

Status: Point in time view as at 04/04/2005.

Changes to legislation: There are currently no known outstanding effects for the International Criminal Court Act 2001, SCHEDULE 7. (See end of Document for details)

SCHEDULES

SCHEDULE 7

Section 42

DOMESTIC PROVISIONS NOT APPLICABLE TO ICC PRISONERS

Introduction

- 1 The provisions specified in this Schedule do not apply in relation to a person detained in England and Wales or Northern Ireland in pursuance of a sentence of the ICC.

Provisions affecting length of sentence

- 2 (1) The following provisions of the law of England and Wales do not apply—
- (a) section 24 of the Prison Act 1952 (c. 52) (calculation of term of sentence: meaning of “month”);
 - (b) section 49(2) of that Act (deduction of periods unlawfully at large);
 - (c) section 23(3) of the Criminal Justice Act 1961 (c. 39) (discharge at weekend or on a holiday);
 - [^{F1}(d) section 240 of the Criminal Justice Act 2003 (crediting of periods of remand in custody).]
- (2) The following provisions of the law of Northern Ireland do not apply—
- any provision of rules under section 13 of the Prisons (Northern Ireland) Act 1953 (c. 18 (N.I.)) (prison rules) as to—
- (a) remission, or
 - (b) discharge at a weekend or on a holiday;
- section 38(2) of that Act (deduction of periods unlawfully at large);
section 26(2) of the Treatment of Offenders Act (Northern Ireland) 1968 (c. 29 (N.I.)) (taking into account of time spent in custody).

Textual Amendments

- F1** Sch. 7 para. 2(1)(d) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 304, Sch. 32 Pt. 1 para. 139(2); S.I. 2005/950, art. 2(1) (subject to Sch. 2 (as amended by S.I. 2005/2122, art. 2))

Provisions relating to early release or release on licence

- 3 (1) The following provisions of the law of England and Wales do not apply—
- section 28 of the Prison Act 1952 (c. 52) (power to discharge prisoners temporarily on grounds of ill health);
any provision of rules under section 47 of that Act (prison rules) permitting temporary release on licence;
section 32 of the Criminal Justice Act 1982 (c. 48) or [^{F2}sections 244 to 264 of the Criminal Justice Act 2003](early release of prisoners);

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Chapter 2 of Part 2 of the Crime (Sentences) Act 1997 (c. 43) (release on licence of life prisoners).

- (2) The following provisions of the law of Northern Ireland do not apply—
- any provision of rules under section 13 of the Prison Act (Northern Ireland) 1953 (c.18 (N.I.)) (prison rules) permitting temporary release on licence;
 - [^{F3}the Life Sentences (Northern Ireland) Order 2001] (release on licence of life prisoners);
 - [^{F4}section 24 of the Prison Act (Northern Ireland) 1953] (power to discharge prisoners temporarily on grounds of ill health).

Textual Amendments

- F2** Words in Sch. 7 para. 3(1) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 304, Sch. 32 Pt. 1 para. 139(3); S.I. 2005/950, art. 2(1) (subject to Sch. 2 (as amended by S.I. 2005/2122, art. 2))
- F3** Words in Sch. 7 para. 3(2) substituted (1.9.2001) by S.I. 2001/2565, arts. 1(3), 5(a); S.I. 2001/2161, art. 2
- F4** Words in Sch. 7 para. 3(2) substituted (1.9.2001) by S.I. 2001/2565, arts. 1(3), 5(b); S.I. 2001/2161, art. 2

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