
Changes to legislation: *Crime and Disorder Act 1998, Paragraph 71 is up to date with all changes known to be in force on or before 16 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) View outstanding changes*

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Prisons (Scotland) Act 1989 (c.45)

- 71 In section 39 of that Act (rules for the management of prisons)—
- (a) in subsection (7)—
- (i) at the beginning there shall be inserted the words “ Subject to subsection (7A) below, ”;
- (ii) for the words “a short-term or long-term prisoner within the meaning of” there shall be substituted the words “ any person who is, or is treated as, a long-term or short-term prisoner for the purposes of any provision of ”; and
- (iii) the words from “and the foregoing” to the end shall cease to have effect; and
- (b) after that subsection there shall be inserted the following subsections—
- “(7A) Additional days shall not be awarded under rules made under subsection (7) above in respect of a sentence where the prisoner has at any time been released on licence, in relation to that sentence, under Part I of the ^{M1}Prisoners and Criminal Proceedings (Scotland) Act 1993; and any reference to a sentence in such rules shall be construed in accordance with section 27(5) of that Act.
- (7B) In the application of subsection (7) above to a prisoner subject to an extended sentence within the meaning of section 210A of the 1995 Act, the reference to his sentence shall be construed as a reference to the custodial term of that extended sentence.”

Commencement Information

- II** Sch. 8 para. 71 wholly in force; Sch. 8 para. 71 not in force at Royal Assent see s. 121; In force at 30.9.1998 by S.I. 1998/2327, art. 2(1)(2) (subject to savings in arts. 5-8)
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Marginal Citations

- M1** 1993 c.9.

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Changes and effects yet to be applied to :

- Sch. 8 para. 71 repealed by [2007 asp 17 sch. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1C) inserted by [2010 c. 17 s. 40\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 40 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A inserted by [2010 c. 17 s. 41\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A repealed by [2014 c. 12 Sch. 11 para. 24\(c\)](#)
- s. 9(2)(d) and word inserted by [2010 c. 17 s. 41\(4\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2)(d) and word omitted by [2014 c. 12 Sch. 11 para. 26\(4\)\(a\)](#)
- s. 9(2AA) inserted by [2010 c. 17 s. 41\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2AA) repealed by [2014 c. 12 Sch. 11 para. 26\(5\)](#)
- s. 41(5)(i)(ii) words substituted by [2021 c. 11 Sch. 13 para. 37\(3\)](#)
- s. 47(A1) inserted by [2022 c. 35 s. 12\(2\)](#)
- s. 47(1)-(1F) substituted for s. 47(1) by [2022 c. 35 s. 12\(3\)](#)
- s. 47(4)(a) word substituted by [2022 c. 35 s. 12\(6\)\(b\)](#)
- s. 47(4)(a) words renumbered as s. 47(4)(a) by [2022 c. 35 s. 12\(6\)\(a\)](#)
- s. 47(4)(b) and word inserted by [2022 c. 35 s. 12\(6\)\(c\)](#)
- s. 47(4A) inserted by [2022 c. 35 s. 12\(7\)](#)
- s. 50A(6) inserted by [2022 c. 35 Sch. 2 para. 8\(2\)\(b\)](#)
- s. 51(2A)-(2E) inserted by [2022 c. 35 s. 10\(4\)](#)
- s. 51(3A)(3B) substituted for s. 51(3)-(12) by [2022 c. 35 s. 10\(5\)](#)
- s. 51A(A1) inserted by [2022 c. 35 s. 10\(7\)](#)
- s. 51A(3A)-(3E) inserted by [2022 c. 35 s. 10\(9\)](#)
- s. 51A(4A)(4B) substituted for s.0051A(4)-(10) by [2022 c. 35 s. 10\(10\)](#)
- s. 52(2A) inserted by [2022 c. 35 s. 10\(11\)](#)
- Sch. 3 para. 3(11A) inserted by [2003 c. 44 Sch. 3 para. 71\(d\)](#)