
Changes to legislation: *Criminal Justice and Immigration Act 2008, Paragraph 19 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 26

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

OTHER AMENDMENTS

Repatriation of Prisoners Act 1984 (c. 47)

- 19 (1) The Schedule (operation of certain enactments in relation to the prisoner) is amended as follows.
- (2) For the cross-heading before paragraph 1 substitute— “ Part 1 Warrants under section 1 Application of Part 1 ”.
- (3) In paragraph 1—
- (a) at the beginning insert “ This Part of ”;
 - (b) after “under” insert “ section 1 of ”; and
 - (c) after “; and in” insert “ this Part of ”.
- ^{F1}(4)
- ^{F2}(5)
- (6) After paragraph 8 insert—

“PART 2

WARRANTS UNDER SECTION 4A TRANSFERRING RESPONSIBILITY TO THE RELEVANT MINISTER

- 9 This Part of this Schedule applies where a warrant is issued under section 4A providing for the transfer of responsibility for the detention and release of the relevant person to the relevant Minister (within the meaning of that section).
- 10 Paragraphs 2 to 8 above apply as they apply where a warrant is issued under section 1, but with the following modifications.
- 11 Any reference to “the relevant provisions” is to be read as a reference to the provisions contained in the warrant by virtue of section 4C(1)(b).
- 12 (1) Any reference to the prisoner is to be read as a reference to the relevant person.

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- (2) Sub-paragraph (1) does not apply to the words “a short-term or long-term prisoner” in paragraph 2(3) (as it applies in Scotland to repatriated prisoners any of whose sentences were imposed on or after 1 October 1993).
- 13 In paragraph 2 (as it applies in Scotland to repatriated prisoners any of whose sentences were imposed on or after 1 October 1993) the reference to prisoners repatriated to Scotland is to be read as a reference to any relevant person—
- (a) in whose case the warrant under section 4A transfers responsibility for his detention and release from a country or territory outside the British Islands to the Scottish Ministers; and
 - (b) whose sentence or any of whose sentences in that country or territory were imposed on or after 1 October 1993.
- 14 The reference in paragraph 7 to the time of the prisoner's transfer into the United Kingdom is to be read as a reference to the time at which the warrant under section 4A was issued.”

Textual Amendments

- F1** Sch. 26 para. 19(4) repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 145(3)(a)**, 208(5)(p)
- F2** Sch. 26 para. 19(5) repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 145(3)(a)**, 208(5)(p)

Commencement Information

- I1** Sch. 26 para. 19(1)(4) in force at 9.6.2008 by [S.I. 2008/1466](#), **art. 2(c)(i)** (with art. 4)
- I2** Sch. 26 para. 19(2)(3)(5)(6) in force at 14.7.2008 by [S.I. 2008/1586](#), art. 2(1), **Sch. 1 para. 48(g)**

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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):

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)