

## SCHEDULES

### SCHEDULE 1

Section 18.

#### PROVISIONS AS TO PAROLE BOARD AND LOCAL REVIEW COMMITTEES

##### *The Parole Board*

- 1 The Parole Board shall include among its members—
  - (a) a person who holds or has held judicial office;
  - (b) a registered medical practitioner who is a psychiatrist;
  - (c) a person appearing to the Secretary of State to have knowledge and experience of the supervision or after-care of discharged prisoners; and
  - (d) a person appearing to the Secretary of State to have made a study of the causes of delinquency or the treatment of offenders.
- 2 A person appointed to be a member of the Parole Board shall hold and vacate office under the terms of the instrument by which he is appointed, but may at any time resign his office; and a person who ceases to hold office as a member of the Parole Board shall be eligible for reappointment.
- 3 There shall be paid to the members of the Board such remuneration and allowances as the Secretary of State may with the consent of the Treasury determine.
- 4 The expenses of the Board under the last foregoing paragraph and any other expenses incurred by the Board in discharging its functions under section 18 of this Act shall be defrayed by the Secretary of State out of moneys provided by Parliament.
- 5 The Board shall as soon as practicable after the end of each year make to the Secretary of State a report on the performance of its functions during that year, and the Secretary of State shall lay a copy of each report so made before Parliament.

##### *Local review committees*

- 6 The Secretary of State may out of moneys provided by Parliament pay to members of local review committees, and to persons assisting in or concerned with the carrying out of the functions of any such committee, travelling or other allowances in accordance with such scales as may be determined by him with the consent of the Treasury, and may out of such moneys defray any other expenses of such committees to such amount as may be so determined.

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*Status: This is the original version (as it was originally enacted).*

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## SCHEDULE 2

Section 45(1).

### AMENDMENT OF ENACTMENTS

#### *Children and Young Persons (Scotland) Act 1937*

- 1 In section 57(3) of the Children and Young Persons (Scotland) Act 1937, for the word “206” there shall be substituted the words “205 or 206”, and after the word “1975” there shall be inserted the words “or section 25 of the Prisons (Scotland) Act 1989”.
- 2 In section 87(1) and (3) of that Act, after the words “Act 1975” there shall be inserted the words “and of the Prisons (Scotland) Act 1989”.

#### *Army Act 1955*

- 3 In section 71AA(6B) of the Army Act 1955 and in paragraph 10(6B) of Schedule 5A to that Act, for the words “Section 12 of the Criminal Justice (Scotland) Act 1963” there shall be substituted the words “Section 32 of the Prisons (Scotland) Act 1989”.

#### *Air Force Act 1955*

- 4 In section 71AA(6B) of the Air Force Act 1955 and in paragraph 10(6B) of Schedule 5A to that Act, for the words “Section 12 of the Criminal Justice (Scotland) Act 1963” there shall be substituted the words “Section 32 of the Prisons (Scotland) Act 1989”.

#### *Naval Discipline Act 1957*

- 5 In section 43AA(6B) of the Naval Discipline Act 1957 and in paragraph 10(6B) of Schedule 4A to that Act, for the words “Section 12 of the Criminal Justice (Scotland) Act 1963” there shall be substituted the words “Section 32 of the Prisons (Scotland) Act 1989”.
- 6 In section 88 of that Act, in subsection (3)(c), for the words from “thirty-five” to “1952” there shall be substituted the words “39 of the Prisons (Scotland) Act 1989”, and, in subsection (4), for the words “37 of the Prisons (Scotland) Act 1952” there shall be substituted the words “40 of the Prisons (Scotland) Act 1989”.

#### *Criminal Justice Act 1961*

- 7 In section 30(1)(b) of the Criminal Justice Act 1961, for the words “37 of the Prisons (Scotland) Act 1952” there shall be substituted the words “40 of the Prisons (Scotland) Act 1989”.

#### *Criminal Justice (Scotland) Act 1963*

- 8 In Schedule 1 to the Criminal Justice (Scotland) Act 1963, in paragraph 13, for the words “paragraph 2 of this Schedule” there shall be substituted the words “section 30(3) of the Prisons (Scotland) Act 1989”.

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*Criminal Justice Act 1967*

- 9 In section 69(2) of the Criminal Justice Act 1967, for the words “37 of the Prisons (Scotland) Act 1952” there shall be substituted the words “40 of the Prisons (Scotland) Act 1989”.

*Courts-Martial (Appeals) Act 1968*

- 10 In section 52 of the Courts-Martial (Appeals) Act 1968, for paragraph (e) there shall be substituted the following paragraph—  
“(e) section 39 of the Prisons (Scotland) Act 1989; or”.

