

2019 No. 413 (C. 22)

REHABILITATION OF OFFENDERS

**The Management of Offenders (Scotland) Act 2019
(Commencement No. 2) Regulations 2019**

<i>Made</i>	- - - -	<i>3rd December 2019</i>
<i>Laid before the Scottish Parliament</i>		<i>5th December 2019</i>
<i>Coming into force</i>	- -	<i>21st December 2019</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63(2) of the Management of Offenders (Scotland) Act 2019(a).

Citation and Commencement

1. These Regulations may be cited as the Management of Offenders (Scotland) Act 2019 (Commencement No. 2) Regulations 2019 and come into force on 21 December 2019.

Appointed day

2. 21 December 2019 is the day appointed for the coming into force of the following provisions of the Management of Offenders (Scotland) Act 2019—

- (a) section 32 (how particular powers are exercisable),
- (b) section 39 (meaning of the 1974 Act).

H YOUSAF
A member of the Scottish Government

St Andrew's House,
Edinburgh
3rd December 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force sections 32 (how particular powers are exercisable) and 39 (meaning of the 1974 Act) of the Management of Offenders (Scotland) Act 2019 (“the Act”) on 21 December 2019.

Section 32 inserts a new section 10A into the Rehabilitation of Offenders Act 1974 (“the 1974 Act”). Section 10A(1) provides that any orders made by the Scottish Ministers under the 1974 Act can make different provisions for different purposes and can include ancillary provision. Section 10A(2) provides that the power to make an order under section 5(11) of the 1974 Act to the extent that it is exercisable by the Scottish Ministers, includes the power to make consequential provision modifying any enactment.

Section 39 provides that any reference to “the 1974 Act” in Part 2 of the Act means the Rehabilitation of Offenders Act 1974.

The Bill for the Act received Royal Assent on 30 July 2019. Sections 62 (ancillary provision), 63 (commencement) and 64 (short title) came into force on the following day.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Management of Offenders (Scotland) Act 2019 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 16(1) (partially)	11 October 2019	S.S.I. 2019/309
Section 48	11 October 2019	S.S.I. 2019/309
Section 49	11 October 2019	S.S.I. 2019/309
Section 50(1), (2) and (4)	11 October 2019	S.S.I. 2019/309
Section 53(1) and (3)(a)	11 October 2019	S.S.I. 2019/309
Section 55	11 October 2019	S.S.I. 2019/309
Section 56	11 October 2019	S.S.I. 2019/309
Section 57	11 October 2019	S.S.I. 2019/309
Section 59	11 October 2019	S.S.I. 2019/309
Section 60	11 October 2019	S.S.I. 2019/309
Section 61	11 October 2019	S.S.I. 2019/309
Schedule 1, paragraph 1	11 October 2019	S.S.I. 2019/309
Schedule 1, paragraph 3	11 October 2019	S.S.I. 2019/309
Schedule 1, paragraph 4	11 October 2019	S.S.I. 2019/309
Schedule 1, paragraph 5	11 October 2019	S.S.I. 2019/309

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