

Status: Point in time view as at 01/01/2006.

Changes to legislation: Treatment of Offenders (Northern Ireland) Order 1976, SCHEDULE 1 is up to date with all changes known to be in force on or before 18 May 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)

SCHEDULES

SCHEDULE 1

Article 19(1).

TRANSITIONAL PROVISIONS

Persons serving sentences of imprisonment

1. Where before 1st March 1976 a person is serving a sentence of imprisonment, Article 3 shall not apply to him in relation to any sentence of imprisonment to which he is subject immediately before his discharge from prison unless he is discharged from prison at a date earlier than his existing discharge date.

2. Where—

- (a) before 1st March 1976 a person is serving a sentence of imprisonment; and
- (b) that person is discharged from prison at a date later than his earliest discharge date,

Article 3 shall have effect in relation to him subject to the modifications set out in paragraphs 3 and 4.

3. The said modification is that for the reference in Article 3(1) and (3) to the date on which any sentence of imprisonment to which a person was subject immediately before his discharge in pursuance of prison rules would (but for his discharge) have expired there shall be substituted a reference to the date on which the following period expires, that is to say, three times the difference between—

- (a) two-thirds of the sentence of imprisonment (as pronounced by the court) which the person was serving, at the date of his discharge, and
- (b) the amount of the said sentence of imprisonment actually served at that date, added to any period taken into account under section 26(2) of the Treatment of Offenders Act (Northern Ireland) 1968 in computing the length of that sentence.

4. Where, in relation to any person, any period calculated in accordance with paragraph 3 is six months or less, Article 3 shall not apply to him in relation to any sentence of imprisonment to which he is subject immediately before his discharge from prison.

Para.5 rep. by 1980 NI 10

Interpretation

6. In this Schedule—

“earliest discharge date” means the date on which the person in question could be, or could have been, discharged from prison under prison rules for the time being in force (disregarding any transitional provisions in those rules) if they had always been in force;

“existing discharge date” means the date on which the person in question could have been discharged from prison under prison rules in force immediately before 1st March 1976.

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