

**Changes to legislation:** Criminal Law Act 1977, Paragraph 7 is up to date with all changes known to be in force on or before 03 October 2023. 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

## SCHEDULES

### <sup>X1</sup>SCHEDULE 12

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Editorial Information

- X1** The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### CRIMINAL JUSTICE ACT 1967 (C. 80)

- 7 (1) Section 60 (release on licence of persons serving determinate sentences) shall be amended as follows—

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

- (3) After subsection (5) insert—

“(5A) A licence granted to any person under this section in England and Wales shall, unless previously revoked under section 62 of this Act, remain in force until a date specified in the licence, being—

- (a) in the case of a licence granted to a person in respect of whom an extended sentence certificate was issued when sentence was passed on him, the date of the expiration of the sentence;
- (b) in the case of a licence granted under subsection (1) of this section to a person who was under the age of twenty-one when sentence was passed on him and is released on licence before attaining the age of twenty-two—
  - (i) if the date on which he attains the age of twenty-two is earlier than the remission date, the remission date;
  - (ii) if the date on which he attains the age of twenty-two is not earlier than the remission date, the date on which he attains the age of twenty-two or the date of the expiration of the sentence, whichever is the earlier;
- (c) in the case of a licence granted by virtue of subsection (3)(b) of this section to a person who was under the age of twenty-one when sentence was passed on him, the date on which he attains the age of twenty-two or the date of the expiration of the sentence, whichever is the earlier;
- (d) in a case not within any of the preceding paragraphs, the remission date.

In this subsection “the remission date”, in relation to a person released on licence under this section, means the date on which he could have been

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discharged from prison on remission of part of his sentence under the prison rules, if, after the date of his release on licence, he had not forfeited remission on any part of the sentence under the rules.”.

- (4) In subsection (6) (duration of a licence, after “this section” insert “in Scotland” and, in paragraph (a), omit the words from “to a person” where they first occur to “or”.
- (5) Omit subsection (8)(d).
- (6) The preceding provisions of this paragraph shall not apply in relation to a licence granted before the coming into force of this paragraph.

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#### **Textual Amendments**

- F1** Paras. 7(2), 8 of the entries relating to the [Criminal Justice Act 1967 \(c. 80\)](#) repealed by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **Sch. 16**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38A(5)(ia) by [2000 c. 43 Sch. 7 para. 55](#)
- s. 38B(5)(a) by [2000 c. 43 Sch. 7 para. 56](#)