*Criminal Procedure (Scotland) Act 1975*

- 11 In section 205A(1) of the Criminal Procedure (Scotland) Act 1975, for the words “61 of the Criminal Justice Act 1967” there shall be substituted the words “26 of the Prisons (Scotland) Act 1989”.
- 12 For section 206(1) of that Act, there shall be substituted the following section—

**“206 Detention of children convicted on indictment**

Subject to section 205 of this Act, where a child is convicted and the court is of the opinion that no other method of dealing with him is appropriate, it may sentence him to be detained for a period which it shall specify in the sentence; and the child shall during that period be liable to be detained in such place and on such conditions as the Secretary of State may direct.”

- 13 In sections 207(11) and 415(11) of that Act, for the words from the beginning to “shall apply” there shall be substituted the words “Section 18 (functions of Parole Board), section 24 (remission for good conduct) and sections 22, 26, 28 and 29 (release on licence) of the Prisons (Scotland) Act 1989 shall apply”.
- 14 In sections 212 and 421 of that Act, in subsection (1), after the word “1967” there shall be inserted the words “or section 22(1) or section 26 of the Prisons (Scotland) Act 1989”, and, in subsection (2), for the words “12 of the Criminal Justice (Scotland) Act 1963” there shall be substituted the words “32 of the said Act of 1989”.
- 15 In sections 214 and 423 of that Act—
- (a) in subsection (1), for the words from “Schedule” to “1963” there shall be substituted the words “section 30 of the Prisons (Scotland) Act 1989”;
  - (b) in subsection (2)(b), for the words from “paragraph” to “1963” there shall be substituted the words “section 30(4) of the said Act of 1989”;
  - (c) in subsection (6), for the words from “Schedule” to “1963” there shall be substituted the words “section 30 of the said Act of 1989”;
  - (d) in subsection (7), for the words “the said Schedule” (where those words first occur) there shall be substituted the words “section 30 of the said Act of 1989”, and, in paragraph (a) thereof, for the words “paragraph 1 of the said Schedule” there shall be substituted the words “subsection (4) of the said section 30”; and
  - (e) in subsection (8), for the words “paragraph 3 of the said Schedule” there shall be substituted the words “subsection (5) of section 30 of the said Act

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of 1989”, and for the words from “section 14” to “1963” there shall be substituted the words “the said section 30”.

- 16 In section 462(1) of that Act, for the words “Prisons (Scotland) Act 1952”, wherever these words occur, there shall be substituted the words “Prisons (Scotland) Act 1989”.

*Law Reform (Miscellaneous Provisions) (Scotland) Act 1980*

- 17 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, in paragraph (v) of Group B of Part I, for the words “59(6) of the Criminal Justice Act 1967” there shall be substituted the words “18(5) of the Prisons (Scotland) Act 1989”.

*Contempt of Court Act 1981*

- 18 In section 15(6) of the Contempt of Court Act 1981, for the words “60 of the Criminal Justice Act 1967” there shall be substituted the words “22 of the Prisons (Scotland) Act 1989”.

*Mental Health (Scotland) Act 1984*

- 19 In section 74(8) of the Mental Health (Scotland) Act 1984, for the words “37 of the Prisons (Scotland) Act 1952” there shall be substituted the words “40 of the Prisons (Scotland) Act 1989”.

SCHEDULE 3

Section 45(2).

REPEALS

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
Edw. 8 & 1 Geo. 6. c. 37.	Children and Young Persons (Scotland) Act 1937.	In section 62(b), the words “subsection (2) of”.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 61.	Prisons (Scotland) Act 1952.	The whole Act.
9 & 10 Eliz. 2 c. 39.	Criminal Justice Act 1961.	Section 30(4).
1963 c. 39.	Criminal Justice (Scotland) Act 1963.	Section 10. Section 12. Section 14. Section 50. Section 51. Section 54. In Schedule 1, paragraphs 1 to 3 and, in paragraph 14, the

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
		words “Part I of this Schedule or”.
		In Schedule 5, the entry relating to the Prisons (Scotland) Act 1952.
1967 c. 80.	Criminal Justice Act 1967.	Sections 59 to 62. Section 64. Section 100(2A). Schedule 2.
1972 c. 71.	Criminal Justice Act 1972.	Section 35.
1975 c. 21.	Criminal Procedure (Scotland) Act 1975.	In section 206, subsections (2) to (7). Section 206A. Section 213. Section 422.
1977 c. 45.	Criminal Law Act 1977.	In Schedule 9, paragraphs 16, 31 to 35 and 41. In Schedule 12, paragraph 7(4) to (6) of the entry relating to the Criminal Justice Act 1967.
1980 c. 62.	Criminal Justice (Scotland) Act 1980.	Section 44. Section 45(2). Schedule 5. In Schedule 7, paragraphs 1 to 6, 14, 15 and 17 to 20.
1982 c. 48.	Criminal Justice Act 1982.	Section 33(a) and (b). Section 57(2). In Schedule 14, paragraphs 18 to 21.
1985 c. 73.	Law Reform (Miscellaneous Provisions) (Scotland) Act 1985.	Section 42. Section 44. Section 45.
1988 c. 33.	Criminal Justice Act 1988.	In Schedule 9, paragraph 1. In Schedule 15, paragraph 18.