

SCHEDULE 2

FUNCTIONS EXERCISABLE IN OR AS REGARDS SCOTLAND: PRISONERS – FUNCTIONS UNDER THE 1984 ACT, THE 1993 ACT, THE 1997 ACT AND THE 1998 ORDER

Prisoners and Criminal Proceedings (Scotland) Act 1993

2.—(1) The function of the Secretary of State under section 14(2) of the 1993 Act (supervised release of short-term prisoners) in so far as it relates to the making of a supervised release order in respect of a prisoner transferred to a prison in Scotland to serve his sentence.

(2) The function of the Secretary of State under section 14(4) of the 1993 Act (supervised release of short-term prisoners) in so far as it relates to the designation of an appropriate authority, or, as the case may be, justices for the purposes of a supervised release order in respect of a short-term prisoner, and the authority, or as the case may be, justices is or are outwith Scotland.

(3) The function of the Secretary of State under section 14(5) of the 1993 Act (supervised release of short-term prisoners) in so far as it relates to the informing of a prisoner under section 14(5)(a) of that Act of a designation of an appropriate authority, or, as the case may be, justices for the purposes of a supervised release order in respect of a short term prisoner, and the authority, or as the case may be, justices, is or are outwith Scotland, or in so far as it relates to the carrying out of the duties under section 14(5)(b) of that Act, and these duties are performed outwith Scotland.

(4) The function of the Secretary of State under section 15(1) of the 1993 Act (variation of supervised release of short-term prisoners) in so far as it relates to the variation under section 15(1) of a designation under section 14(4) of that Act of an appropriate authority, or, as the case may be, justices for the purposes of a supervised release order in respect of a short term prisoner, and the second designee authority, or as the case may be, justices, is or are outwith Scotland.

(5) The function of the Secretary of State under section 15(2) of the 1993 Act (variation of supervised release of short-term prisoners) in so far as it relates to the determination of the date under section 15(2) of that Act of the coming into effect of a variation under section 15(1) of a designation under section 14(4) of that Act of an appropriate authority, or, as the case may be, justices for the purposes of a supervised release order in respect of a short term prisoner, and the second designee authority, or as the case may be, justices, is or are out-with Scotland.

(6) The function of the Secretary of State under section 15(3) of the 1993 Act (variation of supervised release of short-term prisoners) in so far as it relates to the informing under 15(3)(a)(i) of that Act of a person subject to a supervised release order of a variation under section 15(1) of a designation under section 14(4) of that Act of an appropriate authority, or, as the case may be, justices for the purposes of a supervised release order in respect of a short term prisoner, and the second designee authority, or as the case may be, justices, is or are out-with Scotland, or the sending of a copy under section 15(3)(a)(ii) of that Act to the second designee, or the first designee sending under section 15(3)(b) to the second designee the relevant documents and information in relation to such a designation.

Commencement Information

II Sch. 2 para. 2 in force at 30.6.1999, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Scotland Act 1998 (Functions Exercisable in or as Regards Scotland) Order 1999, Paragraph 2.