



Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

PART 2

CONFINEMENT AND RELEASE OF PRISONERS

CHAPTER 3

COMMUNITY AND LIFE LICENCES

Suspension

36 Suspension of licence conditions while detained

- (1) Subsection (2) applies where—
 - (a) the Scottish Ministers release a prisoner on licence by virtue of section 11(2), 13(2)(a), 19(1), 23(2)(a), 27(1) or 42(4)(a), and
 - (b) while the licence is in force the prisoner continues to be, or is, detained in prison by virtue of this Part, any other enactment or any rule of law.
- (2) Any condition in the licence other than a condition mentioned in subsection (3) is suspended for the relevant period.
- (3) Those conditions are any conditions (however expressed) requiring the prisoner—
 - (a) to be of good behaviour and to keep the peace,
 - (b) to refrain from contacting a person, or class of person, specified in the licence (or to refrain from doing so without the approval of a person specified in the licence).
- (4) The relevant period is—
 - (a) the period during which the prisoner remains detained in prison, and
 - (b) the licence remains in force.

Status: This is the original version (as it was originally enacted).

- (5) The Scottish Ministers may by order amend subsection (3) by amending conditions or adding or removing conditions.