

*These notes relate to the Custodial Sentences and Weapons (Scotland) Act 2007 (asp 17) which received Royal Assent on 19 April 2007*

# **CUSTODIAL SENTENCES AND WEAPONS (SCOTLAND) ACT 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON PARTS**

*Schedule 6* (introduced by *section 66(3)*)

### ***Transitory Amendments of the Prisoners and Criminal Proceedings (Scotland) Act 1993***

169. [Paragraph 1](#) provides that until they are repealed by the Act, section 1 and 9 of the Prisoners and Criminal Proceedings (Scotland) Act 1993 have the effect as provided for at paragraphs 2 and 3. Paragraph 2 replaces subsections 1(3)(a) and (b) with the word shall. Paragraph 3 repeals subsection 9(1). The effect of this is to require Scottish Ministers to refer the cases of all long-term prisoners, including those liable to removal from the United Kingdom under immigration legislation, to the Parole Board for Scotland once they have served one-half of their sentence, so that the Board can consider whether they should be released on licence.