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**Changes to legislation:** Criminal Law Act 1977, Paragraph 3A is up to date with all changes known to be in force on or before 10 May 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

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## SCHEDULES

### <sup>X1</sup>SCHEDULE 9

#### MATTERS ANCILLARY TO SECTION 47

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- X1** The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *Consecutive sentences of imprisonment*

- 3A (1) This paragraph applies where—
- (a) an offender is serving consecutive sentences of imprisonment; and
  - (b) at least one of the sentences was passed with an order under section 47(1) of this Act.
- (2) Where this paragraph applies the offender shall, so far as the consecutive sentences are concerned, be treated for the purposes—
- (a) of computing the date when he should be released from prison; and
  - (b) of calculating the term of imprisonment liable to be restored under section 47(3) of this Act,
- as if he had been sentenced to a single term of imprisonment with an order under section 47(1) of this Act of which the part which he is immediately required to serve in prison were the aggregate—
- (i) of the part which he is required to serve in prison of any consecutive sentence passed with an order under section 47(1) of this Act; and
  - (ii) of the whole term of any other consecutive sentence,
- and of which the part which is held in suspense were the aggregate of all parts of the sentences which were ordered to be held in suspense under that section.
- (3) Section 47(6) of this Act shall have effect, in relation to any consecutive sentence passed with an order under section 47(1) of this Act, as if for the words following the word “prison” there were substituted the following words “if—
- (a) none of the sentences to which he is subject had been passed with an order under subsection (1) above; and
  - (b) he had not had, in respect of any sentence passed with such an order, any remission under section 25(1) of the Prison Act 1952 (industry and good conduct in prison).”.
- (4) In this paragraph “a consecutive sentence” means a sentence which is one of two or more sentences of imprisonment the terms of which have been ordered to run consecutively.

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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](#)