



# Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

## PART 3

### CRIMINAL JUSTICE

#### *Offenders assisting investigations and prosecutions*

#### **94 Section 92: further provision**

- (1) The Scottish Ministers may, by order, provide further as to the procedure to be followed under section 92 or otherwise so as to give full effect to that section.
- (2) An order under subsection (1) may, in particular—
  - (a) apply, with modifications, provisions of Part VIII of the 1995 Act (appeals from solemn proceedings);
  - (b) modify that Part of that Act.
- (3) The Scottish Ministers may, by order, make provision as to how—
  - (a) any period in custody served under a sentence for which another sentence is substituted under section 92(7), (9) or (11);
  - (b) any period during which a person was on release on licence or unconditionally under Part 1 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9) in respect of such a sentence before the date on which the person would (but for the release) have served the sentence in full,is to be taken into account, for the purposes of the later sentence, in the calculation of periods of time under Part 1 of that Act.
- (4) An order under subsection (3) may, in particular, modify that Act.

**Changes to legislation:**

Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 94 is up to date with all changes known to be in force on or before 16 December 2023. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 94(3)(b) words repealed by [2007 asp 17 sch. 4 para. 5\(4\)\(b\)](#)
- s. 94(3)(b) words substituted by [2007 asp 17 sch. 4 para. 5\(4\)\(a\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)