

2007 No. 508

CRIMINAL LAW

**The Remote Monitoring Requirements (Prescribed Courts)
(Scotland) Revocation Regulations 2007**

Made - - - - - *12th November 2007*

Laid before the Scottish Parliament *13th November 2007*

Coming into force - - - *1st January 2008*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 24B(1)(a) and (4) of the Criminal Procedure (Scotland) Act 1995(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Remote Monitoring Requirements (Prescribed Courts) (Scotland) Revocation Regulations 2007 and come into force on 1st January 2008.

(2) In these Regulations, “the 2005 Regulations” means the Remote Monitoring Requirements (Prescribed Courts) (Scotland) Regulations 2005(b).

Revocation

2.—(1) Regulations 2(1)(a) and 2(2) of the 2005 Regulations shall be revoked on 1st January 2008.

(2) The 2005 Regulations, except insofar as revoked by paragraph (1), shall be revoked on 15th January 2008.

Transitional provision

3. Any person who is subject to a remote monitoring requirement as at 31st December 2007, or who becomes subject to such a requirement between 1st January 2008 and 14th January 2008 by virtue of regulation 2(1)(b) of the 2005 Regulations, shall remain subject to such a requirement until it ceases to have effect, notwithstanding the revocation of the 2005 Regulations.

KENNY MACASKILL

A member of the Scottish Executive

St Andrew’s House,
Edinburgh
12th November 2007

(a) 1995 c.46; section 24B was inserted by section 17 of the Criminal Procedure (Amendment) (Scotland) Act 2004 (asp 5).
(b) S.S.I. 2005/141.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Remote Monitoring Requirements (Prescribed Courts) (Scotland) Regulations 2005 (“the 2005 Regulations”). Those Regulations prescribed courts, and descriptions of courts, for the purposes of section 24A(1) and (2) of the Criminal Procedure (Scotland) Act 1995 (power to grant bail subject to a remote monitoring requirement).

Regulation 2(1) revokes on 1st January 2008 the 2005 Regulations in respect of all of the courts and descriptions of courts prescribed by regulations 2(1)(a) and 2(2) of the 2005 Regulations (the sheriff courts of Glasgow, Stirling and Kilmarnock, the High Court sitting at Glasgow and the High Court when granting bail following an application under section 112 of the 1995 Act (admission of appellant to bail)).

Regulation 2(2) revokes the remainder of the 2005 Regulations on 15th January 2008. Regulation 3 provides that any remote monitoring requirement in place on the date the relevant regulation is revoked will continue to have effect until it otherwise expires.

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