Status: Point in time view as at 01/12/2003. This version of this provision has been superseded.
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team
to Prisoners and Criminal Proceedings (Scotland) Act 1993. Any changes that have already been made
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Prisoners and Criminal Proceedings (Scotland) Act 1993

1993 CHAPTER 9

PART I

DETENTION, TRANSFER AND RELEASE OF OFFENDERS

Early release

[F1**1A** **Application to persons serving more than one sentence.**

[Where a prisoner has been sentenced to two or more terms of imprisonment which are
F2(1)] wholly or partly concurrent and do not fall to be treated as a single term by virtue of
section 27(5) of this Act—

(a) nothing in this Part of this Act shall require the Secretary of State to release
him in respect of any of the terms unless and until the Secretary of State is
required to release him in respect of each of the other terms;

(b) nothing in this Part of this Act shall require the Secretary of State or the Parole
Board to consider his release in respect of any of the terms unless and until
the Secretary of State or the Parole Board is required to consider his release,
or the Secretary of State is required to release him, in respect of each of the
other terms; and

(c) where he is released on licence under this Part of this Act, he shall be on a
single licence which—

(i) shall (unless revoked) remain in force until the date on which he
would (but for his release) have served in full all the sentences in
respect of which he has been so released; and

(ii) shall be subject to such conditions as may be specified [F3under] or
required by this Part of this Act in respect of any of the sentences.

[Where a prisoner who is serving any term of imprisonment receives a sentence of
F4(2) imprisonment or other detention for life, for an indeterminate period or without limit of

2   *Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)*
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time which is to take effect on the day after he would (but for the sentence so received) be entitled to be released from the term, nothing in this Part of this Act shall require—

(a)   the Scottish Ministers to release him in respect of any such term unless and until they are required to release him in respect of the sentence so received; or

(b)   the Scottish Ministers or the Parole Board to consider his release in respect of any such term unless and until the Scottish Ministers are or the Parole Board is required to consider his release, or the Scottish Ministers are required to release him, in respect of the sentence so received.**]]**

Textual Amendments

F1   S. 1A inserted (30.9.1998) by 1998 c. 37, **s. 111(1)**; S.I. 1998/2327, **art. 2(1)(x)**

F2   S. 1A renumbered as s. 1A(1) (1.12.2003) by virtue of Criminal Justice (Scotland) Act 2003 (asp 7), **ss. 30(a)**, 89(2); S.S.I. 2003/475, **art. 2**, Sch.

F3   Word in s. 1A(c)(ii) inserted (27.6.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), ss. 85, 89(2), **Sch. 4 para. 2(2)**; S.S.I. 2003/288, **art. 2**, Sch.

F4   S. 1A(2) added (1.12.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), **ss. 30(b)**, 89(2); S.S.I. 2003/475, **art. 2**, Sch.

Modifications etc. (not altering text)

C1   S. 1A excluded (17.12.2001) by 2001 asp 13, **s. 24(c)** (with s. 29); S.S.I. 2001/456, **art. 2**

C2   Ss. 1, 1A, 2(4), 3A, 5, 6(1)(a)(b)(i)(iii), 7, 9, 16, 20, 21, 26A, 27, Schs. 2, 6 extended (30.9.1998) by 1997 c. 43, ss. 41, 56(1), Sch. 1 Pt. II paras. 10(2)(a)(5)(a)(6)(7), **11(2)(a)(4)(a)(6)** (subject to art. 5) (as amended (30.9.1998) by 1998 c. 37, s. 119, **Sch. 8 paras. 135(5)(a)(d)(f)(6)(a)(b)**; S.I. 1998/2327, **art. 2(1)(y)(2)(oo)** (subject to arts. 5-8))

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