



Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

PART 2

CONFINEMENT AND RELEASE OF PRISONERS

CHAPTER 3

COMMUNITY AND LIFE LICENCES

Revocation

40 **Compassionate release: effect of revocation in certain circumstances**

- (1) Subsection (2) applies where—
 - (a) a prisoner is released on licence by virtue of section 27(1),
 - (b) the licence is revoked by virtue of section 37(1) or (4) or 38(2), and
 - (c) the revocation occurs before the expiry of the relevant period.
- (2) This Part applies to the prisoner as if the prisoner had not been released on licence by virtue of section 27(1).
- (3) The relevant period is—
 - (a) in the case of a custody-only prisoner, the prisoner's sentence,
 - (b) in the case of a custody and community prisoner, the custody part of the prisoner's sentence,
 - (c) in the case of a life prisoner, the punishment part of the prisoner's sentence.