



Prisoners and Criminal Proceedings (Scotland) Act 1993

1993 CHAPTER 9

PART I

DETENTION, TRANSFER AND RELEASE OF OFFENDERS

Early release

6 Application to young offenders and to children detained without limit of time.

(1) This Part of this Act applies—

(a) to persons on whom detention in a young offenders institution (other than detention without limit of time or for life) has been imposed under [F¹section 207(2)] of the [F²1995 Act] as the Part applies to persons serving equivalent sentences of imprisonment; and

(b) to—

(i) persons sentenced under [F³section 205(1) to (3)] of that Act to be detained without limit of time or for life;

(ii) children sentenced to be detained without limit of time under [F⁴section 208] of that Act; and

(iii) persons on whom detention without limit of time or for life is imposed under [F⁵section 207(2)] of that Act,

as the Part applies to persons sentenced to imprisonment for life,

and references in the Part (except in this section, sections 1(8) and 5(1) and paragraph 1(b) of Schedule 1) to prisoners (whether short-term, long-term or life) or to prison, imprisonment or sentences of imprisonment shall be construed accordingly.

(2) A child detained without limit of time under [F⁴section 208] of the [F²1995 Act] may, on the recommendation of the Parole Board made at any time, be released on licence by the Secretary of State.

Status: Point in time view as at 01/04/1996. This version of this provision has been superseded.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 by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (3) The Secretary of State may, after consultation with the Parole Board, by order provide that, in relation to all children detained without limit of time under [F⁴section 208] of the [F²1995 Act] or to such class of those children as may be specified in the order, this section shall have effect subject to the modification that, in subsection (2), for the word “may” there shall be substituted the word “ shall ”.

Textual Amendments

- F1** Words in s. 6(1)(a) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 86(4)(a)**
F2 Words in s. 6(1)(a)(2)(3) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 86(2)**
F3 Words in s. 6(1)(b)(i) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 86(4)(b)**
F4 Words in s. 6(1)(b)(ii)(2)(3) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 86(4)(c)**
F5 Words in s. 6(1)(b)(iii) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 86(4)(d)**

Modifications etc. (not altering text)

- C1** Ss. 1-3, 5, 6(1)(a)(b)(i)(iii), 9, 11-13, 15-21, 27, Schs. 2, 6 extended (1.10.1997) by 1997 c. 43, 56(1), Sch. 1 paras. 10(2)(5), 11(2)(4), Sch. 5 paras. 11(1)(3), 12(1); S.I. 1997/2200, **art. 2(1)(n)** (subject to art. 5 of the said S.I.) (which amendment fell (30.9.1998) by reason of the repeal of Sch. 5 paras. 11(1), 12(1) by 1998 c. 37, s. 120(2), **Sch. 10**; S.I. 1998/2327, **art. 2(1)(aa)(3)(x)** (subject to arts. 5-8 of the said S.I.)
 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))

Commencement Information

- I1** S. 6 not in force at Royal Assent see s. 48(2). S. 6(3) in force for certain purposes on 18.8.1993, S. 6 wholly in force at 1.10.1993 by S.I. 1993/2050 art. 3(2)(4), Sch. 1

Status:

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