

**Changes to legislation:** Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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

## SCHEDULES

### SCHEDULE 1

#### TRANSFER OF PRISONERS WITHIN THE BRITISH ISLANDS

##### Modifications etc. (not altering text)

- C1** Sch. 1: exercise of functions restricted in or as regards Scotland (30.6.1999) by S.I. 1999/1748, art. 4(1), Sch. 2 para. 3
- C1** Sch. 1 excluded (1.1.1998) by S.I. 1997/2200, art. 5(6)  
Sch. 1 excluded (18.9.1998) by S.I. 1998/2251, art. 16(5).  
Sch. 1 excluded (1.9.2001) by 2001 c. 17, s. 42(5) (with s. 78); S.I. 2001/2161, art. 2  
Sch. 1 extended (1.9.2001) by 2001 c. 17, s. 46(1) (with s. 78); S.I. 2001/2161, art. 2

### PART II

#### EFFECT OF TRANSFERS

##### Modifications etc. (not altering text)

- C1** Sch. 1 Pt. II excluded (28.7.1998) by 1998 c. 35, s. 17, Sch. 3 para. 9(1); S.I. 1998/1858, art. 2.

#### *Restricted transfers from England and Wales to Scotland*

- 8 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or 3(1)(a) above from England and Wales to Scotland is a restricted transfer—
- (a) regulations made under section 22 of the<sup>M1</sup>Prosecution of Offences Act 1985 (time limits in relation to preliminary stages of proceedings) shall apply to him in place of the corresponding provisions of the law of Scotland; but
- (b) subject to that and to any conditions to which the transfer is subject, he shall be treated for the relevant purposes as if he had been remanded for an offence committed in Scotland.
- (2) Where a person's transfer under paragraph 1(1)(b), 2(1)(b) or 3(1)(b) above from England and Wales to Scotland is a restricted transfer—
- <sup>F1</sup>(a) sections 241, [<sup>F2</sup>243A][<sup>F3</sup>to][<sup>F4</sup>244A, ][<sup>F5</sup>246 to [<sup>F6</sup>264B]][<sup>F7</sup>, 267A and 267B] of [<sup>F8</sup>, and Schedules 19A, 20A and 20B to,] the 2003 Act (fixed-term prisoners) or, as the case may require, [<sup>F9</sup>sections 241, 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code] (detention and training orders) or sections 28 to 34 of this Act (life sentences) shall apply to him in place of the corresponding provisions of the law of Scotland;

---

*Changes to legislation: Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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*

---

- (aa) sections 62 <sup>F10</sup>, 64 and 64A] of the Criminal Justice and Court Services Act 2000 (which relate to licence conditions) shall apply to him in place of the corresponding provisions of the law of Scotland; <sup>F11</sup>and]
  - <sup>F12</sup>(ab) .....]
  - (b) subject to that, to sub-paragraph (3) below and to any conditions to which the transfer is subject, he shall be treated for the relevant purposes as if his sentence had been an equivalent sentence passed by a court in Scotland.
- (3) A person who has been sentenced to a sentence of a length which could not have been passed on an offender of his age in the place to which he has been transferred shall be treated for the purposes mentioned in sub-paragraph (2) above as the Secretary of State may direct.
- (4) Where a transfer under paragraph 4(1) above of a person’s supervision from England and Wales to Scotland is a restricted transfer—
- <sup>F13</sup>(a) sections 241 <sup>F14</sup>, 249 to <sup>F15</sup>264B], 267A and 267B] of <sup>F16</sup>, and Schedules 19A, 20A and 20B to,] the 2003 Act (fixed-term prisoners) or, as the case may require, <sup>F17</sup>sections 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code] (detention and training orders) or sections 31 to 34 of this Act (life sentences) shall apply to him in place of the corresponding provisions of the law of Scotland;
  - (aa) sections 62 <sup>F18</sup>, 64 and 64A] of the Criminal Justice and Court Services Act 2000 (which relate to licence conditions) shall apply to him in place of the corresponding provisions of the law of Scotland; <sup>F19</sup>and]
  - <sup>F20</sup>(ab) .....]
  - (b) subject to that and to any conditions to which the transfer is subject, he shall be treated for the relevant purposes as if his period of supervision had been an equivalent period of supervision directed to be undergone in Scotland.
- <sup>F21</sup>(5) Section 31(2A) of this Act (conditions as to supervision after release), as applied by sub-paragraph (2) or (4) above, shall have effect as if for paragraphs (a) to (c) there were substituted the words “a relevant officer of such local authority as may be specified in the licence”.]
- <sup>F21</sup>(6) Any provision of <sup>F22</sup>sections 241 and 242 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code] which is applied by sub-paragraph (2) or (4) above shall have effect (as so applied) as if—
- (a) any reference to <sup>F23</sup>youth detention] accommodation were a reference to secure accommodation within the meaning of Part 2 of the Children (Scotland) Act 1995 or a young offenders institution provided under section 19(1)(b) of the Prisons (Scotland) Act 1989,
  - (b) <sup>F24</sup>... any reference to the Secretary of State were a reference to the Scottish Ministers,
  - (c) any reference to an officer of a <sup>F25</sup>provider of probation services] were a reference to a relevant officer as defined by section 27(1) of the Prisoners and Criminal Proceedings (Scotland) Act 1993,
  - (d) any reference to a youth court were a reference to a sheriff court,
  - (e) in <sup>F26</sup>section 242], any reference to a local justice area were a reference to a local government area within the meaning of the Local Government etc. (Scotland) Act 1994,

