

*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 3**

#### *Community and Life Licences*

#### **Revocation**

#### *Section 44 - Determination that [section 42\(3\)](#) applicable: consequences for life prisoners*

87. Subsection (1) provides that this section applies where the Parole Board under section 42(2) considers it to be in the public interest that a recalled life sentence prisoner be confined. Subsection (2) requires the Board to provide the prisoner with its reasons for not re-releasing the prisoner in writing. Subsection (3) provides that the Board must, subject to section 26, set a date for when it will next consider the prisoner's case within the period mentioned in subsection (4). Subsection (4) provides that the period begins 4 months after the date of the determination and ends immediately before the second anniversary of the determination. Subsection (5) requires Scottish Ministers to refer the case to the Parole Board before the date set under subsection (3).