



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 2

#### SENTENCING

##### *Release and recall of prisoners*

#### **22 Credit for period of remand on bail: other cases**

(1) The Criminal Justice Act 2003 (c. 44) is amended in accordance with subsections (2) and (3).

<sup>F1</sup>(2) .....

<sup>F1</sup>(3) .....

(4) In paragraph 2 of Schedule 2 to the Criminal Appeal Act 1968 (c. 19) (sentence on conviction at retrial), in sub-paragraph (4), for the words from the beginning to “custody:” substitute “ Sections 240 and 240A of the Criminal Justice Act 2003 (crediting of periods of remand in custody or on bail subject to certain types of condition: ”.

<sup>F2</sup>(5) .....

<sup>F2</sup>(6) .....

(7) In paragraph 2(1) of Schedule 7 to the International Criminal Court Act 2001 (c. 17) (provisions of law of England and Wales affecting length of sentence which are not applicable to ICC prisoners), for paragraph (d) substitute—

“(d) sections 240 and 240A of the Criminal Justice Act 2003 (crediting of periods spent on remand in custody or on bail subject to certain types of condition: terms of imprisonment and detention).”

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**Changes to legislation:** Criminal Justice and Immigration Act 2008, Section 22 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](#)

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#### Textual Amendments

- F1** S. 22(2)(3) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), **ss. 110(14)(b)**, 151(1) (with [Sch. 15](#)); [S.I. 2012/2906](#), art. 2(d)
- F2** S. 22(5)(6) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with [ss. 413\(4\)\(5\)](#), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
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#### Modifications etc. (not altering text)

- C1** S. 22 modified in part (1.12.2020 immediately before the consolidation date (see [2020 c. 9](#), [ss. 3](#), [5\(2\)\(3\)](#) and [2020 c. 17](#), [ss. 2](#), [416](#))) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), **ss. 1**, [5\(2\)\(3\)](#); [S.I. 2012/1236](#), reg. 2
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#### Commencement Information

- I1** S. 22 in force at 3.11.2008 by [S.I. 2008/2712](#), art. 2, **Sch. para. 2**

**Changes to legislation:**

Criminal Justice and Immigration Act 2008, Section 22 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.

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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\(3\)](#)