STATUTORY INSTRUMENTS

1964 No. 2102 (C. 26) (S. 135)

CRIMINAL PROCEDURE, SCOTLAND

The Criminal Justice (Scotland) Act 1963 (Commencement No. 3) Order 1964

Made - - - - 31*st December* 1964

In exercise of the powers conferred on me by section 55(1) of the Criminal Justice (Scotland) Act 1963(a), I hereby make the following order:—

1. This order may be cited as the Criminal Justice (Scotland) Act 1963 (Commencement No. 3) Order 1964.

2. The following provisions of the Criminal Justice (Scotland) Act 1963 (hereinafter referred to as " the Act ") shall come into force on 18th January 1965:—

section 1 (restrictions on detention);

section 2 (young offenders institutions);

section 5 (place of detention on recall from post-borstal supervision);

section 8 (term of detention in a detention centre);

section 9 (transfer of young offenders between institutions);

section 10 (transfer from young offenders institution to prison of persons over 21);

section 11 (supervision of persons released from detention centres);

section 12 (supervision of persons released from young offenders institutions);

section 13 (order for recall from supervision to young offenders institution on re-conviction);

section 52 (minor and consequential amendments and repeals); but only to the extent necessary for the consequential amendment and repeal, with any necessary savings, of the provisions in Schedules 5 and 6 to the Act which are indicated respectively herein and in the schedule hereto;

section 53 (application furth of Scotland), to the extent that it extends furth of Scotland the application of provisions of the Act brought into force by this order;

schedule 5 (minor and consequential amendments), to the extent shown in the schedule hereto;

schedule 6 (enactments repealed), so far as it repeals section 18(2) to (5) of the Criminal Justice (Scotland) Act 1949(b).

W. Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
31st December 1964.

(a) 1963 c. 39.

(b) 12, 13 & 14 Geo. 6. c. 94.

SCHEDULE

PROVISIONS OF SCHEDULE 5 TO THE ACT

Acts to be amended	*Provisions of Acts to be amended*
Prisons (Scotland) Act 1952 ...	Section 28(2).
	Section 31(1) (3) and (4).
	Section 33(4) by the following amendment:
	for the words "Borstal institution", except where these words first occur, there shall be substituted the words "young offenders institution".
	Section 33(5).
	Sections 34 and 35.
	Section 37.
Summary Jurisdiction (Scotland) Act 1954.	Section 26(4).
First Offenders (Scotland) Act 1960	Section 1(1) and (2).
Criminal Justice Act 1961... ...	Section 32(2) by the addition of the following at the end of paragraph (*b*) thereof "and sections 11, 12 and 14 of the Criminal Justice (Scotland) Act 1963 and Schedule 1 to that Act."
	Section 34(6).
	Section 38(5)(*a*).
	Section 39(1).

EXPLANATORY NOTE

(This Note is not part of the order, but is intended to indicate its general purport.)

This third order under the Criminal Justice (Scotland) Act 1963 brings into force on 18th January 1965 those provisions of the Act which are set out in the order.