---

**Changes to legislation:** *Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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*

---

- <sup>F27</sup>(ea) .....
- (f) [<sup>F28</sup>in section 242(2)(a), for sub-paragraph (ii)] there were substituted a reference to an officer of a local authority constituted under that Act for the local government area in which the offender resides for the time being,
- <sup>F29</sup>(fa) [<sup>F30</sup>section 242(6)] were omitted,]
- (g) [<sup>F31</sup>section 242(7)] were omitted,
- (h) [<sup>F32</sup>in paragraph 2 of Schedule 12, for sub-paragraphs (1) and (2)] there were substituted—
- “(1) Where a detention and training order is in force in respect of an offender and it appears on information to a sheriff court having jurisdiction in the locality in which the offender resides that the offender has failed to comply with requirements under [<sup>F33</sup>section 242(4)(b)], the court may—
- (a) issue a citation requiring the offender to appear before it at the time specified in the citation, or
- (b) issue a warrant for the offender’s arrest.”,
- (i) [<sup>F34</sup>paragraph 2(3) of Schedule 12 were omitted,]
- (j) in [<sup>F35</sup>paragraph 3(11) of that Schedule], the reference to the Crown Court were a reference to the High Court of Justiciary][<sup>F36</sup>, and]
- <sup>F37</sup>(k) paragraph 3(12)(a)(ii) and (b)(ii) of that Schedule were omitted.]
- <sup>F38</sup>(7) Sections 64 and 64A of the Criminal Justice and Court Services Act 2000 (release on licence etc: drug appointments), as applied by sub-paragraph (2) or (4) above, have effect as if any reference to an officer of a provider of probation services were a reference to a relevant officer as defined by section 27(1) of the Prisoners and Criminal Proceedings (Scotland) Act 1993.]
- <sup>F39</sup>(8) The supervision provisions, as applied by sub-paragraph (2) or (4), have effect—
- (a) as if any reference to something listed in the first column of the Table in sub-paragraph (10) were a reference to whatever is opposite it in the second column of that Table,
- (b) with the modifications in sub-paragraph (11), and
- (c) in a case falling within [<sup>F40</sup>section 247 of the Sentencing Code], with the further modifications in sub-paragraph (12),
- (and see also paragraphs 8A, 19A and 19B).
- (9) In this paragraph “the supervision provisions” means—
- (a) sections 256AA to 256E of, and Schedule 19A to, the 2003 Act,
- (b) the provisions of the 2003 Act mentioned in section 256AC of, and Schedule 19A to, that Act, as applied by that section and that Schedule, and
- <sup>F41</sup>(c) section 247 of the Sentencing Code.]
- (10) The references mentioned in sub-paragraph (8)(a) are—

TABLE

---

<i>Reference</i>	<i>Substituted reference</i>
Crown Court	High Court of Justiciary

---

*Changes to legislation: Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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*

---

Justice of the peace	Sheriff court
Local justice area	Local government area within the meaning of the Local Government etc (Scotland) Act 1994
Magistrates' court	Sheriff court
Officer of a provider of probation services	Relevant officer as defined by section 27(1) of the Prisoners and Criminal Proceedings (Scotland) Act 1993
Summons	Citation
Young offender institution	Young offenders institution provided under section 19(1)(b) of the Prisons (Scotland) Act 1989

