



Management of Offenders etc. (Scotland) Act 2005

2005 asp 14

Accreditation etc.

13 Scheme of accreditation and procedure etc. of the Risk Management Authority

- (1) The Criminal Justice (Scotland) Act 2003 (asp 7) is amended as follows.
- (2) In section 11 (accreditation, education and training), after subsection (1) insert—
 - “(1A) The order may authorise—
 - (a) decisions as to cases arising in relation to a scheme of accreditation to be taken by a committee; and
 - (b) any appeal as to such a decision to be determined by a committee, in accordance with such procedure as may be prescribed; and without prejudice to the generality of this subsection the order may make provision as to the membership of the committees and as to any quorum.”.
- (3) In paragraph 4 of schedule 2 (constitution etc. of the Risk Management Authority)—
 - (a) for sub-paragraph (1) substitute—
 - “(1) Subject to any order under subsection (1) of section 11 of this Act, the Authority may—
 - (a) make provision for the appointment and constitution of committees and sub-committees;
 - (b) make provision for the exercise of any of its functions by any of its committees, sub-committees, members or employees; and
 - (c) regulate its own procedure and the procedure of—
 - (i) any of its committees or sub-committees (including any such committee as is mentioned in paragraph (a) or (b) of subsection (1A) of that section); or
 - (ii) any member or employee to whom a function has been delegated under head (b) above.

Changes to legislation: There are currently no known outstanding effects for the Management of Offenders etc. (Scotland) Act 2005, Section 13. (See end of Document for details)

- (1A) Delegation under sub-paragraph (1)(b) is to be without prejudice to the power of the Authority itself to exercise the function in question.
- (1B) Without prejudice to the generality of head (c) of sub-paragraph (1), regulation under that head may include provision as to any quorum.”;
and
- (b) in sub-paragraph (2), after “Authority” insert “ or of any of its committees or sub-committees or of any of its members by whom functions are exercised by virtue of sub-paragraph (1)(b) ”.

Changes to legislation:

There are currently no known outstanding effects for the Management of Offenders etc. (Scotland) Act 2005, Section 13.