

*Status: Point in time view as at 15/05/2008.*

*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);
  - [<sup>F1</sup>(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 [<sup>F2</sup>sections 244 to 264 of the Criminal Justice Act 2003](early release of prisoners);

*Status: Point in time view as at 15/05/2008.*

*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)*

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;
  - [<sup>F3</sup>the Life Sentences (Northern Ireland) Order 2001] (release on licence of life prisoners);
  - [<sup>F4</sup>section 24 of the Prison Act (Northern Ireland) 1953] (power to discharge prisoners temporarily on grounds of ill health).
  - [<sup>F5</sup>Chapter 4 of Part 2 to the Criminal Justice (Northern Ireland) Order 2008 (release on licence of certain prisoners).]

#### **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](#)
- F5** Words in Sch. 7 para. 3(2) inserted (15.5.2008) by [Criminal Justice \(Northern Ireland\) Consequential Amendments Order 2008 \(S.I. 2008/1241\), arts. 1\(2\), 5\(2\)](#) (see S.R. 2008/217, art. 2, Sch.)

**Status:**

Point in time view as at 15/05/2008.

**Changes to legislation:**

There are currently no known outstanding effects for the International Criminal Court Act 2001, SCHEDULE 7.