---

- (11) The modifications mentioned in sub-paragraph (8)(b) are—
- (a) section 256AA(2)(b) of the 2003 Act has effect as if it also referred to a licence under the Prisons (Scotland) Act 1989 or the Prisoners and Criminal Proceedings (Scotland) Act 1993,
  - (b) section 256AC(7)(b) of the 2003 Act has effect as if for “the Secretary of State” there were substituted “ the Scottish Ministers ”,
  - (c) paragraph 2 of Schedule 19A to the 2003 Act has effect as if—
    - (i) sub-paragraph (d) referred only to section 215(1) and (2) of the 2003 Act, and
    - (ii) sub-paragraph (e) were omitted,
  - (d) paragraph 3 of Schedule 19A to the 2003 Act has effect as if, after sub-paragraph (7), there were inserted—
 

“(7A) Section 218(4)(a) applies as if for the words “has been notified by the Secretary of State” there were substituted “is satisfied”,
  - (e) paragraph 7 of Schedule 19A to the 2003 Act has effect as if—
    - (i) in sub-paragraph (1), for “the supervisor must refer the matter to the enforcement officer” there were substituted “ the supervisor may cause an information to be laid before a sheriff court in respect of the person's failure to comply with the requirement ”, and
    - (ii) sub-paragraphs (2) to (5) were omitted, and
  - (f) paragraph 12(3) of Schedule 19A to the 2003 Act has effect as if for “makes a community order or suspended sentence order” there were substituted “ imposes any other sentence ”.
- (12) The further modifications mentioned in sub-paragraph (8)(c) are that [F42section 247 of the Sentencing Code] has effect as if—
- (a) in subsection (4), for paragraph (b) there were substituted a reference to an officer of a local authority constituted under the Local Government etc (Scotland) Act 1994 for the local government area in which the offender resides for the time being, and
  - (b) after subsection (3) there were inserted—
 

“(3A) Sections 256AA(3) and (6), 256AB(1) and 256E(2) have effect as if the references to the Secretary of State were references to the Scottish Ministers.”]

**Changes to legislation:** Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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

## Textual Amendments

- F1** Sch. 1 para. 8(2)(a)-(ab) substituted for Sch. 1 para. 8(2)(a) (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 32 para. 85\(3\)\(a\)](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(32) (with saving in Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1)); and Sch. 1 para. 8(2)(a) (in so far as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4.4.2005) amended (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 26 para. 32\(2\)\(4\)](#); S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(n)
- F2** Word in Sch. 1 para. 8(2)(a) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 14 para. 2](#); S.I. 2012/2906, art. 2(1)
- F3** Word in Sch. 1 para. 8(2)(a) substituted (28.4.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 132\(11\)\(a\)](#), 208(4)(p)
- F4** Word in Sch. 1 para. 8(2)(a) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 1 para. 12\(2\)](#); S.I. 2015/778, art. 3, [Sch. 1 para. 72](#)
- F5** Words in Sch. 1 para. 8(2)(a) substituted (1.4.2006) by [The Management of Offenders etc. \(Scotland\) Act 2005 \(Consequential Modifications\) Order 2006 \(S.I. 2006/1055\)](#), arts. 1(1), [2\(a\)](#)
- F6** Word in Sch. 1 para. 8(2)(a) substituted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(2\)\(a\)](#) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u)
- F7** Words in Sch. 1 para. 8(2)(a) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 16 para. 7\(a\)](#); S.I. 2012/2906, art. 2(n)
- F8** Words in Sch. 1 para. 8(2)(a) inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(2\)\(b\)](#) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u)
- F9** Words in Sch. 1 para. 8(2)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(a\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F10** Words in Sch. 1 para. 8(2)(aa) substituted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), [ss. 13\(2\)\(a\)](#), 22(1) (with Sch. 7 para. 6); S.I. 2015/40, [art. 2\(1\)](#)
- F11** Word in Sch. 1 para. 8(2)(aa) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 9\(3\)\(a\)](#); S.I. 2012/2906, art. 2(h)
- F12** Sch. 1 para. 8(2)(ab) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 9\(3\)\(b\)](#); S.I. 2012/2906, art. 2(h)
- F13** Sch. 1 para. 8(4)(a)-(ab) substituted for Sch. 1 para. 8(4)(a) (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 32 para. 85\(3\)\(b\)](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(32) (with saving in Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1)); and Sch. 1 para. 8(4)(a) (in so far as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4.4.2005) amended (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 26 para. 32\(3\)\(4\)](#); S.I. 2008/1586, art. 2(1), Sch. 1 para. 48(n)
- F14** Words in Sch. 1 para. 8(4)(a) substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 16 para. 7\(b\)](#); S.I. 2012/2906, art. 2(n)
- F15** Word in Sch. 1 para. 8(4)(a) substituted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(3\)\(a\)](#) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u)
- F16** Words in Sch. 1 para. 8(4)(a) inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(3\)\(b\)](#) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u)
- F17** Words in Sch. 1 para. 8(4)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(b\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F18** Words in Sch. 1 para. 8(4)(aa) substituted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), [ss. 13\(2\)\(a\)](#), 22(1) (with Sch. 7 para. 6); S.I. 2015/40, art. 2(1)

