



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART IX

#### MISCELLANEOUS AMENDMENTS: SCOTLAND

#### **130 Detention and release of children: Scotland.**

- (1) In section 7 of the <sup>M1</sup>Prisoners and Criminal Proceedings (Scotland) Act 1993 (children detained in solemn proceedings), after subsection (1) there shall be inserted—

“(1A) The Secretary of State may by order provide—

- (a) that the reference to—
  - (i) four years, in paragraph (a) of subsection (1) above; or
  - (ii) four or more years, in paragraph (b) of that subsection,shall be construed as a reference to such other period as may be specified in the order;
- (b) that the reference to—
  - (i) half, in the said paragraph (a); or
  - (ii) two thirds, in the said paragraph (b),shall be construed as a reference to such other proportion of the period specified in the sentence as may be specified in the order.

(1B) An order under subsection (1A) above may make such transitional provision as appears to the Secretary of State necessary or expedient in connection with any provision made by the order.”.

- (2) In section 45(3) of that Act (procedure in respect of certain orders), for the words “7(6)” there shall be substituted “ 7(1A) or (6) ”.
- (3) In Schedule 6 to that Act (transitional provisions and savings)—

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Section 130 is up to date with all changes known to be in force on or before 11 May 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](#)

- (a) in paragraph 8, after the word “revoked” there shall be inserted “ by virtue of paragraph 10 of this Schedule ”; and
- (b) after paragraph 9 there shall be added—

“10 Section 17 of this Act shall apply in respect of a release on licence under paragraph 4 of this Schedule as that section applies in respect of the release on licence, under Part I of this Act, of a long-term prisoner.”.

<sup>F1</sup>(4) .....

<p><b>Textual Amendments</b></p> <p><b>F1</b> S. 130(4) repealed (30.9.1998) by 1998 c. 37, s. 120(2), Sch. 10 (with Sch. 9); S.I. 1998/2327, art. 2(3)</p> <hr/> <p><b>Marginal Citations</b></p> <p><b>M1</b> 1993 c. 9.</p>
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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\(3\)](#)