



# Criminal Justice (Scotland) Act 2016

## 2016 asp 1

### PART 1

#### ARREST AND CUSTODY

#### CHAPTER 7

#### GENERAL

#### *Disapplication of Part*

#### **59 Disapplication in relation to <sup>[F1]</sup>cases involving terrorism]**

- (1) Nothing in this Part applies in relation to a person who is arrested under section 41(1) <sup>[F2]</sup>or 43B(1)] of the Terrorism Act 2000.
- (2) Subsection (1) is subject to paragraph 18 of Schedule 8 to the Terrorism Act 2000.

#### **Textual Amendments**

- F1** Words in s. 59 heading substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(w), [Sch. 19 para. 5\(a\)](#)
- F2** Words in s. 59(1) inserted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(w), [Sch. 19 para. 5\(b\)](#)

#### **Commencement Information**

- I1** S. 59 in force at 25.1.2018 by [S.S.I. 2017/345](#), art. 3, [sch.](#)

**Changes to legislation:**

Criminal Justice (Scotland) Act 2016, Section 59 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act expiry of affecting provision 2022 asp 8, sch. para. 15 by [S.S.I. 2023/360 reg. 2\(a\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38(7)(a) words renumbered as s. 38(7)(a) by [2024 asp 5 s. 15\(6\)\(a\)](#)
- s. 38(7)(b) and word inserted by [2024 asp 5 s. 15\(6\)\(b\)](#)
- s. 41(1A) inserted by [2024 asp 5 s. 15\(7\)\(b\)](#)