1959 No. 1578 (S. 88)

The Probation (Scotland) Amendment (No. 3) Rules, 1959

Made - - - - 8*th September,* 1959
Coming into Operation 30*th September,* 1959

The Secretary of State in exercise of the powers conferred on him by the Third Schedule to the Criminal Justice (Scotland) Act, 1949(**a**), and by section 1 of the Police, Fire and Probation Officers Remuneration Act, 1956(**b**), and of all other powers enabling him in that behalf, hereby makes the following Rules:—

Citation, Commencement and Interpretation

1.—(1) These Rules may be cited as the Probation (Scotland) Amendment (No. 3) Rules, 1959, and shall come into operation on the 30th day of September, 1959.

(2) In these Rules the expression "the principal Rules" means the Probation (Scotland) Rules, 1951(**c**), as amended by the Probation (Scotland) Amendment Rules, 1952(**d**), the Probation (Scotland) Amendment Rules, 1953(**e**), the Probation (Scotland) Amendment (No. 2) Rules, 1953(**f**), the Probation (Scotland) Amendment Rules, 1954(**g**), the Probation (Scotland) Amendment Rules, 1955(**h**), the Probation (Scotland) Amendment Rules, 1956(**i**), the Probation (Scotland) Amendment (No. 2) Rules, 1956(**j**), the Probation (Scotland) Amendment Rules, 1958(**k**), the Probation (Scotland) Amendment (No. 2) Rules, 1958(**l**), the Probation (Scotland) Amendment Rules, 1959(**m**) and the Probation (Scotland) Amendment (No. 2) Rules, 1959(**n**).

(3) The Interpretation Act, 1889(**o**), applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

Revocation

2. The Probation (Scotland) Amendment Rules, 1953; the Probation (Scotland) Amendment Rules, 1954; the Probation (Scotland) Amendment Rules, 1955; the Probation (Scotland) Amendment (No. 2) Rules, 1958 and the Probation (Scotland) Amendment Rules, 1959, are hereby revoked.

Age-limits for appointment

3. In Rule 22 of the principal Rules (which sets out the age-limits for appointment as a probation officer), for the word "twenty-three" there shall be substituted the word "twenty-two".

Consent of the Secretary of State

4. In Rule 24 of the principal Rules (which sets out the categories of appointment which do not require the consent of the Secretary of State), for the words "Scottish Central Probation Council" there shall be substituted the words "Scottish Probation Advisory and Training Council".

(**a**) 12, 13 & 14 Geo. 6. c. 94. (**b**) 5 & 6 Eliz. 2. c. 1. (**c**) S.I. 1951/1261 (1951 II, p. 291).
(**d**) S.I. 1952/2176 (1952 III, p. 2692). (**e**) S.I. 1953/27 (1953 II, p. 1679).
(**f**) S.I. 1953/1099 (1953 II, p. 1680). (**g**) S.I. 1954/623 (1954 II, p. 1838).
(**h**) S.I. 1955/357 (1955 II, p. 2059). (**i**) S.I. 1956/800 (1956 II, p. 1909).
(**j**) S.I. 1956/1053 (1956 II, p. 1913). (**k**) S.I. 1958/331 (1958 II, p. 2003).
(**l**) S.I. 1958/1694 (1958 II, p. 2009). (**m**) S.I. 1959/910.
(**n**) S.I. 1959/1206 (Pt. II, p. 2223, of this vol.). (**o**) 52 & 53 Vict. c. 63.

Confirmation of appointment

5. For paragraph (3) of Rule 26 of the principal Rules (which sets out the categories of appointments which need not be confirmed by the Secretary of State), there shall be substituted the following paragraph:—

"(3) (*a*) This Rule shall not apply in the case of any person as a whole-time probation officer if that person has, at any time prior to such appointment, held an appointment as a whole-time salaried probation officer which has been confirmed by the Secretary of State in terms of this Rule or of Rule 38 of the Probation Rules, 1949(a), as the case may be, or has, at any time prior to 30th September, 1959, held an appointment as a part-time salaried probation officer which has been so confirmed.

