



Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

CUSTODIAL SENTENCES AND WEAPONS (SCOTLAND) ACT 2007

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Changes to legislation: Custodial Sentences and Weapons (Scotland) Act 2007 is up to date with all changes known to be in force on or before 11 April 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

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SCHEDULE 1 — The Parole Board for Scotland

Membership

- 1 The Parole Board is to consist of no fewer than...
- 2 The membership of the Parole Board must include—
- 3 (1) The Scottish Ministers must comply with any provision about...

Tenure of appointments

- 4 Subject to paragraphs 5 to 9, a person is appointed...
- 5 A person ceases to be a member on the day...
- 6 If a member such as is mentioned in paragraph 2(a)...
- 7 If a member such as is mentioned in paragraph 2(b)...
- 8 A member may at any time resign by giving notice...
- 9 A person ceases to be a member on the day...

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- 10 A person may be reappointed as a member of the...
- 11 A person who has resigned from the Parole Board may...
- 12 A person who ceases to be a member by virtue...

Carrying out of functions

- 13 The convener of the Parole Board is to have regard...

Removal of members

- 14 A member may be removed from the Parole Board only...
- 15 The tribunal may order the removal of a member only...
- 16 The tribunal is to consist of the following persons appointed...
- 17 The Scottish Ministers may, by regulations— (a) make provision—

Remuneration, allowances and other expenses

- 18 Members of the Parole Board are to be paid such—...
- 19 The expenses of the Parole Board under paragraph 18 and...

Reporting and planning

- 20 The Parole Board must, as soon as practicable after the...
- 21 The Parole Board must, as soon as practicable after the...
- 22 (1) The reporting year of the Parole Board is—
- 23 The Scottish Ministers must lay a copy of—

SCHEDULE 2 — Prisoners serving more than one sentence: application of Part 2

Multiple custody-only sentences

- 1 (1) This paragraph applies where a prisoner—

Multiple custody and community sentences

- 2 (1) This paragraph applies where a prisoner—

Combinations of custody-only and custody and community sentences

- 3 (1) This paragraph applies where a prisoner—

Multiple life sentences

- 4 (1) This paragraph applies where a prisoner—

Combinations of life sentences and other sentences

- 5 (1) This paragraph applies where a prisoner is serving, or...

Single licence for released prisoner serving multiple sentences

- 6 (1) This paragraph applies where— (a) paragraph 2, 3, 4...

Special case: extended sentences

- 7 (1) Where a custody and community sentence imposed on a...

SCHEDULE 3 — Sentences framed to run consecutively

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Power to impose sentence to take effect on expiry of other sentence

- 1 (1) This paragraph applies where— (a) a prisoner is serving,...

Postponement of sentencing where previous punishment part or custody part not specified

- 2 (1) This paragraph applies where— (a) it falls to the...

Effect of sentences framed to take effect consecutively

- 3 (1) This paragraph applies where— (a) the court imposes a...
4 (1) This paragraph applies where— (a) the court imposes a...

Effect of sentences framed to take effect consecutively on extension periods

- 5 (1) In paragraph 3, if the previous sentence is an...

Application of schedule where previous sentence imposed by court outwith Scotland

- 6 The Scottish Ministers may by order make provision for or...

SCHEDULE 4 — Minor and consequential amendments

Criminal Procedure (Scotland) Act 1995 (c. 46)

- 1 (1) Section 167 of the 1995 Act (forms of finding...
2 In section 204A of the 1995 Act (restriction on consecutive...
3 (1) Section 210A of the 1995 Act (extended sentences for...

Criminal Justice (Scotland) Act 2003 (asp 7)

- 4 (1) Section 40 of the Criminal Justice (Scotland) Act 2003...

Police, Public Order and Criminal Justice (Scotland) Act 2006 (asp 10)

- 5 (1) The Police, Public Order and Criminal Justice (Scotland) Act...

SCHEDULE 5 — Repeals

SCHEDULE 6 — TRANSITORY AMENDMENTS

- 1 Until the coming into force of the repeal by this...
2 In section 1 (release of short-term and long-term prisoners),
subsection...
3 Section 9 (persons liable to removal from the United Kingdom)...
4 That Part has effect as if after section 9 there...
5 Until the coming into force of the repeal by this...

