
Changes to legislation: Criminal Justice Act 2003, SCHEDULE 19 is up to date with all changes known to be in force on or before 19 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 19

Section 239(7)

THE PAROLE BOARD: SUPPLEMENTARY PROVISIONS

Status and Capacity

- 1 (1) The Board is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Board's property is not to be regarded as property of, or held on behalf of, the Crown.
- (2) It is within the capacity of the Board as a statutory corporation to do such things and enter into such transactions as are incidental to or conducive to the discharge of—
- (a) its functions under Chapter 6 of Part 12 in respect of fixed-term prisoners, and
 - (b) its functions under Chapter 2 of Part 2 of the Crime (Sentences) Act 1997 (c. 43) in relation to life prisoners within the meaning of that Chapter.

Commencement Information

- II** Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by S.I. 2003/3282, art. 2, Sch.; Sch. 19 in force in so far as not already in force at 4.4.2005 by S.I. 2005/950, art. 2(1), Sch. 1 para. 41 (subject to art. 2(2), Sch. 2)

Membership

- 2 (1) The Board is to consist of a chairman and not less than four other members appointed by the Secretary of State.
- (2) The Board must include among its members—
- (a) a person who holds or has held judicial office;
 - (b) a registered medical practitioner who is a psychiatrist;
 - (c) a person appearing to the Secretary of State to have knowledge and experience of the supervision or after-care of discharged prisoners; and
 - (d) a person appearing to the Secretary of State to have made a study of the causes of delinquency or the treatment of offenders.
- (3) A member of the Board—
- (a) holds and vacates office in accordance with the terms of his appointment;
 - (b) may resign his office by notice in writing addressed to the Secretary of State;
- and a person who ceases to hold office as a member of the Board is eligible for re-appointment.

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Payments to members

- 3
- (1) The Board may pay to each member such remuneration and allowances as the Secretary of State may determine.
 - (2) The Board may pay or make provision for paying to or in respect of any member such sums by way of pension, allowances or gratuities as the Secretary of State may determine.
 - (3) If a person ceases to be a member otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances that make it right that he should receive compensation, the Secretary of State may direct the Board to make to that person a payment of such amount as the Secretary of State may determine.
 - (4) A determination or direction of the Secretary of State under this paragraph requires the approval of the Treasury.

Commencement Information

I3 Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by S.I. 2003/3282, **art. 2, Sch.**; Sch. 19 in force in so far as not already in force at 4.4.2005 by S.I. 2005/950, **art. 2(1), Sch. 1 para. 41** (subject to **art. 2(2), Sch. 2**)

Proceedings

- 4
- (1) Subject to the provisions of section 239(5), the arrangements relating to meetings of the Board are to be such as the Board may determine.
 - (2) The arrangements may provide for the discharge, under the general direction of the Board, of any of the Board's functions by a committee or by one or more of the members or employees of the Board.
 - (3) The validity of the proceedings of the Board are not to be affected by any vacancy among the members or by any defect in the appointment of a member.

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Staff

- 5
- (1) The Board may appoint such number of employees as it may determine.

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- (2) The remuneration and other conditions of service of the persons appointed under this paragraph are to be determined by the Board.
- (3) Any determination under sub-paragraph (1) or (2) requires the approval of the Secretary of State given with the consent of the Treasury.
- (4) The Employers' Liability (Compulsory Insurance) Act 1969 (c. 57) shall not require insurance to be effected by the Board.

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I5 Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by S.I. 2003/3282, **art. 2, Sch.**; Sch. 19 in force in so far as not already in force at 4.4.2005 by S.I. 2005/950, **art. 2(1), Sch. 1 para. 41** (subject to **art. 2(2), Sch. 2**)

- 6 (1) Employment with the Board shall continue to be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 (c. 11) can apply, and accordingly in Schedule 1 to that Act (in which those kinds of employment are listed) at the end of the list of Other Bodies there shall continue to be inserted— “ Parole Board. ”.
- (2) The Board shall pay to the Treasury, at such times as the Treasury may direct, such sums as the Treasury may determine in respect of the increase attributable to this paragraph in the sums payable under the Superannuation Act 1972 out of money provided by Parliament.

Commencement Information

I6 Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by S.I. 2003/3282, **art. 2, Sch.**; Sch. 19 in force in so far as not already in force at 4.4.2005 by S.I. 2005/950, **art. 2(1), Sch. 1 para. 41** (subject to **art. 2(2), Sch. 2**)

Financial provisions

- 7 (1) The Secretary of State shall pay to the Board—
 - (a) any expenses incurred or to be incurred by the Board by virtue of paragraph 3 or 5; and
 - (b) with the consent of the Treasury, such sums as he thinks fit for enabling the Board to meet other expenses.
- (2) Any sums required by the Secretary of State for making payments under sub-paragraph (1) are to be paid out of money provided by Parliament.

Commencement Information

I7 Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by S.I. 2003/3282, **art. 2, Sch.**; Sch. 19 in force in so far as not already in force at 4.4.2005 by S.I. 2005/950, **art. 2(1), Sch. 1 para. 41** (subject to **art. 2(2), Sch. 2**)

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Authentication of Board's seal

- 8 The application of the seal of the Board is to be authenticated by the signature of the Chairman or some other person authorised for the purpose.

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- I8** Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by [S.I. 2003/3282](#), [art. 2](#), [Sch.](#); Sch. 19 in force in so far as not already in force at 4.4.2005 by [S.I. 2005/950](#), [art. 2\(1\)](#), [Sch. 1 para. 41](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Presumption of authenticity of documents issued by Board

- 9 Any document purporting to be an instrument issued by the Board and to be duly executed under the seal of the Board or to be signed on behalf of the Board shall be received in evidence and shall be deemed to be such an instrument unless the contrary is shown.

