

These notes relate to the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) which received Royal Assent on 6 August 2010

CRIMINAL JUSTICE AND LICENSING (SCOTLAND) ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 7 – Modification of enactments

Paragraphs 7 to 10 – The Rehabilitation of Offenders Act 1974

878. **Paragraph 8** amends section 1(4)(b) of the Rehabilitation of Offenders Act 1974 (“the 1974 Act”) to change the reference of “insanity” in that Act to refer to the new defence created by the new section 51A of the Criminal Procedure (Scotland) Act 1995, as inserted by section 168 of this Act.
879. **Paragraph 9** substitutes “Schedule 1” for “the Schedule” in section 6(6)(bb) of the 1974 Act. This change is necessary because section 109 of this Act inserts a Schedule 3 into the 1974 Act. In addition, the Criminal Justice and Immigration Act 2008 which made similar amendments to the 1974 Act for cautions in England and Wales inserted a Schedule 2 into the 1974 Act.
880. **Paragraph 10** renumbers the Schedule after section 11 of the 1974 Act to “Schedule 1” to reflect the introduction of further Schedules to that Act, as referred to in the previous sub-paragraph.