

Changes to legislation: *The Criminal Justice (Northern Ireland) Order 2008, Paragraph 4 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 5

AMENDMENTS

The Repatriation of Prisoners Act 1984 (c. 47)

4.—(1) In section 2 (transfer out of the United Kingdom) in subsection (4)(b) after sub-paragraph (iii) insert—

“(iiiia) released on licence under Article 17 or 19 of the Criminal Justice (Northern Ireland) Order 2008;”.

(2) In the Schedule (operation of certain enactments in relation to the prisoner) after paragraph 2 insert—

“**2A.—(1)** This paragraph applies to a prisoner repatriated to Northern Ireland.

(2) In determining for the purposes of Chapter 4 of Part 2 of the Criminal Justice (Northern Ireland) Order 2008 whether the prisoner has at any time served a particular proportion or part of his sentence specified in that Chapter, the prisoner's sentence shall subject to sub-paragraph (3), be deemed to begin with the day on which the relevant provisions take effect.

(3) If the warrant specifies a period to be taken into account for the purposes of this paragraph, the amount of time the prisoner has served shall, so far only as the question whether he has served a particular proportion or part of his sentence, be deemed to be increased by that period.

(4) Where the prisoner's sentence is for a term of less than 12 months, Chapter 4 of Part 2 of the Criminal Justice (Northern Ireland) Order 2008 shall apply as if the sentence were for a term of 12 months or more.

(5) In this paragraph “sentence” means the provision included in the warrant which is equivalent to sentence.”.

Commencement Information

II Sch. 5 para. 4 partly in operation; Sch. 5 para. 4 not in operation at date Order made see art. 1(4); Sch. 5 para. 4(2) in operation at 15.5.2008 by S.R. 2008/217, art. 2, Sch. (with transitory provision in art. 4); Sch. 5 para. 4(1) in operation for certain purposes at 1.4.2009 by S.R. 2009/120, art. 2, Sch. 1 (subject to Sch. 2 paras. 1(1)(2)(b), 2(3)(5), 4)

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 Pt. 1 para. 31A renumbered as 31(B) by [2022 c. 19 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- art. 19(1A) inserted by [2015 c. 9 \(N.I.\) s. 82](#)
- art. 45(1A) inserted by [2011 c. 24 \(N.I.\) s. 58\(2\)](#)