

Changes to legislation: Offender Management Act 2007, Cross Heading: Penalty for offences under sections 40C & 40D of the Prison Act 1952 is up to date with all changes known to be in force on or before 19 March 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 4

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

PART 2

PROVISIONS RELATING TO PART 2

Penalty for offences under sections 40C & 40D of the Prison Act 1952

5 In the application of section 40C and 40D of the Prison Act 1952 (c. 52) (inserted by sections 22 and 23) in relation to offences committed before [^{F1}2 May 2022], the reference in subsection (5)(b) of those sections to [^{F2}the general limit in a magistrates’ court] is to be read as a reference to 6 months.

Textual Amendments

- F1** Words in [Sch. 4 para. 5](#) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), [Sch. Pt. 1](#)
- F2** Words in [Sch. 4 para. 5](#) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#)

Commencement Information

- I1** [Sch. 4 para. 5](#) in force at 1.4.2008 by [S.I. 2008/504](#), [art. 3\(m\)](#)

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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. 14(2)(da) inserted by [2015 c. 2 Sch. 3 para. 15](#)