



# Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

## PART 2

### CONFINEMENT AND RELEASE OF PRISONERS

## CHAPTER 3

### COMMUNITY AND LIFE LICENCES

#### *Community licences*

#### **30 Release on community licence on Parole Board's direction**

- (1) This section applies where by virtue of section 13(2)(b), 14(3)(b), 16(3), 18(3)(b) or 42(4)(b) the Parole Board specifies conditions which are to be included in a prisoner's community licence.
- (2) The Scottish Ministers must include in the prisoner's community licence—
  - (a) those conditions,
  - (b) the standard conditions, and
  - (c) if section 29(1) applies, the supervision conditions.
- (3) On the direction of the Parole Board, the Scottish Ministers may—
  - (a) vary the conditions mentioned in subsection (2),
  - (b) cancel conditions (other than the standard conditions and the supervision conditions),
  - (c) include in the licence further conditions.

#### **31 Community licences in which Scottish Ministers may specify conditions**

- (1) This section applies where by virtue of section 11(2) or 27(1) the Scottish Ministers release a prisoner on community licence.

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*Status: This is the original version (as it was originally enacted).*

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- (2) The Scottish Ministers—
- (a) must include in the prisoner’s community licence—
    - (i) the standard conditions, and
    - (ii) if section 29(1) applies, the supervision conditions,
  - (b) may include in the licence such other conditions as they consider appropriate.
- (3) The Scottish Ministers may—
- (a) vary the conditions mentioned in subsection (2),
  - (b) cancel conditions (other than the standard conditions and the supervision conditions),
  - (c) include in the licence such further conditions as they consider appropriate.
- (4) Before exercising any of the powers conferred by subsection (2) or (3), the Scottish Ministers must, in pursuance of arrangements established under section 9(1), co-operate with the appropriate local authority.
- (5) In subsection (4) “appropriate local authority” has the same meaning as in section 9.