

SCHEDULES

SCHEDULE 15

Section 120

APPLICATION OF SECTIONS 108 TO 119 AND TRANSITIONAL AND TRANSITORY PROVISION

- 1 In this Schedule—
 - (a) “the commencement date”, in relation to any of sections 108 to 118, means the day appointed under section 151 for the coming into force of that section;
 - (b) “Chapter 6” means Chapter 6 of Part 12 of the 2003 Act, as amended by those sections;
 - (c) “the 2003 Act” means the Criminal Justice Act 2003.
- 2 (1) The following provisions apply in relation to any person who falls to be released under Chapter 6 on or after the commencement date—
 - (a) section 108 (but this is subject to sub-paragraph (3));
 - (b) in section 110—
 - (i) subsections (1) to (7), (9) and (12) so far as they relate to section 240ZA of the 2003 Act, and
 - (ii) subsection (10);
 - (c) section 111;
 - (d) section 115;
 - (e) section 116;
 - (f) Part 1 of Schedule 13 and section 110(13) so far as it relates to that Part (but this is subject to sub-paragraph (3)).
- (2) Section 117 applies in relation to any person who falls to be released under Chapter 6, or (as the case may be) under Chapter 2 of Part 2 of the Crime (Sentences) Act 1997, on or after the commencement date.
- (3) Where a court, before the commencement date, has given a direction under section 240(3) of the 2003 Act or section 246(2) of the Armed Forces Act 2006—
 - (a) if the number of days in relation to which the direction is given is greater than the number of days calculated under the new provisions, the direction continues to have effect (in place of the new provisions);
 - (b) in any other case, the direction ceases to have effect.
- (4) In sub-paragraph (3) “the new provisions” means—
 - (a) where the direction was given under section 240(3) of the 2003 Act, section 240ZA of that Act;
 - (b) where the direction was given under section 246(2) of the Armed Forces Act 2006, section 246 of that Act as amended by Part 1 of Schedule 13.
- 3 The following provisions apply in relation to any person sentenced on or after the commencement date—
 - (a) section 109;

Status: This is the original version (as it was originally enacted).

(b) in section 110—

(i) subsections (1) to (7), (9) and (12) so far as they relate to section 240A of the 2003 Act, and

(ii) subsection (8).

4 The amendments made by section 112 do not affect the release under Chapter 6 of any prisoner before the commencement date.

5 Section 113 applies in relation to any person recalled under section 254 of the 2003 Act before the commencement date (as well as in relation to any person recalled under that section on or after that date).

6 Section 114 applies in relation to any person recalled under that section on or after the commencement date.

7 Section 119 applies in relation to any person who, on the day on which this Act is passed, has served the relevant part of the sentence (as well as in relation to any person who, on that date, has not served that part).