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STATUTORY INSTRUMENTS

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**2010 No. 816**

**The Coroners and Justice Act 2009 (Commencement  
No. 4, Transitional and Saving Provisions) Order 2010**

**Transitional and saving provisions**

7.—(1) Existing guidelines which have effect immediately before the coming into force, by virtue of article 2 and paragraph 8 of the Schedule, of section 125(1) of the 2009 Act (sentencing guidelines: duty of court) are to be treated as guidelines issued by the Sentencing Council for England and Wales under section 120 of the 2009 Act (sentencing guidelines).

(2) The repeal of section 172 of the Criminal Justice Act 2003 (duty of court to have regard to sentencing guidelines), which takes effect by virtue of article 2 and paragraph 22(b)(iv) of the Schedule, shall have no effect where a court is sentencing an offender for, or exercising any other function relating to the sentencing of offenders in respect of, an offence committed before 6th April 2010.

(3) The amendments to section 174 of the Criminal Justice Act 2003 (duty to give reasons for, and explain effect of, sentence), which take effect by virtue of article 2 and paragraph 20(b) of the Schedule, shall have no effect in relation to the sentencing of any offender for an offence committed before 6th April 2010.

(4) The amendments to Schedule 21 to the Criminal Justice Act 2003 (determination of minimum term in relation to mandatory life sentence), which take effect by virtue of article 5(f) and (g)(ii), shall have no effect in relation to the sentencing of any offender for an offence of murder committed before 4th October 2010.

(5) In this article, “existing guidelines” has the meaning given in paragraph 28(2) of Schedule 22 to the 2009 Act.