



# Criminal Procedure (Scotland) Act 1995

## 1995 CHAPTER 46

### PART XI

#### SENTENCING

##### *[<sup>F1</sup> Restriction of liberty orders]*

##### **[<sup>F1</sup>245C Remote monitoring.**

- (1) The Secretary of State may make such arrangements, including contractual arrangements, as he considers appropriate with such persons, whether legal or natural, as he thinks fit for the remote monitoring of the compliance of offenders with restriction of liberty orders, and different arrangements may be made in relation to different areas or different forms of remote monitoring.
- (2) A court making a restriction of liberty order which is to be monitored remotely may include in the order a requirement that the offender shall, either continuously or for such periods as may be specified, wear or carry a device for the purpose of enabling the remote monitoring of his compliance with the order to be carried out.
- (3) The Secretary of State shall by regulations specify devices which may be used for the purpose of remotely monitoring the compliance of an offender with the requirements of a restriction of liberty order.
- (4) Regulations under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

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#### **Textual Amendments**

- F1** Ss. 245A-245I and preceding cross-heading inserted (20.10.1997 for specified purposes and 1.7.1998 otherwise) by 1997 c. 48, s. 5; S.I. 1997/2323, arts. 3, 5(1), **Sch. 1**

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*Status: Point in time view as at 20/10/1997. This version of this provision has been superseded.*

**Changes to legislation:** *Criminal Procedure (Scotland) Act 1995, Section 245C is up to date with all changes known to be in force on or before 08 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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**Modifications etc. (not altering text)**

- C1** S. 245C applied (12.1.2004) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), **ss. 40(7)**, 89; [S.I. 2003/475](#), **art. 2**, Sch.
- C2** S. 245C(1)(3) modified (prosp.) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 188, 336, **Sch. 11 para. 23**  
S. 245C(1)(3) modified (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 188, 336, **Sch. 13 para. 21**; [S.I. 2005/950](#), **art. 2(1)**, Sch. 1
- C3** S. 245C(1)(3) modified (prosp.) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 188, 336, **Sch. 11 para. 23**  
S. 245C(1)(3) modified (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 188, 336, **Sch. 13 para. 21**; [S.I. 2005/950](#), **art. 2(1)**, Sch. 1

**Status:**

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**Changes to legislation:**

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