



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART VIII

PRISON SERVICES AND THE PRISON SERVICE

CHAPTER II

SCOTLAND

Supplemental

116 Minor and consequential amendments.

^{F1}(1)

(2) Section 33 of that Act (miscellaneous duties of prison governor) shall cease to have effect.

(3) After section 33 of that Act there shall be inserted the following section—

“33A Power of governor to delegate functions.

Rules made under section 39 of this Act may permit the governor of a prison to authorise an officer of the prison, or a class of such officers, to exercise on his behalf such of the governor’s functions as the rules may specify.”

(4) In section 39 of that Act (prison rules)—

- (a) in subsection (1), after “Act” there shall be inserted “ or any other enactment ”;
- (b) in subsection (8), for “the purpose so specified” there shall be substituted “ any purpose specified in the rules ”; and

Changes to legislation: Criminal Justice and Public Order Act 1994, Section 116 is up to date with all changes known to be in force on or before 26 April 2024. 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. (See end of Document for details) [View outstanding changes](#)

(c) after subsection (11), there shall be inserted the following subsection—

“(12) Rules made under this section may (without prejudice to the generality of subsection (1) above) confer functions on a governor.”.

Textual Amendments

F1 S. 116(1) repealed (31.8.2015) by [The Public Services Reform \(Inspection and Monitoring of Prisons\) \(Scotland\) Order 2015 \(S.S.I. 2015/39\)](#), art. 1, [sch. para. 3\(4\)](#)

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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. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)