



# Management of Offenders (Scotland) Act 2019 2019 asp 14

## PART 4

PRISONERS: CONTROL OF RELEASE, BEING UNLAWFULLY AT LARGE, ETC.

*Control of release, etc.*

### 50 Representations by certain recalled prisoners

- (1) The 1993 Act is amended as follows.
- (2) In section 17A, for subsection (1) there is substituted—
  - “(1) Where a prisoner has been released on licence under section 3AA, the Scottish Ministers may revoke the licence and recall the person to prison if in their opinion the revocation and recall are expedient in the public interest.”
- (3) In section 17A, after subsection (2) there is inserted—
  - “(2A) Such representations must be made by a person—
    - (a) within 6 months from when the person is informed as mentioned in subsection (2)(a), or
    - (b) later as allowed by the Parole Board on cause shown by the person.”
- (4) In section 17A—
  - (a) subsection (5) is repealed,
  - (b) after subsection (5) there is inserted—
    - “(5A) Despite the cancellation of the revocation of a person’s licence by virtue of subsection (4), the person’s recall to prison remains effective.
    - (5B) Where a person’s recall to prison remains effective under subsection (5A), the Scottish Ministers must consider whether the person should again be released under section 3AA.”