



# Bail and Release from Custody (Scotland) Act 2023

2023 asp 4

## PART 2

### RELEASE FROM CUSTODY

PROSPECTIVE

#### **8 Prisoners not to be released on certain days of the week**

(1) The Prisoners and Criminal Proceedings (Scotland) Act 1993 (“the 1993 Act”) is amended as follows.

(2) In section 27 (interpretation of Part 1)—

- (a) in subsection (7), for the words from “a Saturday”, in the first place where they occur, to the end substitute “—
- (a) an excepted day, or
  - (b) subject to subsection (7A), a Thursday,

the release of the prisoner is to be brought forward to the last preceding day which is a suitable release day.”,

(b) after subsection (7) insert—

“(7A) Subsection (7)(b) does not apply where the prisoner fell to be released on or by an excepted day and the release was brought forward to a Thursday by virtue of subsection (7)(a).

(7B) For the purposes of subsections (7) and (7A)—

- (a) an “excepted day” is a day which is—
- (i) a Friday,
  - (ii) a Saturday,
  - (iii) a Sunday,
  - (iv) a public holiday,
  - (v) the day before a public holiday,

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**Status:** This version of this provision is prospective.

**Changes to legislation:** There are currently no known outstanding effects for the Bail and Release from Custody (Scotland) Act 2023, Section 8. (See end of Document for details)

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- (b) a “suitable release day” is a day which is not—
- (i) in a case where subsection (7)(a) applies, an excepted day,
  - (ii) in a case where subsection (7)(b) applies, an excepted day or a Thursday.”.

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**Commencement Information**

**II** S. 8 not in force at Royal Assent, see [s. 18\(2\)](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Bail and Release from Custody (Scotland) Act 2023, Section 8.