

## SCHEDULE 1

### MODIFICATION OF ENACTMENTS

#### *Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)*

**23.**—(1) The Prisoners and Criminal Proceedings (Scotland) Act 1993 is amended as follows.

(2) In section 10 (life prisoners transferred to Scotland), in subsection (4)(b)(**1**) for paragraph (ib) substitute—

“(ib) a decision of the responsible authority under article 6 (removal to Scotland of patients to Northern Ireland) of the Mental Health (Care and Treatment) (Scotland) Act 2003 (Consequential Provisions) Order 2005(**2**) authorising the prisoner’s removal to Scotland from Northern Ireland”.

(3) In Schedule 6 (transitional provision and savings) paragraph 1, in the definition of “new provisions”(**3**) for “Mental Health (Scotland) Act 1984” substitute “Mental Health (Care and Treatment) (Scotland) Act 2003”.

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(1) In subsection (4)(b), paragraphs (ia) and (ib) were inserted by the [Convention Rights \(Compliance\) \(Scotland\) Act 2001 \(asp 7\)](#) section 3.

(2) [S.I.2005/2078](#).

(3) The definition of “new provisions” has been amended by the [Crime \(Sentences\) Act 1997 \(c. 43\)](#) section 55 and Schedule 4 paragraph 16 and the [Criminal Justice and Public Order Act 1994 \(c. 33\)](#) section 134(1)(a)(ii).