

Changes to legislation: *Criminal Justice (Scotland) Act 2003, Paragraph 1 is up to date with all changes known to be in force on or before 28 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*

SCHEDULE 1

ORDER FOR LIFELONG RESTRICTION: MODIFICATION OF ENACTMENTS

- 1 (1) The 1993 Act is amended in accordance with this paragraph.
- (2) In section 2 (duty to release discretionary life prisoners)—
- (a) in subsection (1), after paragraph (aa) there is inserted “or
 - (ab) who is subject to an order for lifelong restriction in respect of an offence,”;
 - (b) in subsection (2)(aa)—
 - (i) after the words “paragraph (a)” there is inserted “ or (ab) ”; and
 - (ii) in sub-paragraph (i), after the word “life” there is inserted “ , or as the case may be not made the order for lifelong restriction, ”;
 - (c) in subsection (3), after the words “subsection (1) above” there is inserted “ or makes an order for lifelong restriction ”;
 - (d) after subsection (9) there is added—
 - “(10) In subsection (9) above, the reference to “sentences of imprisonment for life” is to be construed as including a reference to any sentence constituted by an order for lifelong restriction.”.
- (3) In section 27(1) (interpretation)—
- (a) in the definition of “life prisoner”, at the end there is added “ or in respect of whom there has been made an order for lifelong restriction ”; and
 - (b) the following definitions are inserted at the appropriate places—
 - ““order for lifelong restriction” means an order under section 210F(1) of the Criminal Procedure (Scotland) Act 1995 (c. 46);”
 - ““risk management plan” shall be construed in accordance with section 6(1) of the Criminal Justice (Scotland) Act 2003 (asp 7);”.

Commencement Information

- II** Sch. 1 para. 1 wholly in force at 19.6.2006; para. 1 not in force at Royal Assent, see s. 89(2); para. 1(3) (b) in force at 4.10.2005 by S.S.I. 2005/433, art. 2; para. 1 in force otherwise at 19.6.2006 by S.S.I. 2006/332, art. 2 (for the purposes there specified)

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Changes and effects yet to be applied to :

- specified provision(s) and purposes Appointed Day(s) by [S.S.I. 2003/439 art. 23Sch.](#) (Effect not applied to [legislation.gov.uk](#). This S.S.I. is revoked (1.10.2003) by S.S.I. 2003/475, art. 4)

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. 16D inserted by [2023 asp 4 s. 14\(3\)](#)
- s. 16ZA inserted by [2023 asp 4 s. 14\(2\)](#)
- s. 17E(6) inserted by [2023 asp 4 s. 14\(7\)\(d\)](#)
- s. 17DA inserted by [2023 asp 4 s. 14\(6\)](#)
- s. 17ZA inserted by [2023 asp 4 s. 14\(4\)](#)
- s. 18A(5) inserted by [2023 asp 4 s. 14\(8\)\(b\)](#)