



Prisons (Scotland) Act 1989

1989 CHAPTER 45

Release on licence, etc.

[^{F1}22A Suspension of licence conditions

- (1) Where a prisoner, who has been released on licence under section 22 of this Act as respects a sentence of imprisonment—
 - (a) continues, by virtue of any enactment or rule of law, to be detained in prison notwithstanding such release; or
 - (b) is, by virtue of any enactment or rule of law, detained in prison subsequent to the date of such release but while the licence remains in force,the conditions in the licence, other than those mentioned in subsection (3) below, shall by virtue of such detention be suspended.
- (2) The suspension of the conditions shall have effect for so long as—
 - (a) the prisoner is so detained; and
 - (b) the licence remains in force.
- (3) The conditions are any conditions, however expressed, requiring the prisoner—
 - (a) to be of good behaviour and to keep the peace; or
 - (b) not to contact a named person or class of persons (or not to do so unless with the approval of a person specified in the licence by virtue of section 22(7) of this Act).
- (4) The Scottish Ministers may by order amend subsection (3) above by—
 - (a) adding to the conditions mentioned in that subsection such other conditions as they consider appropriate; or
 - (b) cancelling or varying a condition for the time being mentioned in that subsection.]

Changes to legislation: There are currently no known outstanding effects for the Prisons (Scotland) Act 1989, Section 22A. (See end of Document for details)

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Textual Amendments

- F1** S. 22A inserted (27.6.2003) by [Criminal Justice \(Scotland\) Act 2003 \(asp 7\)](#), ss. **34(3)**, 89(2); S.S.I. 2003/288, art. 2, Sch.

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