

SCHEDULE 1

MODIFICATION OF ENACTMENTS

Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

23.—(1) The Prisoners and Criminal Proceedings (Scotland) Act 1993 is amended as follows.

(2) In section 10 (life prisoners transferred to Scotland), in subsection (4)(b)(**1**) for paragraph (ib) substitute—

“(ib) a decision of the responsible authority under article 6 (removal to Scotland of patients to Northern Ireland) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005(**2**) authorising the prisoner’s removal to Scotland from Northern Ireland”.

(3) In Schedule 6 (transitional provision and savings) paragraph 1, in the definition of “new provisions”(**3**) for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

(1) In subsection (4)(b), paragraphs (ia) and (ib) were inserted by the [Convention Rights \(Compliance\) \(Scotland\) Act 2001 \(asp 7\)](#) section 3.

(2) [S.I.2005/2078](#).

(3) The definition of “new provisions” has been amended by the [Crime \(Sentences\) Act 1997 \(c. 43\)](#) section 55 and Schedule 4 paragraph 16 and the [Criminal Justice and Public Order Act 1994 \(c. 33\)](#) section 134(1)(a)(ii).