
Changes to legislation: There are currently no known outstanding effects for the Convention Rights (Compliance) (Scotland) Act 2001, PART 2. (See end of Document for details)

SCHEDULE TRANSITIONAL PROVISIONS

PART 2

EXISTING DESIGNATED LIFE PRISONERS

- 27 This Part of this schedule applies to a life prisoner (an “existing designated life prisoner”)—
- (a) who was sentenced before the relevant date; and
 - (b) in respect of whom the court made an order under section 2(2) of the 1993 Act that subsections (4) to (6) of that section apply to the prisoner as soon as the prisoner has served the part of the sentence (“the designated part”) specified in the order.
- 28 In this Part of this schedule—
- “life prisoner” and “punishment part” have respectively the same meanings as they have in Part 1 of this schedule;
 - “relevant date” means the date when this Part of this schedule comes into force; and
- the references in paragraph 27(b) above and paragraph 30(a) and (b) below to sections 2 and 17 of the 1993 Act are references to those sections as they had effect immediately before the relevant date.
- 29 Part 1 of the 1993 Act, as amended by this Act, shall, on the relevant date, apply to an existing designated life prisoner as if the designated part of the prisoner’s sentence were a punishment part specified under section 2(2) of the 1993 Act as amended by this Act.
- 30 In the case of an existing designated life prisoner—
- (a) whose case was, before the relevant date, referred to the Parole Board under section 2 or 17(3) of the 1993 Act and, in respect of whom, the Board declined to direct the prisoner’s release on licence; or
 - (b) who was, before the relevant date, recalled to prison under section 17(1) of the 1993 Act and not thereafter released,
- the Board shall, as soon as reasonably practicable after the relevant date, fix the date when it will next consider the prisoner’s case, being a date not later than two years after the date of its decision to decline to direct the release of the prisoner or the date when the prisoner was recalled to prison, whichever is the later; and the date so fixed shall be treated as fixed under section 2(5A)(b) of the 1993 Act.

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