



Prisoners and Criminal Proceedings (Scotland) Act 1993

1993 CHAPTER 9

PART I

DETENTION, TRANSFER AND RELEASE OF OFFENDERS

Early release

6 Application to young offenders and to children detained without limit of time.

(1) This Part of this Act applies—

[^{F1}(a) to—

- (i) persons on whom detention in a young offenders institution has been imposed under section 205ZA(6) of the 1995 Act,
- (ii) persons on whom detention in a young offenders institution has been imposed under section 205ZC(4) of that Act, and
- (iii) persons on whom detention in a young offenders institution (other than detention without limit of time or for life) has been imposed under section 207(2) of that Act,

as the Part applies to persons serving equivalent sentences of imprisonment;]

(b) to—

- (i) persons sentenced under [^{F2}section 205(1) to (3)] of that Act to be detained without limit of time or for life;
- (ii) children sentenced to be detained without limit of time under [^{F3}section 208] of that Act; and
- (iii) persons on whom detention without limit of time or for life is imposed under [^{F4}section 207(2)] of that Act,

as the Part applies to persons sentenced to imprisonment for life,

Changes to legislation: Prisoners and Criminal Proceedings (Scotland) Act 1993, Section 6 is up to date with all changes known to be in force on or before 18 October 2023. 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

and references in the Part (except in this section, sections 1(8) and 5(1) and paragraph 1(b) of Schedule 1) to prisoners (whether short-term, long-term or life) or to prison, imprisonment or sentences of imprisonment shall be construed accordingly.

^{F5}(2)

^{F5}(3)

Textual Amendments

- F1** S. 6(1)(a) substituted (30.4.2021) by [Counter-Terrorism and Sentencing Act 2021 \(c. 11\)](#), s. 50(1)(i), [Sch. 13 para. 52\(12\)](#)
- F2** Words in s. 6(1)(b)(i) substituted (1.4.1996) by [1995 c. 40](#), ss. 5, 7(2), [Sch. 4 para. 86\(4\)\(b\)](#)
- F3** Words in s. 6(1)(b)(ii) substituted (1.4.1996) by [1995 c. 40](#), ss. 5, 7(2), [Sch. 4 para. 86\(4\)\(c\)](#)
- F4** Words in s. 6(1)(b)(iii) substituted (1.4.1996) by [1995 c. 40](#), ss. 5, 7(2), [Sch. 4 para. 86\(4\)\(d\)](#)
- F5** S. 6(2)(3) repealed (8.10.2001) by [2001 asp 7](#), s. [1\(4\)](#); [S.S.I. 2001/274](#), [art. 3\(3\)](#)

Modifications etc. (not altering text)

- C1** Ss. 1-3, 5, 6(1)(a)(b)(i)(iii), 9, 11-13, 15-21, 27, Schs. 2, 6 extended (1.10.1997) by [1997 c. 43](#), 56(1), Sch. 1 paras. 10(2)(5), 11(2)(4), Sch. 5 paras. 11(1)(3), 12(1); [S.I. 1997/2200](#), [art. 2\(1\)\(n\)](#) (subject to art. 5 of the said S.I.) (which amendment fell (30.9.1998) by reason of the repeal of Sch. 5 paras. 11(1), 12(1) by [1998 c. 37](#), s. 120(2), [Sch. 10](#); [S.I. 1998/2327](#), [art. 2\(1\)\(aa\)\(3\)\(x\)](#) (subject to arts. 5-8 of the said S.I.)
- Ss. 1, 1A, 2(4), 3A, 5, 6(1)(a)(b)(i)(iii), 7, 9, 16, 20, 21, 26A, 27, Schs. 2, 6 extended (30.9.1998) by [1997 c. 43](#), ss. 41, 56(1), Sch. 1 Pt. II paras. 10(2)(a)(5)(a)(6)(7), [11\(2\)\(a\)\(4\)\(a\)\(6\)](#) (subject to art. 5) (as amended (30.9.1998) by [1998 c. 37](#), s. 119, [Sch. 8 paras. 135\(5\)\(a\)\(d\)\(f\)\(6\)\(a\)\(b\)](#); [S.I. 1998/2327](#), [art. 2\(1\)\(y\)\(2\)\(oo\)](#) (subject to arts. 5-8))

Commencement Information

- I1** S. 6 not in force at Royal Assent see s. 48(2). S. 6(3) in force for certain purposes on 18.8.1993, S. 6 wholly in force at 1.10.1993 by [S.I. 1993/2050](#) art. 3(2)(4), Sch. 1

Changes to legislation:

Prisoners and Criminal Proceedings (Scotland) Act 1993, Section 6 is up to date with all changes known to be in force on or before 18 October 2023. 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.

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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. 3A(3A) inserted by [2019 asp 14 s. 51\(2\)](#)
- s. 3B inserted by [2019 asp 14 s. 51\(3\)](#)
- s. 3B(1)(a) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(a\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(i\)](#)
- s. 3B(1)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(b\)\(ii\)](#)
- s. 3B(4)(b) words inserted by [2021 c. 11 Sch. 13 para. 52\(10\)\(c\)](#)
- s. 3C-3E and cross-heading inserted by [2023 asp 4 s. 11\(2\)](#)
- s. 3AA(4)(aa) inserted by [2023 asp 4 s. 9\(4\)\(b\)\(ii\)](#)
- s. 3AA(7A) inserted by [2023 asp 4 s. 9\(4\)\(d\)](#)
- s. 3AB3AC inserted by [2023 asp 4 s. 9\(5\)](#)
- s. 11(3C)(3D) inserted by [2023 asp 4 s. 9\(6\)\(b\)](#)
- s. 12(3A) inserted by [2023 asp 4 s. 11\(3\)](#)
- s. 12AA(7) inserted by [2023 asp 4 s. 9\(8\)\(d\)](#)
- s. 12ZA inserted by [2023 asp 4 s. 11\(4\)](#)
- s. 16(2A) inserted by [2016 asp 1 s. 86\(4\)](#)
- s. 17(2A)(2B) inserted by [2023 asp 4 s. 10\(2\)](#)
- s. 17A(2B)(2C) inserted by [2023 asp 4 s. 10\(3\)\(a\)](#)
- s. 17B inserted by [2023 asp 4 s. 10\(4\)](#)
- s. 27(7A)(7B) inserted by [2023 asp 4 s. 8\(2\)\(b\)](#)