

SCHEDULE

Rule 2

1. Rule 5 shall be omitted.
2. Rule 39(4) shall be omitted.
3. In rule 50—
 - (a) for paragraph (1)(f) there shall be substituted “in the case of a short-term or long-term prisoner, an award of additional days not exceeding 28 days;” and
 - (b) in paragraph (2), for the words “in the case of forfeiture of remission of sentence, the total period forfeited” there shall be substituted “in the case of an award of additional days, the total period added”.
4. After rule 50 there shall be inserted the following rule—

“Forfeiture of remission to be treated as an award of additional days

51.—(1) In this rule, “existing prisoner” and “existing licensee” have the meanings assigned to them by paragraph 8(1) of Schedule 12 to the Criminal Justice Act 1991(1).

(2) In relation to any existing prisoner or existing licensee who has forfeited any remission of his sentence, the provisions of Part II of the Criminal Justice Act 1991 shall apply as if he had been awarded such number of additional days as equals the number of days of remission which he has forfeited.”.

5. For rule 54 there shall be substituted the following rule—

“Prospective award of additional days

54.—(1) Subject to paragraph (2), where an offence against discipline is committed by a prisoner who is detained only on remand, additional days may be awarded notwithstanding that the prisoner has not (or had not at the time of the offence) been sentenced.

(2) An award of additional days under paragraph (1) shall have effect only if the prisoner in question subsequently becomes a short-term or long-term prisoner whose sentence is reduced, under section 67 of the Criminal Justice Act 1967(2), by a period which includes the time when the offence against discipline was committed.”.

6. Rule 63(3) shall be omitted.
7. In rule 99—
 - (a) in paragraph (1), at the end there shall be added
““short-term prisoner” and “long-term prisoner” have the meanings assigned to them by section 33(5) of the Criminal Justice Act 1991, as extended by sections 43(1) and 45(1) of that Act.”; and
 - (b) in paragraph (2), after the words “a reference to” there shall be inserted “(a) an award of additional days means additional days awarded under these Rules by virtue of section 42 of the Criminal Justice Act 1991; and (b)”.

(1) 1991 c. 53.
(2) 1967 c. 80.