STATUTORY INSTRUMENTS

1961 No. 1269 (S. 79)

PROBATION OF OFFENDERS

The Probation (Scotland) Amendment Rules, 1961

Made - - - -	3*rd July*, 1961
Coming into Operation	4*th July*, 1961

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 Rules, 1961, and shall come into operation on the 4th day of July, 1961.

(2) Paragraph (3) of Rule 3 shall take effect as from the 1st day of April, 1961.

(3) 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 (No. 2) Rules, 1953(**e**), the Probation (Scotland) Amendment Rules, 1956(**f**), the Probation (Scotland) Amendment (No. 2) Rules, 1956(**g**), the Probation (Scotland) Amendment Rules, 1958(**h**), the Probation (Scotland) Amendment (No. 2) Rules, 1959(**i**), the Probation (Scotland) Amendment (No. 3) Rules, 1959(**j**), the Probation (Scotland) Amendment Rules, 1960(**k**), and the Probation (Scotland) Amendment (No. 2) Rules, 1960(**l**).

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

Confirmation of Appointment

2. In paragraph (1) of Rule 26 of the principal Rules (which paragraph provides for a preliminary period of appointment), for the words "12 months from the date of entry on his duties" there shall be substituted the words "18 months from the date of his appointment".

(**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. 1953/1099 (1953 II, p. 1680).
(**f**) S.I. 1956/800 (1956 II, p. 1909).
(**g**) S.I. 1956/1053 (1956 II, p. 1913).
(**h**) S.I. 1958/331 (1958 II, p. 2003).
(**i**) S.I. 1959/1206 (1959 II, p. 2223).
(**j**) S.I. 1959/1578 (1959 II, p. 2228).
(**k**) S.I. 1960/406 (1960 II, p. 2789).
(**l**) S.I. 1960/2239 (1960 II, p. 2792).
(**m**) 52 & 53 Vict. c. 63.

Salaries of Probation Officers

3.—(1) At the end of paragraph (3) of Rule 44 of the principal Rules (which paragraph prescribes the service which will be reckoned for the purposes of the scales of annual salary for whole-time probation officers) there shall be added the following sub-paragraph:—

"and (*c*) the service of any such officer shall be deemed to include any period spent in full-time training following his appointment notwithstanding the provisions of paragraph (6) of this Rule".

(2) For paragraph (6) of the said Rule 44 (which paragraph provides that the normal scale of annual salary will not be paid to a whole-time probation officer during the preliminary period) there shall be substituted the following paragraph:—

"(6) paragraphs (1) and (2) of this Rule shall not apply to a whole-time probation officer during any period immediately following his appointment in which he is undergoing full-time training arranged and supervised by the Scottish Probation Advisory and Training Council".

(3) For the Fifth Schedule to the principal Rules (which sets out the scales of annual salary for whole-time probation officers during any period immediately following their appointment in which they are undergoing full-time training) there shall be substituted the Schedule set out in the Schedule to these Rules.

Given under the seal of the Secretary of State for Scotland this third day of July, 1961.

(L.S.)

R. E. C. Johnson,
Under Secretary.

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

SCHEDULE

"*Fifth Schedule to be substituted for the Fifth Schedule to the principal Rules*

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	£345
Single man or woman whose ordinary place of residence is not within the boundary of the City of Glasgow	£402
Married man or woman whose ordinary place of residence is within the boundary of the City of Glasgow	£460

plus, in the case of a married man, £57 for his wife who is being maintained by him and £57 for each child who is not in employment, up to a total of £171; and in the case of a married woman £57 in respect of her husband who is being maintained by her, and £57 for each child who is not in employment, up to a total of £171.

Married man or woman whose ordinary place of residence is not within the boundary of the City of Glasgow	£517
plus, in the case of a married man, £57 for his wife who is being maintained by him and £57 for each child who is not in employment, up to a total of £171 ; and in the case of a married woman £57 in respect of her husband who is being maintained by her, and £57 for each child who is not in employment, up to a total of £171."	

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 increasing the preliminary period of appointment of probation officers from 12 months to 18 months, by providing that the period during which the scales of annual salary in the fifth schedule to the Rules shall be payable shall be the period immediately following appointment in which a probation officer is undergoing full-time training and by increasing the scales of annual salary in the fifth schedule.