
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 385

The Parole Board (Scotland) Rules 2022

PART 5

Revocation, transitional and savings provision

- 35.**—(1) Subject to paragraphs (3),(4) and (5), the instruments listed in schedule 2 are revoked.
- (2) Subject to paragraph (5), where a case has been referred to the Board before 1 April 2023, but a decision has not been made in respect of that case, these Rules apply to that case as if it had been referred on or after that date.
- (3) Where these Rules apply to a case by virtue of paragraph (2)—
- (a) anything done under the Parole Board (Scotland) Rules 2001⁽¹⁾ (“the 2001 Rules”) in relation to the case is to be treated as if it was done under these Rules,
 - (b) the Board or, as the case may be, the panel considering the case may, if it determines that it is necessary in the interests of justice—
 - (i) vary any requirement of these Rules, or
 - (ii) determine instead that the case should continue to be dealt with under the 2001 Rules.
- (4) Anything done by the Board or a panel under paragraph (3)(b) must be recorded in the decision minute in relation to the case.
- (5) The instruments listed in schedule 2 continue to apply for the purpose of a case to which paragraph (3)(b)(ii) applies.

⁽¹⁾ S.S.I. 2001/315, as amended by S.S.I. 2010/164; S.S.I. 2011/133; S.S.I. 2012/167; S.S.I. 2012/197; S.I. 2013/2042; S.S.I. 2021/4 and S.S.I. 2022/10.