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SCOTTISH STATUTORY INSTRUMENTS

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**2015 No. 409 (C. 52)**

**PRISONS**

**The Prisoners (Control of Release) (Scotland)  
Act 2015 (Commencement) Order 2015**

*Made* - - - - 3rd December 2015  
*Laid before the Scottish  
Parliament* - - - - 7th December 2015  
*Coming into force* - - 1st February 2016

The Scottish Ministers make the following Order in exercise of the powers conferred by section 3(2) and (3) of the Prisoners (Control of Release) (Scotland) Act 2015<sup>(1)</sup>.

**Citation and commencement**

1. This Order may be cited as the Prisoners (Control of Release) (Scotland) Act 2015 (Commencement) Order 2015 and comes into force on 1st February 2016.

**Appointed day**

2. 1st February 2016 is appointed as the day on which the Prisoners (Control of Release) (Scotland) Act 2015, so far as not already in force, comes into force.

**Amendment**

3. In section 1(1A) of the Prisoners and Criminal Proceedings (Scotland) Act 1993<sup>(2)</sup>, in each of paragraphs (a) and (b)(i), for the words from “the day” to “into force” there is substituted “1st February 2016”.

St Andrew’s House,  
Edinburgh  
3rd December 2015

*MICHAEL MATHESON*  
A member of the Scottish Government

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(1) 2015 asp 8.

(2) 1993 c.9: subsection 1(A) of section 1 is inserted by the Prisoners (Control of Release) (Scotland) Act 2015.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order at article 2 brings into force, on 1st February 2016, sections 1 and 2 of the Prisoners (Control of Release) (Scotland) Act 2015 (“the Act”). Section 1 of the Act restricts the automatic early release of certain long term prisoners ie any long term prisoner whose sentence is imposed on or after 1st February 2016 and who is not subject to an extended sentence. Section 2 of the Act permits the release of a prisoner up to 2 days earlier than they would otherwise be released, if it is thought that it would be better for the prisoner’s reintegration into the community.

For ease of reference for the reader article 3 amends section 1(1A) of the Prisoners and Criminal Proceedings (Scotland) Act 1993 so as to specify the actual date on which section 1 of the Act comes into force.

The Bill for the Act received Royal Assent on 4th August 2015. Sections 3 and 4 of the Act came into force on the following day.