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- Pt. 2 Ch. 3 title words substituted by 2010 asp 13 s. 18(4)
- s. 4(1) words inserted by 2010 asp 13 s. 18(2)(a)(iii)
- s. 4(1) words inserted by 2010 asp 13 s. 18(2)(a)(iv)
- s. 4(1) words inserted by 2010 asp 13 Sch. 4 para. 12
- s. 4(1) words repealed by 2010 asp 13 s. 18(2)(a)(i)
- s. 4(1) words substituted by 2010 asp 13 s. 18(2)(a)(ii)
- s. 4(2) repealed by 2010 asp 13 s. 18(2)(b)
- s. 5 substituted by 2010 asp 13 s. 18(3)
- s. 29(2)(a)(ii) words repealed by 2010 asp 13 s. 18(5)(a)
- s. 29(2)(a)(iii) repealed by 2010 asp 13 s. 18(5)(b)
- s. 29(2)(a)(iv)(v) words substituted by 2010 asp 13 s. 18(5)(c)
- s. 29(2)(a)(vi) words substituted by 2010 asp 13 s. 18(5)(d)
- s. 29(2)(a)(vii) words inserted by 2010 asp 13 s. 18(5)(e)
- s. 34(1) substituted by 2010 asp 13 Sch. 3 para. 2
- s. 35 word inserted by 2010 asp 13 Sch. 3 para. 3(a)
- s. 36(1)(a) word inserted by 2010 asp 13 Sch. 3 para. 3(b)
- s. 37(1)(a) word inserted by 2010 asp 13 Sch. 3 para. 3(c)
- s. 37(4)(a) word inserted by 2010 asp 13 Sch. 3 para. 3(c)
- s. 40(3)(a) substituted by 2010 asp 13 Sch. 3 para. 4
- s. 42(1) words inserted by 2010 asp 13 Sch. 3 para. 5(2)
- s. 42(5) words inserted by 2010 asp 13 Sch. 3 para. 5(3)
- s. 45(2) words inserted by 2010 asp 13 Sch. 3 para. 7(3)
- s. 45(3) words inserted by 2010 asp 13 Sch. 3 para. 7(4)
- s. 45(4) words inserted by 2010 asp 13 Sch. 3 para. 7(5)
- s. 46(1)(a) word inserted by 2010 asp 13 Sch. 3 para. 8
- s. 47(1) words inserted by 2010 asp 13 s. 18(8)(a)
- s. 47(2) words substituted by 2010 asp 13 s. 18(8)(b)
- s. 47(4) word substituted by 2010 asp 13 s. 18(8)(d)(ii)
- s. 47(4) words inserted by 2010 asp 13 s. 18(8)(d)(i)
- s. 51(1) word substituted by 2010 asp 13 Sch. 3 para. 9(2)
- s. 55(1) words substituted by 2010 asp 13 Sch. 3 para. 10(2)
- s. 55(2)(a) words substituted by 2010 asp 13 Sch. 3 para. 10(3)
- s. 55(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 10(4)
- s. 56(1) words substituted by 2010 asp 13 Sch. 3 para. 11
- s. 65(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 12
- Sch. 2 para. 5(3) word inserted by 2010 asp 13 Sch. 3 para. 13(6)(b)(ii)
- Sch. 2 para. 6(1)(b) word inserted by 2010 asp 13 Sch. 3 para. 13(7)
- Sch. 2 para. 5(3) words inserted by 2010 asp 13 Sch. 3 para. 13(6)(b)(i)
- Sch. 2 para. 1(1)(a) words substituted by 2010 asp 13 Sch. 3 para. 13(3)(a)
- Sch. 2 para. 1(3) words substituted by 2010 asp 13 Sch. 3 para. 13(3)(b)(i)
- Sch. 2 para. 1(3) words substituted by 2010 asp 13 Sch. 3 para. 13(3)(b)(ii)
- Sch. 2 para. 3(1)(a) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(a)
- Sch. 2 para. 3(3) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(b)
- Sch. 2 para. 3(4) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(c)(i)
- Sch. 2 para. 3(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(c)(ii)
- Sch. 2 para. 3(5)(b)(ii) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(d)
- Sch. 2 para. 3(6)(b) words substituted by 2010 asp 13 Sch. 3 para. 13(5)(d)
- Sch. 2 para. 5(1)(a) words substituted by 2010 asp 13 Sch. 3 para. 13(6)(a)
- Sch. 2 para. 5(1)(b) words substituted by 2010 asp 13 Sch. 3 para. 13(6)(a)

- Sch. 2 para. 5(4) words substituted by 2010 asp 13 Sch. 3 para. 13(6)(c)(i)
- Sch. 2 para. 5(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 13(6)(c)(ii)
- Sch. 2 para. 1 cross-heading words substituted by 2010 asp 13 Sch. 3 para. 13(2)
- Sch. 2 para. 3 cross-heading words substituted by 2010 asp 13 Sch. 3 para. 13(4)
- Sch. 3 para. 5(1) repealed by 2010 asp 13 Sch. 3 para. 14(6)(a)
- Sch. 3 para. 1(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 14(2)
- Sch. 3 para. 3(1)(a) words substituted by 2010 asp 13 Sch. 3 para. 14(4)(a)
- Sch. 3 para. 5(2) words substituted by 2010 asp 13 Sch. 3 para. 14(6)(b)
- Sch. 3 para. 5(3) words substituted by 2010 asp 13 Sch. 3 para. 14(6)(b)
- Sch. 3 para. 5(4)(a) words substituted by 2010 asp 13 Sch. 3 para. 14(6)(c)(i)
- Sch. 3 para. 5(4)(c) words substituted by 2010 asp 13 Sch. 3 para. 14(6)(c)(ii)

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. 29A inserted by 2010 asp 13 s. 18(6)
- s. 42A inserted by 2010 asp 13 Sch. 3 para. 6
- s. 45(1)(za)(zb) inserted by 2010 asp 13 Sch. 3 para. 7(2)
- s. 46A inserted by 2010 asp 13 s. 18(7)
- s. 47(3A) inserted by 2010 asp 13 s. 18(8)(c)
- s. 47(8)(a)(b) substituted for words by 2010 asp 13 s. 18(8)(e)
- s. 51(1A) inserted by 2010 asp 13 Sch. 3 para. 9(3)
- Sch. 2 para. 1(4) added by 2010 asp 13 Sch. 3 para. 13(3)(c)
- Sch. 2 para. 7(1A) inserted by 2010 asp 13 Sch. 3 para. 13(8)
- Sch. 3 para. 2A inserted by 2010 asp 13 Sch. 3 para. 14(3)
- Sch. 3 para. 3(3) inserted by 2010 asp 13 Sch. 3 para. 14(4)(b)
- Sch. 3 para. 3A inserted by 2010 asp 13 Sch. 3 para. 14(5)
- Sch. 3 para. 5(4A) inserted by 2010 asp 13 Sch. 3 para. 14(6)(d)
- Sch. 3 para. 5(6) inserted by 2010 asp 13 Sch. 3 para. 14(6)(e)