



# Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

## PART 2

### CONFINEMENT AND RELEASE OF PRISONERS

#### CHAPTER 3

##### COMMUNITY AND LIFE LICENCES

###### *Revocation*

### 37 Revocation of licence

- (1) If—
- (a) a prisoner is released on licence by virtue of section 11(2), 13(2)(a), 19(1), 23(2)(a), 27(1) or 42(4)(a),
  - (b) the prisoner is not detained as mentioned in section 36(1)(b), and
  - (c) subsections (2) and (3) apply,
- the Scottish Ministers must revoke the licence and recall the prisoner to prison.
- (2) This subsection applies if—
- (a) the prisoner breaches a licence condition, or
  - (b) the Scottish Ministers consider that the prisoner is likely to breach a licence condition.
- (3) This subsection applies if the Scottish Ministers consider that it is in the public interest to revoke the licence and recall the prisoner to prison.
- (4) If—
- (a) a prisoner is released on licence by virtue of section 11(2), 13(2)(a), 19(1), 23(2)(a), 27(1) or 42(4)(a),
  - (b) the prisoner is detained as mentioned in section 36(1)(b), and

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*Status: This is the original version (as it was originally enacted).*

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(c) subsections (2) and (5) apply,  
the Scottish Ministers must revoke the licence.

(5) This subsection applies if the Scottish Ministers consider that it is in the public interest to revoke the licence.