SCOTTISH STATUTORY INSTRUMENTS

2002 No. 472

PRISONS

The Discontinuance of Legalised Police Cells (Ayr) Rules 2002

Made - - - -	*22nd October 2002*
Laid before the Scottish Parliament - - - -	*25th October 2002*
Coming into force - -	*30th November 2002*

The Scottish Ministers, in exercise of the powers conferred by sections 14 and 39 of the Prisons (Scotland) Act 1989(**1**) and of all other powers enabling them in that behalf, and on the application of the Strathclyde Joint Police Board, hereby make the following Rules:

Citation and commencement

1. These Rules may be cited as the Discontinuance of Legalised Police Cells (Ayr) Rules 2002 and shall come into force on 30th November 2002.

Revocation

2. The Rule made by the Secretary of State under the Prisons (Scotland) Acts, 1860 to 1926(**2**), dated 31st March 1927(**3**) appointing police cells in the Burgh of Ayr(**4**) to be a legal prison for

(**1**) 1989 c. 45; section 14(1) was amended by the Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9) ("the 1993 Act"), Schedule 5, paragraph 6(3); section 39 was amended by the 1993 Act, sections 24 and 25, Schedule 5, paragraph 6(6) and Schedule 7; by the Criminal Justice and Public Order Act 1994 (c. 33), sections 116(4) and 130(4); by the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c. 40), Schedule 4, paragraph 75(4); and by the Crime and Disorder Act 1998 (c. 37), Schedule 8, paragraph 71. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) Section 3 of the Prisons (Scotland) Act 1926 (16 & 17 Geo. 5.) ("the 1926 Act") provides that the 1926 Act and the Prisons (Scotland) Acts, 1860 to 1909, may be cited as the Prisons (Scotland) Acts, 1860 to 1926. The enabling power to make the Rule is contained in section 30 of the Prisons (Scotland) Act 1877 (40 & 41 Vict, c.53) ("the 1877 Act"). Section 30 of the 1877 Act was repealed by section 43 of and Schedule 4 to the Prisons (Scotland) Act 1952 (c. 61) ("the 1952 Act") but re enacted with modifications by section 14 of the 1952 Act. Section 14 of the 1952 Act was repealed by section 45 of and Schedule 3 to the Prisons (Scotland) Act 1989 ("the 1989 Act") but re-enacted with modifications by section 14 of the 1989 Act.

(**3**) S. R. & O 1927/448.

(**4**) By virtue of section 1(5) of the Local Government (Scotland) Act 1973 (c. 65) ("the 1973 Act"), all local government areas existing immediately before 16 May 1975, including large and small burghs, ceased to exist. Under section 1(4) of and Schedule 1 to the 1973 Act, the area formerly known as the Burgh of Ayr formed part of the newly constituted District of Kyle and Carrick. By virtue of section 1(3) of the Local Government (Scotland) Act 1994 (c. 39) ("the 1994 Act"), all local government areas existing immediately before 1st April 1996, which were regions or districts, ceased to exist. Under section 1(2) of and Schedule 1 to the 1994 Act, the area formerly known as the District of Kyle and Carrick now forms part of the newly constituted local government area of South Ayrshire.