



Northern Ireland (Sentences) Act 1998

1998 CHAPTER 35

Release: further provisions

10 Accelerated release.

- (1) This section applies if—
 - (a) a prisoner is granted a declaration in relation to a sentence, and
 - (b) the day on which he has a right to be released under section 4 or 6 (so far as that sentence is concerned) falls after the accelerated release day.
- (2) He has a right to be released under the section concerned (so far as that sentence is concerned) on the accelerated release day.
- (3) But if the accelerated release day is a listed day (within the meaning of section 4(3)) he has a right to be released on the next non-listed day.
- (4) In the case of a sentence passed before the day on which this Act comes into force, the accelerated release day is the second anniversary of that day.
- (5) In the case of a sentence—
 - (a) passed after the day on which this Act comes into force, and
 - (b) treated in accordance with section 26 of the ^{M1}Treatment of Offenders Act Northern Ireland) 1968 as reduced by a period of custody beginning before the day on which this Act comes into force,the accelerated release day is the second anniversary of that day.
- (6) In the case of any other sentence passed after the day on which this Act comes into force, the accelerated release day is the second anniversary of the start of the sentence (or the start of any period of custody by which the sentence is treated as reduced in accordance with section 26 of the 1968 Act).
- [^{F1}(7) Nothing in this section shall permit the release of a prisoner following a declaration under section 3(1)—
 - (a) before he has served two years of the sentence to which the declaration relates;
 - or

Changes to legislation: Northern Ireland (Sentences) Act 1998, Section 10 is up to date with all changes known to be in force on or before 14 April 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) [View outstanding changes](#)

(b) at any time when an application under section 8(1) for revocation of the declaration has yet to be finally determined;

and for the purpose of paragraph (a) any period of custody by which the sentence is treated as reduced in accordance with section 26 of the 1968 Act shall be treated as served as part of the sentence.]

(8) The Secretary of State may by order amend subsections (4) to (7).

Textual Amendments

F1 [S. 10\(7\)](#) substituted (27.7.2000) by [S.I. 2000/2024](#), [art. 2](#)

Marginal Citations

M1 [1968 c. 29 \(N.I.\)](#).

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

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

- s. 3(6A)(6B) inserted by [2023 c. 41 Sch. 12 para. 2\(2\)](#)
- s. 3(7A)(7B) inserted by [2023 c. 41 Sch. 12 para. 2\(4\)](#)
- s. 13A inserted by [2023 c. 41 Sch. 12 para. 4](#)
- Sch. 3 para. 2(A1)(A2) inserted by [2023 c. 41 Sch. 12 para. 3\(2\)](#)
- Sch. 3 para. 2(1A) inserted by [2023 c. 41 Sch. 12 para. 3\(4\)](#)