SCOTTISH STATUTORY INSTRUMENTS

2026 No. 24 (C. 2)

CRIMINAL PROCEDURE

The Bail and Release from Custody (Scotland) Act 2023 (Commencement No. 3) Regulations 2026

Made - - - -	*22nd January 2026*
Laid before the Scottish Parliament	*26th January 2026*
Coming into force - -	*9th February 2026*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 18(2) of the Bail and Release from Custody (Scotland) Act 2023(**a**) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Bail and Release from Custody (Scotland) Act 2023 (Commencement No. 3) Regulations 2026 and come into force on 9 February 2026.

Appointed day

2. 9 February 2026 is the day appointed for the coming into force of section 13 (throughcare support) of the Bail and Release from Custody (Scotland) Act 2023.

ANGELA CONSTANCE
A member of the Scottish Government

St Andrew's House
Edinburgh
22nd January 2026

(**a**) 2023 asp 4.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force section 13 of the Bail and Release from Custody (Scotland) Act 2023 on 9 February 2026.

Section 13 amends the Community Justice (Scotland) Act 2016 by inserting new sections 34C and 34D, which deal with throughcare support.

The Bill for the Bail and Release from Custody (Scotland) Act 2023 received Royal Assent on 1 August 2023 and sections 6, 7, and 15 to 19 came into force the following day.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Bail and Release from Custody (Scotland) Act 2023 have been brought into force by commencement regulations made before the date of these Regulations.

Provision	*Date of Commencement*	*S.S.I. No.*
Section 1	14 May 2025	2025/52
Section 2	14 May 2025	2025/52
Section 3	14 May 2025	2025/52
Section 4	14 May 2025	2025/52
Section 5	1 July 2024	2024/145
Section 11	26 May 2024	2024/145
Section 14	26 May 2024	2024/145

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, the King's Printer for Scotland.

ISBN 978-0-11-106522-8

£6.40

http://www.legislation.gov.uk/id/ssi/2026/24

9 780111 065228