
Changes to legislation: *Criminal Justice and Immigration Act 2008, Cross Heading: Crime (Sentences) Act 1997 (c. 43) 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

Crime (Sentences) Act 1997 (c. 43)

31 The Crime (Sentences) Act 1997 has effect subject to the following amendments.

Commencement Information

II Sch. 26 para. 31 in force at 9.6.2008 by S.I. 2008/1466, art. 2(c)(iii)

- 32 (1) Schedule 1 (transfer of prisoners within the British Islands) is amended as follows.
- (2) In paragraph 8(2)(a) (as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4th April 2005), after “46” insert “, 50A”.
- (3) In paragraph 8(4)(a) (as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4th April 2005), after “46” insert “, 50A”.
- (4) Any reference in paragraph 8(2)(a) or (4)(a) to section 39 of the 1991 Act is to be read as a reference to section 254(1) of the Criminal Justice Act 2003 (c. 44) in relation to any prisoner to whom paragraph 19 of Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950) applies.
- (5) In paragraph 9(2)(a) (as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4th April 2005), after “46” insert “, 50A”.
- (6) In paragraph 9(4)(a) (as it continues to have effect in relation to prisoners serving sentences of imprisonment for offences committed before 4th April 2005), after “46” insert “, 50A”.
- (7) Any reference in paragraph 9(2)(a) or (4)(a) to section 39 of the 1991 Act is to be read as a reference to section 254(1) of the Criminal Justice Act 2003 in relation to any prisoner to whom paragraph 19 of Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 applies.

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Commencement Information

I2 Sch. 26 para. 32 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 48(n)**

33 (1 Schedule 2 (repatriation of prisoners to the British Islands) is amended as follows.

^{F1}(2)

^{F2}(3)

(4) In paragraph 5 (which modifies paragraph 2 of the Schedule to the Repatriation of Prisoners Act 1984 (c. 47) in its application to certain descriptions of prisoner), after sub-paragraph (1)(b) insert—

- “(c) prisoners detained in Scotland in pursuance of warrants which—
 - (i) are issued by the Scottish Ministers under section 4A of the Repatriation of Prisoners Act 1984 (warrant transferring responsibility for detention and release); and
 - (ii) relate to sentences that were imposed before 1 October 1993.”

Textual Amendments

F1 Sch. 26 para. 33(2) repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 145(3)(b), 208(5)(p)**

F2 Sch. 26 para. 33(3) repealed (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), **ss. 145(3)(b), 208(5)(p)**

Commencement Information

I3 Sch. 26 para. 33(1)-(3) in force at 9.6.2008 by S.I. 2008/1466, **art. 2(c)(iii)**

I4 Sch. 26 para. 33(4) in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 48(n)**

Changes to legislation:

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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\(3\)](#)