status:**

Point in time view as at 01/03/1998. This version of this provision has been superseded.

**Changes to legislation:**

Criminal Justice and Public Order Act 1994, Section 116 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.