(*b*) This Rule shall not apply in the case of the appointment of a person as a part-time probation officer if that person has, at any time prior to such appointment, held an appointment as a whole-time or part-time salaried probation officer which has been confirmed by the Secretary of State in terms of this Rule or of Rule 38 of the Probation Rules, 1949, as the case may be."

Salaries generally

6. After paragraph (5) of Rule 44 (which sets out the salaries payable to whole-time probation officers), there shall be added the following paragraphs—

"(6) Paragraphs (1) and (2) of this Rule shall not apply to whole-time probation officers during the preliminary period of twelve months prescribed by Rule 26 (1), or any subsequent period prescribed in terms of Rule 26 (1) (i), without prejudice to the provisions of Rule 26 (1) which allow such a preliminary period to be reckoned for the purposes of the provisions of these Rules which relate to increments.

(7) A whole-time probation officer to whom paragraph (6) of this Rule applies shall be paid a salary in accordance with the Fifth Schedule to these Rules."

Schedules

7. After the Fourth Schedule to the principal Rules there shall be added the Schedule set out in the Schedule to these Rules.

Given under the seal of the Secretary of State for Scotland this eighth day of September, 1959.

(L.S.)

A. B. Hume,
Under Secretary.

Scottish Home Department,
St. Andrew's House,
Edinburgh, 1.

SCHEDULE

Schedule to be added after the Fourth Schedule to the principal Rules:—

"FIFTH SCHEDULE

SCALES OF ANNUAL SALARY PAYABLE UNDER RULE 44 (7) OF THESE RULES

Single man or woman whose ordinary place of residence is within the boundary of the City of Glasgow	£300
Single man or woman whose ordinary place of residence is not within the boundary of the City of Glasgow	£350
Married man or woman whose ordinary place of residence is within the boundary of the City of Glasgow	£400

plus, in the case of a married man, £50 for his wife who is being maintained by him and £50 for each child who is not in employment, up to a total of £150; and in the case of a married woman

(a) S.I. 1949/1328 (1949 I, p. 3508).

£50 in respect of her husband who is being maintained by her, and £50 for each child who is not in employment, up to a total of £150.

Married man or woman whose ordinary place of residence is not within the boundary of the City of Glasgow £450

plus, in the case of a married man, £50 for his wife who is being maintained by him and £50 for each child who is not in employment, up to a total of £150; and in the case of a married woman £50 in respect of her husband who is being maintained by her, and £50 for each child who is not in employment, up to a total of £150."

EXPLANATORY NOTE

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

These Rules amend the Probation (Scotland) Rules, 1951, by reducing the age at which probation officers may be appointed, by providing that part-time officers appointed subsequent to the date of operation of these Rules who are afterwards appointed as whole-time officers will be so appointed subject to confirmation by the Secretary of State after twelve months whole-time service, and by providing that probation officers during their preliminary period of service will be paid the salaries set out in the Schedule to these Rules. The Rules take account of the new title of the Scottish Probation Advisory and Training Council.

PUBLIC OFFICE

1959 No. 181

The Public Record Office (Fees) Order, 1959

Made - - - - 27*th January,* 1959
Coming into Operation 1*st April,* 1959

The Lords Commissioners of Her Majesty's Treasury, in exercise of the powers conferred upon them by section 2 of the Public Offices Fees Act, 1879(a), and of all other powers enabling them in that behalf, hereby make the following Order:—

1. The fees payable in the Public Record Office and the Office of Land Revenue Records and Enrolments shall be collected in money, and not by means of stamps.

2. The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. The Treasury Order(c), dated the 18th day of March, 1903, under the Public Offices Fees Act, 1879, as to the taking of fees by stamps in the Office of Land Revenue Records and Enrolments, is hereby revoked.

(a) 42 & 43 Vict. c. 58. (b) 52 & 53 Vict. c. 63.
(c) S.R. & O. 1903/1169 (Rev. V, p. 458: 1903 I, p. 696).