



Criminal Justice (Scotland) Act 2003

2003 asp 7

PART 4

PRISONERS ETC.

Release of prisoners

27 Release on licence etc. under 1989 Act

- (1) The 1989 Act (certain provisions of which, notwithstanding their repeal by the 1993 Act, continue to apply to prisoners sentenced before 1st October 1993 by virtue of section 47(2) of, and paragraph 2(1) of Schedule 6 to, that Act) is amended for the purposes of the existing provisions, within the meaning of that Schedule, as follows.
- (2) In section 22 (which, among other things, enables the Scottish Ministers to release on licence certain prisoners if recommended to do so by the Parole Board and, by virtue of subsection (1A) of that section, requires them to release certain other prisoners if there is such a recommendation)—
 - (a) in subsection (1), for the word “may” there is substituted “shall”;
 - (b) subsection (1A) is repealed; and
 - (c) in subsection (7)—
 - (i) the words “and by virtue of subsection (1A) above such release is then mandatory”; and
 - (ii) the words from “; and in any other case” to the end, are repealed.