SCOTTISH STATUTORY INSTRUMENTS

# 2024 No. 246

# CRIMINAL PROCEDURE

# PRISONS

# The Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions) Regulations 2024

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| *Made - - - -* | *17th September 2024* |
| *Laid before the Scottish Parliament* | *19th September 2024* |
| *Coming into force - -* | *29th November 2024* |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 53 and 58(1) of the Coronavirus (Recovery and Reform) (Scotland) Act 2022(**a**) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Coronavirus (Recovery and Reform) (Scotland) Act 2022 (Early Expiry of Provisions) Regulations 2024.

(2) These Regulations come into force on 29 November 2024.

(3) In these Regulations, "the 2022 Act" means the Coronavirus (Recovery and Reform) (Scotland) Act 2022.

**Expiry of provisions of the 2022 Act**

**2.** Subject to regulation 3, 29 November 2024 is specified as the date at the end of which the following provisions of the schedule of the 2022 Act expire –

(a) paragraph 21 (summary proceedings: period within which prosecution for statutory offence must commence),

(b) paragraph 25 (power to release early),

(c) paragraph 26 (parliamentary scrutiny of regulations under paragraph 25).

(**a**) 2022 asp 8 as modified by S.S.I. 2023/172 and S.S.I. 2023/360.

**Saving provision**

**3.** Notwithstanding regulation 2(a), the modification contained in paragraph 21 of the schedule of the 2022 Act continues to have effect in relation to offences alleged to have been committed prior to the end of 29 November 2024.

*ANGELA CONSTANCE*
A member of the Scottish Government

St Andrew's House,
Edinburgh
17th September 2024

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations modify the expiry dates for certain temporary measures which are contained in the Coronavirus (Recovery and Reform) (Scotland) Act 2022 ("the 2022 Act").

Paragraph 21 of the schedule of the 2022 Act makes temporary provision in respect of the time limits that apply in criminal cases which can only be prosecuted summarily (i.e. without a jury). Paragraphs 25 and 26 of the schedule of the 2022 Act make temporary provision in relation to the early release of prisoners. Regulation 2 provides that those paragraphs will all expire at the end of 29 November 2024, instead of at the end of 30 November 2024.

Saving provision is made in regulation 3, so that the time limits under paragraph 21 will continue to have effect in relation to offences which are alleged to have been committed prior to the end of 29 November 2024.

A Child Rights and Wellbeing Impact Assessment for these Regulations is available online at www.legislation.gov.uk.

A Business and Regulatory Impact Assessment was published for the Bill which led to the 2022 Act and is available on the Scottish Government's website: Coronavirus (Recovery and Reform) Scotland) Bill: business and regulatory impact assessment – gov.scot (www.gov.scot).

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