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- I9** Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by [S.I. 2003/3282](#), [art. 2](#), [Sch.](#); Sch. 19 in force in so far as not already in force at 4.4.2005 by [S.I. 2005/950](#), [art. 2\(1\)](#), [Sch. 1 para. 41](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

Accounts and audit

- 10 (1) It is the duty of the Board—
- (a) to keep proper accounts and proper records in relation to the accounts;
 - (b) to prepare in respect of each financial year a statement of accounts in such form as the Secretary of State may direct with the approval of the Treasury; and
 - (c) to send copies of each such statement to the Secretary of State and the Comptroller and Auditor General not later than 31st August next following the end of the financial year to which the statement relates.
- (2) The Comptroller and Auditor General shall examine, certify and report on each statement of accounts sent to him by the Board and shall lay a copy of every such statement and of his report before each House of Parliament.
- (3) In this paragraph and paragraph 11 “financial year” means a period of 12 months ending with 31st March.

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- I10** Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by [S.I. 2003/3282](#), [art. 2](#), [Sch.](#); Sch. 19 in force in so far as not already in force at 4.4.2005 by [S.I. 2005/950](#), [art. 2\(1\)](#), [Sch. 1 para. 41](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

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Reports

- 11 The Board must as soon as practicable after the end of each financial year make to the Secretary of State a report on the performance of its functions during the year; and the Secretary of State must lay a copy of the report before each House of Parliament.

Commencement Information

- I11** Sch. 19 wholly in force at 4.4.2005; Sch. 19 not in force at Royal Assent, see s. 336(3); Sch. 19 in force for certain purposes at 26.1.2004 by [S.I. 2003/3282](#), [art. 2](#), [Sch.](#); Sch. 19 in force in so far as not already in force at 4.4.2005 by [S.I. 2005/950](#), [art. 2\(1\)](#), [Sch. 1 para. 41](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2012/2574, Sch. by [S.I. 2012/2761 art. 2](#)

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

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

- s. 150(aa) inserted by [2012 c. 10 Sch. 26 para. 19\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 150(ba) inserted by [2012 c. 10 Sch. 26 para. 19\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 26 para. 19 omitted (11.12.2013) by virtue of 2013 c. 22, Sch. 16 para. 23(2); S.I. 2013/2981, art. 2(d))
- s. 151(A1) inserted by [2008 c. 4 s. 11\(3\)](#)
- s. 151(1A) inserted by [2008 c. 4 s. 11\(5\)](#)
- s. 151(1A)(b) word substituted by [2008 c. 4 Sch. 4 para. 76\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(1A)(c) substituted by [2009 c. 25 Sch. 17 para. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 151(1A) is still only prospectively inserted by 2008 c. 4, s. 11(5))
- s. 151(2A)(b) substituted by [2009 c. 25 Sch. 17 para. 8\(4\)](#)
- s. 151(4A) inserted by [2009 c. 25 Sch. 17 para. 8\(5\)](#)
- s. 151(8)(a) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(a\)](#)
- s. 151(8)(b) words inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(i\)](#)
- s. 151(8)(b) words substituted by [2009 c. 25 Sch. 17 para. 8\(6\)\(b\)\(ii\)](#)
- s. 151(8)(c)-(f) inserted by [2009 c. 25 Sch. 17 para. 8\(6\)\(c\)](#)
- s. 165(5) inserted by [2014 c. 12 s. 179\(3\)](#)
- s. 237(1A) inserted by [2006 c. 48 s. 34\(3\)](#)
- s. 237(1B)(f)(g) inserted by [2021 c. 11 Sch. 13 para. 40\(b\)](#)
- s. 239A inserted by [2015 c. 2 s. 8\(1\)](#)
- s. 239A cross-heading inserted by [2015 c. 2 Sch. 3 para. 5](#)
- s. 250(5C) inserted by [2015 c. 2 Sch. 3 para. 7\(4\)](#)
- s. 255A(4A) inserted by [2015 c. 2 s. 9\(2\)](#)
- s. 255B(3A) inserted by [2015 c. 2 s. 9\(3\)\(b\)](#)
- s. 255B(4A)-(4C) inserted by [2015 c. 2 s. 9\(3\)\(d\)](#)
- s. 255C(3A) inserted by [2015 c. 2 s. 9\(4\)\(b\)](#)
- s. 255C(4A)-(4C) inserted by [2015 c. 2 s. 9\(4\)\(d\)](#)
- s. 256A(1)-(1B) substituted for s. 256A(1) by [2015 c. 2 s. 9\(6\)\(a\)](#)
- s. 256A(4A)(4B) inserted by [2015 c. 2 s. 9\(6\)\(f\)](#)
- s. 256A(5)(6) substituted for s. 256A(5) by [2015 c. 2 s. 9\(6\)\(g\)](#)
- s. 256AZA inserted by [2015 c. 2 s. 10\(1\)](#)
- s. 257(3) inserted by [2006 c. 48 s. 34\(4\)](#)
- s. 258(1A) inserted by [2006 c. 48 s. 34\(5\)](#)
- s. 260(4)(aa) substituted for word by [2008 c. 4 s. 34\(7\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 34(2)(4)(b)(7)(10) omitted (3.12.2012) by virtue of 2012 c. 10, s. 118(4)(b); S.I. 2012/2906, art. 2(d))

- Sch. 15B para. 49A omitted by [S.I. 2019/780 reg. 26\(4\)\(c\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 15B para. 49B omitted by [S.I. 2019/780 reg. 26\(4\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- Sch. 20B para. 34(6)(7) substituted for Sch. 20B para. 34(6) by [2015 c. 2 Sch. 3 para. 10](#)