

*These notes relate to the Custodial Sentences and Weapons (Scotland) Act 2007 (asp 17) which received Royal Assent on 19 April 2007*

# **CUSTODIAL SENTENCES AND WEAPONS (SCOTLAND) ACT 2007**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON PARTS**

#### **Part 2 - Confinement and Release of Prisoners** Chapter 7

#### *Application of Part 2 to Certain Persons*

#### *Section 54 - Persons detained under mental health provisions*

119. This section provides that Part 2 of the Act applies to the following categories of prisoner as if they had continued to serve their sentence in prison rather than in a hospital:
- those transferred to hospital under a transfer direction made in accordance with section 136(2) of the Mental Health (Care and Treatment) (Scotland) Act 2003; and
  - those conveyed to and detained in a hospital for treatment of a mental disorder in accordance with section 59A of the Criminal Procedure (Scotland) Act 1995.