

2009 No. 380

PRISONS

The Campbeltown Legalised Police Cells (Declaration and Revocation) Rules 2009

<i>Made</i>	- - - -	<i>3rd November 2009</i>
<i>Laid before the Scottish Parliament</i>		<i>4th November 2009</i>
<i>Coming into force</i>	- -	<i>26th November 2009</i>

The Scottish Ministers make the following Rules in exercise of the powers conferred by sections 14 and 39 of the Prisons (Scotland) Act 1989(a) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, Strathclyde Joint Police Board, as the relevant police authority, have applied to the Scottish Ministers to have these Rules made.

Citation and commencement

1. These Rules may be cited as the Campbeltown Legalised Police Cells (Declaration and Revocation) Rules 2009 and come into force on 26th November 2009.

Declaration: Millknowe Road, Campbeltown

2. It is declared that the cells named ‘Female 1’ and ‘Male 1’ in the police office situated at Millknowe Road, Campbeltown, PA28 6HA, shall be legal prisons for the detention of prisoners.

(a) 1989 c.45; section 14 was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9) (“the 1993 Act”), Schedule 5, paragraph 6(3); and by the Local Government (Scotland) Act 1994 (c.39), Schedule 13, paragraph 162; section 39 was amended by the 1993 Act, sections 24 and 25, Schedule 5, paragraph 6(6) and Schedule 7; by the Criminal Justice and Public Order Act 1994 (c.33), section 116(4); by the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40), Schedule 4, paragraph 75(4); and by the Crime and Disorder Act 1998 (c.37), Schedule 8, paragraph 71. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Revocation: Castlehill Street, Campbeltown

3. The Rule made by the Secretary of State dated 18th February 1882(a) under section 30 of the Prisons (Scotland) Act 1877(b), which appointed the discontinued prison at Campbeltown to be a legal prison for the detention of prisoners before or during or after trial, for a period not exceeding fourteen days, is revoked.

KENNY MACASKILL

A member of the Scottish Executive

St Andrew's House,
Edinburgh
3rd November 2009

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- (a) This Rule is no longer available in print. A copy may be viewed at Calton House, 5 Redheughs Rigg, Edinburgh, EH12 9HW.
- (b) 1877 c.53 (40 & 41 Vict.); section 30 was amended by the Prisons (Scotland) Act 1926 (c.57) (16 & 17 Geo. 5.), section 2; repealed by the Prisons (Scotland) Act 1952 (c.61) ("the 1952 Act"), section 43 and Schedule 4, and re-enacted with modifications by section 14 of the 1952 Act. Section 14 of the 1952 Act was repealed by the Prisons (Scotland) Act 1989, section 45 and Schedule 3, and re-enacted with modifications by section 14 of that Act.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules provide for the discontinuance and declaration of legalised police cells in the possession of Strathclyde Joint Police Board.

Rule 2 provides that two police cells in the police office at Millknowe Road, Campbeltown, can be used as places in which prisoners can be detained before, during or after trial for any period not exceeding thirty days.

Rule 3 revokes the Rule dated 18th February 1882, which designated police premises at Castlehill Street, Campbeltown, as a place in which prisoners could be detained before, during or after trial for any period not exceeding fourteen days. The effect of Rule 3 is that those premises can no longer be used for the detention of prisoners.

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