



Crime and Punishment (Scotland) Act 1997

1997 CHAPTER 48

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous

56 Powers of the court on remand or committal of children and young persons.

- (1) Section 51 of the 1995 Act (remand or committal of children and young persons) shall be amended in accordance with this section.
- (2) In subsection (1)—
 - (a) in paragraph (a), for the words “in whose area the court is situated” there shall be substituted the words “ which it considers appropriate ”;
 - (b) after paragraph (a) there shall be inserted the following paragraph—
 - “(aa) if the person is over 16 years of age and subject to a supervision requirement, the court may, instead of committing him to prison, commit him to the local authority which it considers appropriate to be detained as mentioned in sub-paragraphs (i) or (ii) of paragraph (a) above;” and
 - (c) in paragraph (b), after the “age”, where it first occurs, there shall be inserted the words “ to whom paragraph (aa) above does not apply ”.
- (3) In subsection (4), for the words “in whose area the court is situated” there shall be substituted the words “ which he considers appropriate ”.
- (4) After subsection (4) there shall be inserted the following subsection—
 - “(4A) The local authority which may be appropriate in relation to a power to commit a person under paragraphs (a) or (aa) of subsection (1) or subsection (4) above may, without prejudice to the generality of those powers, be—

Status: Point in time view as at 01/08/1997. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Crime and Punishment (Scotland) Act 1997, Section 56. (See end of Document for details)

- (a) the local authority for the area in which the court is situated;
- (b) if the person is usually resident in Scotland, the local authority for the area in which he is usually resident;
- (c) if the person is subject to a supervision requirement, the relevant local authority within the meaning of Part II of the ^{M1}Children (Scotland) Act 1995 in relation to that requirement.”

Marginal Citations

M1 1995 c.36.

Status:

Point in time view as at 01/08/1997. This version of this provision has been superseded.

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