



# Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

## PART 2

### CONFINEMENT AND RELEASE OF PRISONERS

#### CHAPTER 4

##### CURFEW LICENCES

#### **49 Monitoring of curfew conditions**

- (1) A person's compliance with a curfew condition is to be monitored remotely.
- (2) Section 245C of the 1995 Act (contractual and other arrangements for, and devices which may be used for the purposes of, remote monitoring) applies in relation to the imposition of, and compliance with, a curfew condition as that section applies in relation to the making of, and compliance with, a restriction of liberty order.
- (3) The Scottish Ministers must designate in a curfew licence a person who is to be responsible for the remote monitoring.
- (4) The Scottish Ministers may replace the person designated under subsection (3) (or last designated under this subsection) with another person designated with the responsibility for the remote monitoring.
- (5) As soon as is practicable after designating a person under subsection (3) or (4), the Scottish Ministers must send the person—
  - (a) a copy of the curfew condition, and
  - (b) any other information they consider necessary for the fulfilment of the person's responsibility.
- (6) If a designation is made under subsection (4), the Scottish Ministers must, in so far as it is practicable to do so, notify the person replaced.