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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 331**

**PRISONS**

**The Prisons and Young Offenders  
Institutions (Scotland) Rules 2011**

*Made* - - - - 12th September 2011  
*Laid before the Scottish  
Parliament* - - - - 14th September 2011  
*Coming into force* - - 1st November 2011

The Scottish Ministers make the following Rules in exercise of the powers conferred by section 52 of the Courts-Martial (Appeals) Act 1968<sup>M1</sup>, sections 3A, 8, 11, 12, 14, 33A and 39 of the Prisons (Scotland) Act 1989<sup>M2</sup> and sections 104(6) and 114(3) of, and paragraph 3(2)(b) of Schedule 6 to, the Criminal Justice and Public Order Act 1994<sup>M3</sup> and all other powers enabling them to do so.

**Marginal Citations**

- M1** 1968 c.20; section 52 was amended by the Prisons (Scotland) Act 1989 (c.45), section 45(1) and Schedule 2, paragraph 10.
- M2** 1989 c.45; section 3A is to be added by the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) (“the 2010 Act”), section 110; section 8 was amended by the Management of Offenders etc. (Scotland) Act 2005 (asp 14) (“the 2005 Act”) section 21(6); section 11 was amended by the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) (“the 1995 Act”) Schedule 4, paragraph 75(2); section 12 was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9) (“the 1993 Act”) Schedule 5, paragraph 6(2)(a) and Schedule 7, paragraph 1; section 14 was amended by the 1993 Act, Schedule 5, paragraph 6(3) and by the Local Government etc. (Scotland) Act 1994 (c.39) Schedule 13, paragraph 162(3) and Schedule 14, paragraph 1; section 33A was added by the Criminal Justice and Public Order Act 1994 (c.33) (“the 1994 Act”), section 116(3). Section 39 was amended by the 1993 Act, section 24 and 25, Schedule 5, paragraph 6(6)(b) and Schedule 7, paragraph 1; the 1994 Act, section 116(4); the 1995 Act, Schedule 4, paragraph 75(4)(a), by the Crime and Disorder Act 1998 (c. 37), Schedule 8, paragraph 71 and Schedule 10, paragraph 1. Section 39 is to be read with the following sections of the 1989 Act: 19 (as amended by the 1993 Act, Schedule 5, paragraph 6(4)), 20A (which was added by the 1993 Act, section 23); 41(2B) (which was added by the 1994 Act section 153(3) and amended by the 2010 Act section 34(1)); 41B(1) (which was added by the 1994 Act, section 151(2) and amended by the 2005 Act, section 16); and 41C(1) (which was added by the Crime and Punishment (Scotland) Act 1997 (c.48), section 42). 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).

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**Changes to legislation:** *The Prisons and Young Offenders Institutions (Scotland) Rules 2011, Introductory Text is up to date with all changes known to be in force on or before 24 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)*

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**M3** 1994 c.33.

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