

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the period specified in section 3AA(3) of the Prisoners and Criminal Proceedings (Scotland) Act 1993.

That is the period during which the Scottish Ministers may, under section 3AA(1) of that Act, release a prisoner on licence subject to a curfew condition, commonly known as a home detention curfew licence, in terms of sections 12AA and 12AB of that Act.

The period during which a prisoner can be released on such a licence is therefore increased from 135 days (i.e. 121 days plus 14 days) to 180 days (i.e. 166 days plus 14 days) before the date on which a prisoner will have served one half of a sentence.