

## SCHEDULE 2

### PART I

#### MODIFICATIONS OF ACTS OF PARLIAMENT

##### **Criminal Justice and Public Order Act 1994 (c. 33)**

- 115.**—(1) The Criminal Justice and Public Order Act 1994 is amended as follows.
- (2) In section 103(1) (monitoring of prisoner escort arrangements)—
- (a) for “Crown servant”, there is substituted “member of the staff of the Scottish Administration”; and
  - (b) for “Secretary of State”, in each place where those words appear, there is substituted “Scottish Ministers”.
- (3) In section 106 (contracting-out of prisons), for “Secretary of State”, in each place where those words appear, there is substituted “Scottish Ministers”.
- (4) In section 107 (officers of contracted-out prisons)(1)—
- (a) in subsection (1)—
    - (i) for “Secretary of State” in each place where those words appear, there is substituted “Scottish Ministers”; and
    - (ii) for “Crown servant” there is substituted “member of the staff of the Scottish Administration”;
  - (b) in subsection (4), for “Secretary of State”, in each place where those words appear, there is substituted “Scottish Ministers”; and
  - (c) in subsection (7), for “Secretary of State” there is substituted “Scottish Ministers”.
- (5) In section 110(2) (consequential modifications of the 1989 Act, Prison Rules and Directions), for paragraph (a) there is substituted—
- “(a) subsection (1A) shall not apply;”.
- (6) In section 111 (intervention by the Secretary of State)—
- (a) in subsection (1), for “Secretary of State” there is substituted “Scottish Ministers”;
  - (b) in subsection (2), for “Secretary of State may appoint a Crown servant” there is substituted “Scottish Ministers may appoint a member of the staff of the Scottish Administration”;
  - (c) in subsection (4), for “Secretary of State” there is substituted “Scottish Ministers”; and
  - (d) in subsection (5), for “Secretary of State” there is substituted “Scottish Ministers”.
- (7) In section 113 (provision of new prisons), for “Secretary of State”, in each place where those words appear, there is substituted “Scottish Ministers”.
- (8) In section 114(1) (prisoner custody officers: general provisions), for “Secretary of State”, in each place where those words appear, there is substituted “Scottish Ministers”.
- (9) In section 115 (wrongful disclosure of information), for “Secretary of State” there is substituted “Scottish Ministers”.
- (10) In section 127 (inducements to withhold services or to indiscipline)—
- (a) in subsections (2) and (3), after “Secretary of State” there is inserted “or, in Scotland, to the Scottish Ministers”;

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(1) Section 107(7) was inserted by section 43(4) of the Crime and Punishment (Scotland) Act 1997 (c. 48).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in subsection (4)(b), for “under section 3(1)” there is substituted “for the purposes of section 3(1A)”; and
- (c) in subsection (8), after “Secretary of State” there is inserted “or in Scotland, the Scottish Ministers”.