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**Changes to legislation:** There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Cross Heading: Sentencing Act 2020 (c. 17). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 13

#### CONSEQUENTIAL AND RELATED AMENDMENTS

PROSPECTIVE

#### PART 5

##### AMENDMENTS IN RELATION TO SENTENCING UNDER SERVICE LAW

###### *Sentencing Act 2020 (c. 17)*

- 43 (1) The Sentencing Act 2020 is amended as follows.
- (2) In section 225 (restriction on consecutive sentences for released prisoners), in subsection (3)(c)(vi), after “209” insert “ or 224B ”.
- (3) In section 241 (period of detention and training under detention and training order), in subsections (6)(b)(ii) and (7)(c), after “209” insert “ or 224B ”.
- (4) In section 248(4) (meaning of “relevant sentence of detention”), in paragraph (c), after “209” insert “ or 224B ”.
- (5) In section 418 (commencement of provisions of Schedule 26 in relation to prospective abolition of sentences of detention in a young offender institution), after subsection (2) insert—
- “(2A) Paragraphs 13A, 20A and 24A (and paragraph 1 so far as it relates to them) also come into force at that time.”
- (6) In Schedule 25 (amendments of Armed Forces Act 2006), omit paragraph 45(5).
- (7) In Schedule 26 (further amendments of the Armed Forces Act 2006 in relation to prospective abolition of sentences of detention in a young offender institution)—
- (a) after paragraph 13 insert—
- “13A In section 219ZA (serious terrorism sentence for offenders aged 18 or over)—
- (a) in subsection (1)(e), omit “a sentence of custody for life or (as the case may be)”;
- (b) omit subsections (4) to (6);
- (c) in subsection (7), omit “Where the offender is aged 21 or over when convicted of the serious terrorism offence.”;
- (b) in paragraph 14 (amendments of section 219A of the 2006 Act), for subparagraph (a) substitute—
- “(a) in subsection (1)—

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- (i) in paragraph (d), omit sub-paragraphs (i) and (iii);
  - (ii) in paragraph (da), omit sub-paragraph (i);”;
  - (c) in paragraph 15(a) (amendments of section 224A of the 2006 Act), after paragraph (ii) insert—
    - “(iii) in sub-paragraph (iii), for “detention or imprisonment under section 268A or 282A” substitute “ imprisonment under section 282A ”;”;
  - (d) in paragraph 18 (amendment of section 239 of the 2006 Act), after “pleas)” insert “—
    - (a) in subsection (3A), omit—
      - (i) “(4) or”;
      - (ii) “268A or”;
    - (b) in subsection (3B), omit “268C(2) or, as the case may be,”;
    - (c);
  - (e) in paragraph 19 (amendments of section 260 of the 2006 Act)—
    - (i) in sub-paragraph (a), after paragraph (ii) insert—
      - “(iia) in paragraph (ca), omit “268A or”;
    - (ii) for sub-paragraph (b) substitute—
      - “(b) in subsection (4B)—
        - (i) in paragraph (za), omit “268C(2) or”;
        - (ii) in paragraph (a), omit “268(2) or”.
  - (f) in paragraph 20 (amendments of section 261 of the 2006 Act), at the end insert—
    - “(c) in paragraph (ba), omit “268A or”.”;
  - (g) after paragraph 20 insert—
    - “20A In section 261A(3) (life sentences: further provision)—
      - (a) in paragraph (b), omit “268B(2) or”;
      - (b) in paragraph (c)(i), omit “268B(2) or”.”;
  - (h) in paragraph 21 (amendments of section 262A of the 2006 Act), for the words from “, in subsection (4)” to the end substitute—
    - “(a) in subsection (2A), omit paragraph (b);
    - (b) omit subsection (3A);
    - (c) in subsection (4), omit paragraphs (d), (da), (e) and (f) treated as substituted in subsection (7) of section 329 of the Sentencing Code.”;
  - (i) after paragraph 24 insert—
    - “24A In section 304C (to be inserted by the Armed Forces Act 2016: reduction in sentence), in subsection (5A)—
      - (a) omit “268C(2) or”;
      - (b) for “section 219ZA(5) to (8)” substitute “ section 219ZA(8) ”.
- (8) In Schedule 27 (transitional provision and savings), in paragraph 16(2), for the words from “, the reference” to the end substitute “—
- (a) the reference in section 224A(1)(d)(ii) of the Armed Forces Act 2006 to an extended sentence under section 266 or 279 of the

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- Sentencing Code includes a reference to an extended sentence under section 226A of the Criminal Justice Act 2003;
- (b) the reference in section 224B(1)(c)(ii) to an extended sentence of detention under section 254 of the Sentencing Code includes a reference to an extended sentence of detention under section 226B of the Criminal Justice Act 2003.”

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