



Custodial Sentences and Weapons (Scotland) Act 2007

2007 asp 17

PART 2

CONFINEMENT AND RELEASE OF PRISONERS

CHAPTER 7

APPLICATION OF PART 2 TO CERTAIN PERSONS

54 Persons detained under mental health provisions

- (1) Where a transfer for treatment direction under section 136(2) of the Mental Health (Care and Treatment) (Scotland) Act 2003 ([asp 13](#)) has been made in respect of a person serving a sentence of imprisonment, this Part applies to that person as if—
 - (a) the person continues to serve the sentence while detained in hospital, and
 - (b) the person had not been removed to hospital.
- (2) Where a person is conveyed to and detained in a hospital pursuant to a hospital direction under section 59A of the 1995 Act, this Part applies to that person as if, while so detained, the person were serving a sentence of imprisonment imposed at the time the direction was made.