

SCHEDULES

SCHEDULE 27

TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS

PART 2

SENTENCING

Release and recall of prisoners

- 8 Nothing in the amendments made by section 26 affects the operation of Part 2 of the Criminal Justice Act 1991 (c. 53) in relation to a long-term prisoner within the meaning of that Part who (for the purposes of that Part) has served one-half of his sentence before the commencement of that section.
- 9 Section 33(1A) of the Criminal Justice Act 1991 (c. 53) (which is inserted by section 26(2)) does not apply to a long-term prisoner serving a sentence (for one or more offences committed before 4th April 2005) by virtue of having been transferred to the United Kingdom in pursuance of a warrant under section 1 of the Repatriation of Prisoners Act 1984 (c. 47) if—
- (a) the warrant was issued before the commencement of section 26(2); and
 - (b) the offence or one of the offences for which the prisoner is serving that sentence corresponds to murder or to any offence specified in Schedule 15 to the Criminal Justice Act 2003 (c. 44).
- 10 The amendments made by subsections (3) and (5) of section 28 do not apply in relation to any person who is released on licence under section 36(1) of the Criminal Justice Act 1991 before the commencement of section 28.
- 11 In section 255A and 255C of the Criminal Justice Act 2003 (which are inserted by section 29) “specified offence prisoner” is to be read as including a prisoner serving a determinate sentence by virtue of having been transferred to the United Kingdom in pursuance of a warrant under section 1 of the Repatriation of Prisoners Act 1984 if—
- (a) the warrant was issued before the commencement of section 29; and
 - (b) the offence or one of the offences for which the prisoner is serving that sentence corresponds to murder or to any offence specified in Schedule 15 to the Criminal Justice Act 2003.
- 12 The amendment made by subsection (1) of section 32 applies in relation to any person who is recalled under section 254(1) of the Criminal Justice Act 2003 on or after the commencement of section 32 but it is immaterial when the person was released on licence under Part 2 of the Criminal Justice Act 1991.

Fine defaulters

- 13 (1) Section 39 and Schedule 7 do not apply—

Status: This is the original version (as it was originally enacted).

- (a) in relation to a sum adjudged to be paid by a conviction if the offence was committed before the commencement of that section, or
 - (b) where a sum ordered to be paid is treated as adjudged to be paid by a conviction, if the act or omission to which the sum relates occurred, or the order was made, before the commencement of that section.
- (2) Section 40 and paragraph 2(4) and (6) of Schedule 26 do not apply—
- (a) in relation to a sum adjudged to be paid by a conviction if the offence was committed before the commencement of that section, or
 - (b) where a sum ordered to be paid is treated as adjudged to be paid by a conviction, if the act or omission to which the sum relates occurred, or the order was made, before the commencement of that section.