

*These notes relate to the Convention Rights (Compliance) (Scotland)
Act 2001 (asp 7) which received Royal Assent on 5 July 2001*

CONVENTION RIGHTS (COMPLIANCE) (SCOTLAND) ACT 2001

EXPLANATORY NOTES

THE ACT

Schedule

Transitional Provisions

Part 5

Life prisoners transferred under the Mental Health Acts

130. Paragraphs 75 to 78 make provision for life prisoners who have been transferred to Scotland from England and Wales or Northern Ireland and who are detained in Scotland under the Mental Health (Scotland) Act 1984 so that they are treated in the same way as life prisoners transferred to Scotland on an unrestricted basis. This means that a person in this category will be referred to the High Court of Justiciary to have a punishment part set, in accordance with the procedures set out in Part 4 of the schedule unless they exercise a waiver.