
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 138

**The Release of Prisoners (Coronavirus)
(Scotland) Regulations 2020**

Timing of release

3.—(1) A person who is to be released early from prison in accordance with regulation 2 must be released in accordance with this regulation.

(2) Subject to paragraph (5), where a person is to be released under section 1(1) or 7(1)(a) of the 1993 Act within the 30 days following the date on which these Regulations come into force, that person is to be released from prison in accordance with these Regulations no later than 18 May 2020.

(3) Subject to paragraph (5), where a person is to be released under section 1(1) or 7(1)(a) of the 1993 Act within the 60 days following the date on which these Regulations come into force, and paragraph (2) does not apply to that person, that person is to be released from prison under these Regulations—

- (a) no earlier than 19 May 2020, and
- (b) no later than 25 May 2020.

(4) Subject to paragraph (5), where a person is to be released under section 1(1) or 7(1)(a) of the 1993 Act within the 90 days following the date on which these Regulations come into force, and paragraphs (2) and (3) do not apply to that person, that person is to be released from prison under these Regulations—

- (a) no earlier than 26 May 2020, and
- (b) no later than 1 June 2020.

(5) Paragraph (6) applies where, on or before the day on which a person is to be released under these Regulations, a health care professional has informed the governor of the prison within which the person is detained for the time being that, in the health care professional's opinion, the person has or is likely to have coronavirus.

(6) Where this paragraph applies, the person must not be released from prison in accordance with paragraphs (2), (3) or (4) and must be released instead on the earlier of—

- (a) the date on which the person is to be released under section 1(1) or 7(1)(a) of the 1993 Act, and
- (b) the date on which a health care professional informs the governor of the prison within which the person is detained for the time being that the person no longer has, or is no longer likely to have, coronavirus.