SCOTTISH STATUTORY INSTRUMENTS

2005 No. 142

CRIMINAL LAW

The Bail Conditions (Specification of Devices) and Restriction of Liberty Order (Scotland) Amendment Regulations 2005

Made - - - -	*9th March 2005*
Laid before the Scottish Parliament - - - -	*10th March 2005*
Coming into force - -	*18th April 2005*

The Scottish Ministers, in exercise of the powers conferred by sections 24B(1)(b), 24D(4), 245A(8) and 245C(3) of the Criminal Procedure (Scotland) Act 1995(**1**) and all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Bail Conditions (Specification of Devices) and Restriction of Liberty Order (Scotland) Amendment Regulations 2005.

(2) These Regulations shall come into force on 18th April 2005.

Interpretation

2. In these Regulations–

"the Act" means the Criminal Procedure (Scotland) Act 1995; and

"Elmo Tech" means Elmo Tech Limited, a company incorporated under the laws of Israel and having a place of business at 2 Harbazel Street, Tel Aviv, 61132, Israel.

Methods of monitoring compliance with movement restriction conditions

3.—(1) Compliance with the requirements of a movement restriction condition which has been made in respect of a person may be monitored by the following methods:–

(a) radio and electronic monitoring of that person's presence at or absence from a specified place by means of a regular radio signal transmitted by a transmitter device attached to the person with the transmitter signal received by a radio receiving and monitoring device

(**1**) 1995 c. 46; sections 24A to 24E were inserted by the Criminal Procedure (Amendment) (Scotland) Act 2004 (asp 5), section 17; and sections 245A to 245H were inserted by the Crime and Punishment (Scotland) Act 1997 (c. 48), section 5. The functions of the Secretary of State transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).