STATUTORY INSTRUMENTS

1983 No. 1739 (S. 164)

DETENTION CENTRES

The Detention Centre (Scotland) Amendment Rules 1983

Laid before Parliament in draft

Made - - - - - 18*th November* 1983

Coming into Operation 19*th November* 1983

In exercise of the powers conferred on me by section 35, as read with sections 20(1) and 31(4), of the Prisons (Scotland) Act 1952**(a)**, and of all other powers enabling me in that behalf, considering that a draft of the following Rules has been laid before Parliament, that the period of 40 days has expired and that neither House has resolved that the Rules be not made, I hereby make the following Rules:—

Citation and commencement

1. These Rules may be cited as the Detention Centre (Scotland) Amendment Rules 1983 and shall come into operation on the day after the day on which they are made.

Interpretation

2. In these Rules the expression "the principal Rules" means the Detention Centre (Scotland) Rules 1960**(b)**.

Amendment of the principal Rules

3. For Rule 24 of the principal Rules there shall be substituted the following rule:—

> "**24.**—(1) An inmate on whom a court has imposed detention for a period of more than 5 days may, subject to the provisions of Rules 30 and 31, be granted remission of part of his period of detention not exceeding one-third of that period on the ground of his industry and good conduct:

(a) 1952 c. 61; section 20(1) will be applied by sections 207(11) and 415(11) of the Criminal Procedure (Scotland) Act 1975 (c. 21), as substituted by section 45(1) of the Criminal Justice (Scotland) Act 1980 (c. 62).

(b) S.I. 1960/870, amended by S.I. 1969/253.

Provided that this Rule shall not authorise the reduction of the actual period which an inmate serves to less than 5 days.

(2) For the purposes of this Rule consecutive periods of detention shall be treated as a single period of detention.".

Revocation

4. The Detention Centre (Scotland) (Amendment) Rules 1969**(a)** are hereby revoked.

George Younger,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
18th November 1983.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend Rule 24 of the Detention Centre (Scotland) Rules 1960 to make provision for inmates in detention centres on whom detention has been imposed for a period of over 5 days to be eligible for remission, provided the remission does not reduce the actual period served to less than 5 days. Previously only inmates on whom detention had been imposed for a period of over one month were so eligible, provided the remission did not reduce the actual period served to less than 30 days.

(a) S.I. 1969/253.

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