*Changes to legislation: Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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*

- F19** Word in Sch. 1 para. 8(4)(aa) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 9\(3\)\(a\)](#); S.I. 2012/2906, art. 2(h)
- F20** Sch. 1 para. 8(4)(ab) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 9\(3\)\(b\)](#); S.I. 2012/2906, art. 2(h)
- F21** Sch. 1 para. 8(5)(6) substituted for Sch. 1 para. 8(5)-(7) (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 32 para. 85\(3\)\(c\)](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(32) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F22** Words in Sch. 1 para. 8(6) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(i\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F23** Words in Sch. 1 para. 8(6)(a) substituted (1.11.2007) by [Offender Management Act 2007 \(c. 21\)](#), s. 41(1), [Sch. 3 para. 15\(2\)](#); S.I. 2007/3001, art. 2(1)(r)
- F24** Words in Sch. 1 para. 8(6)(b) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(ii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F25** Words in Sch. 1 para. 8(6)(c) substituted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), [Sch. 1 para. 12\(3\)\(a\)\(i\)](#)
- F26** Words in Sch. 1 para. 8(6)(e) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(iii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F27** Sch. 1 para. 8(6)(ea) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(iv\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F28** Words in Sch. 1 para. 8(6)(f) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(v\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F29** Sch. 1 para. 8(6)(fa) inserted (1.4.2008) by [The Offender Management Act 2007 \(Consequential Amendments\) Order 2008 \(S.I. 2008/912\)](#), [Sch. 1 para. 12\(3\)\(a\)\(iii\)](#)
- F30** Words in Sch. 1 para. 8(6)(fa) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(vi\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F31** Words in Sch. 1 para. 8(6)(g) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(vii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F32** Words in Sch. 1 para. 8(6)(h) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(viii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F33** Words in Sch. 1 para. 8(6)(h) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(ix\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F34** Sch. 1 para. 8(6)(i) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(x\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F35** Words in Sch. 1 para. 8(6)(j) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(xi\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F36** Word in Sch. 1 para. 8(6)(j) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(xii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F37** Sch. 1 para. 8(6)(k) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(c\)\(xiii\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F38** Sch. 1 para. 8(7) inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), [ss. 13\(2\)\(b\)](#), 22(1) (with Sch. 7 para. 6); S.I. 2015/40, art. 2(l)
- F39** Sch. 1 para. 8(8)-(12) inserted (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(5\)](#) (with Sch. 7 para. 2); S.I. 2015/40, art. 2(u)
- F40** Words in Sch. 1 para. 8(8)(c) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(d\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F41** Sch. 1 para. 8(9)(c) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(e\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2
- F42** Words in Sch. 1 para. 8(12) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 149\(3\)\(f\)](#) (with Sch. 27); S.I. 2020/1236, reg. 2

---

**Changes to legislation:** Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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](#)

---

**Modifications etc. (not altering text)**

- C1** Sch. 1 para. 8(2)(4) modified (19.9.1998) by [S.I. 1998/2327](#), [art. 5\(2\)\(c\)\(d\)](#).
- C2** Sch. 1 para. 8(6) modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), [ss. 1, 5\(2\)\(3\)](#); [S.I. 2012/1236](#), [reg. 2](#)

**Marginal Citations**

- M1** [1985 c.23](#).

**Changes to legislation:**

Crime (Sentences) Act 1997, Cross Heading: Restricted transfers from England and Wales to Scotland is up to date with all changes known to be in force on or before 24 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.

[View outstanding changes](#)

**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. 35(5)(c)s. 35(8)(a) by [2000 c. 43 Sch. 7 para. 139\(b\)](#)
- s. 8(5) by [2000 c. 43 Sch. 7 para. 143](#)