



Terrorist Offenders (Restriction of Early Release) Act 2020

2020 CHAPTER 3

Consequential and transitional provision

8 Transitional provision for terrorist prisoners subject to supervised release orders: Scotland

- (1) This section applies where—
 - (a) a terrorist prisoner was sentenced before the coming into force of section 1AB of the Prisoners and Criminal Proceedings (Scotland) Act 1993 (the “1993 Act”) (inserted by section 3), and
 - (b) the court, on passing sentence, made a supervised release order under section 209 of the Criminal Procedure (Scotland) Act 1995 (the “1995 Act”) in respect of the prisoner.
- (2) If the terrorist prisoner is not released under section 1AB of the 1993 Act until the end of the prisoner's sentence, the supervised release order is revoked on the prisoner's release.
- (3) If the Parole Board for Scotland recommends the release of the terrorist prisoner under section 1AB of the 1993 Act before the end of the prisoner's sentence—
 - (a) the Scottish Ministers must release the prisoner unconditionally (despite section 1AB(4)), and
 - (b) the supervised release order applies in relation to the prisoner subject to the modifications in subsection (4).
- (4) Where the terrorist prisoner is released under subsection (3), the supervised release order has effect during the period—
 - (a) beginning with the day on which the terrorist prisoner is released, and
 - (b) ending with whichever of the following is the earlier—
 - (i) the day on which the supervised release order would, but for section 3 and this section, have ceased to have effect, and
 - (ii) the end of the prisoner's sentence,

Changes to legislation: *There are currently no known outstanding effects for the Terrorist Offenders (Restriction of Early Release) Act 2020, Section 8. (See end of Document for details)*

and section 209 of the 1995 Act and the supervised release order are to be read accordingly.

- (5) Terms used in this section and defined for the purposes of section 1AB of the 1993 Act have the same meaning in this section as in that section.

Changes to legislation:

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