

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Part 6 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE MINOR AND CONSEQUENTIAL MODIFICATIONS

PART 6

ABOLITION OF REMAND CENTRES

Children and Young Persons (Scotland) Act 1937

- 12 (1) The Children and Young Persons (Scotland) Act 1937 is amended as follows.
- (2) Section 62 (power of Secretary of State to send certain juvenile offenders to approved schools) is repealed.

Commencement Information

- I1** Sch. para. 12 not in force at Royal Assent, see [s. 38\(3\)](#)

Law Reform (Miscellaneous Provisions) (Scotland) Act 1980

- 13 (1) The Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 is amended as follows.
- (2) In schedule 1 (ineligibility for and disqualification and excusal from jury service), in Group B of Part 1, in paragraph (o), “, remand centres” and “, borstal institutions” are repealed.

Commencement Information

- I2** Sch. para. 13 not in force at Royal Assent, see [s. 38\(3\)](#)

Prisons (Scotland) Act 1989

- 14 (1) The 1989 Act is amended as follows.
- (2) In section 20 (temporary detention of persons liable to detention in young offenders institution or remand centre)—
- (a) “or remand centre” is repealed,
- (b) in the section title, “or remand centre” is repealed.
- (3) In section 20A (transfer of young offenders to prison or remand centre)—
- (a) in subsection (2)—
- (i) “or remand centre” is repealed,
- (ii) the words from “, but” to the end are repealed,
- (b) in subsection (3), “or remand centre” is repealed,

Status: This version of this part contains provisions that are prospective.

Changes to legislation: *Children (Care and Justice) (Scotland) Act 2024, Part 6 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details) View outstanding changes*

(c) in the section title, “or remand centre” is repealed.

(4) In section 37 (discontinuance of prison), in subsection (2), “remand centre or” is repealed.

(5) In section 39 (rules for the management of prisons and other institutions), in subsection (1), “, remand centres” is repealed.

(6) In section 40 (arrest of and rules for absent prisoners)—

(a) in subsection (1), “or remand centre” is repealed,

(b) in subsection (2), “or remand centre” in each place is repealed.

Commencement Information

I3 Sch. para. 14 not in force at Royal Assent, see [s. 38\(3\)](#)

Criminal Law (Consolidation) (Scotland) Act 1995

15 (1) The Criminal Law (Consolidation) (Scotland) Act 1995 is amended as follows.

(2) In section 49C (offence of having offensive weapon etc. in prison), in subsection (7), paragraph (b) is repealed.

Commencement Information

I4 Sch. para. 15 not in force at Royal Assent, see [s. 38\(3\)](#)

Criminal Procedure (Scotland) Act 1995

16 (1) The 1995 Act is amended as follows.

(2) In section 51 (remand and committal of children and young persons), subsection (2A) is repealed.

(3) In section 144 (procedure at first diet), in subsection (6), “, remand centre” is repealed.

(4) In section 285 (previous convictions: proof, general), in subsection (4), “or of a remand centre” is repealed.

(5) In section 307 (interpretation), in subsection (1), in the definition of “place of safety”, “, prison or remand centre,” is repealed.

Commencement Information

I5 Sch. para. 16 not in force at Royal Assent, see [s. 38\(3\)](#)

Prisoners’ Earnings Act 1996

17 (1) The Prisoners’ Earnings Act 1996 is amended as follows.

(2) In section 4 (interpretation), in subsection (3), in the definition of “prisoner”, “or remand centre” is repealed.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Part 6 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details) View outstanding changes

Commencement Information

I6 Sch. para. 17 not in force at Royal Assent, see [s. 38\(3\)](#)

Housing (Scotland) Act 2006

- 18 (1) The Housing (Scotland) Act 2006 is amended as follows.
- (2) In section 126 (HMOs exempt from licensing requirement), in subsection (1), in paragraph (d), for “, a young offenders institution or a remand centre” substitute “or a young offenders institution”.

Commencement Information

I7 Sch. para. 18 not in force at Royal Assent, see [s. 38\(3\)](#)

Protection of Vulnerable Groups (Scotland) Act 2007

- 19 (1) The Protection of Vulnerable Groups (Scotland) Act 2007 is amended as follows.
- (2) In schedule 2 (as substituted by section 74(3) and schedule 3 of the Disclosure (Scotland) Act 2020), paragraph 31, in the definition of “prison”, for “, young offenders institution or remand centre” substitute “or young offenders institution”.
- (3) In schedule 3 (as substituted by section 74(4) and schedule 4 of the Disclosure (Scotland) Act 2020), in paragraph 24, in the definition of “prison”, for “, young offenders institution or remand centre” substitute “or young offenders institution”.

Commencement Information

I8 Sch. para. 19 not in force at Royal Assent, see [s. 38\(3\)](#)

Community Justice (Scotland) Act 2016

- 20 (1) The Community Justice (Scotland) Act 2016 is amended as follows.
- (2) In section 37 (interpretation), in subsection (1), in the definition of “penal institution”, paragraph (b) is repealed.

Commencement Information

I9 Sch. para. 20 not in force at Royal Assent, see [s. 38\(3\)](#)

Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016

- 21 (1) The Inquiries into Fatal Accidents and Sudden Deaths etc. (Scotland) Act 2016 is amended as follows.
- (2) In section 2 (mandatory inquiries), in subsection (7), in the definition of “penal institution”, paragraph (b) is repealed.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: Children (Care and Justice) (Scotland) Act 2024, Part 6 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details) [View outstanding changes](#)

Commencement Information

I10 Sch. para. 21 not in force at Royal Assent, see [s. 38\(3\)](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

Children (Care and Justice) (Scotland) Act 2024, Part 6 is up to date with all changes known to be in force on or before 18 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 power to modify conferred by 1995 c. 36, s. 33A (as inserted) by [2024 asp 5 s. 30\(2\)](#)
- Act power to modify conferred by 2010 asp 8, s. 190(2A) (as substituted) by [2024 asp 5 s. 29\(2\)\(b\)](#)