

## 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);
  - (d) section 67 of the Criminal Justice Act 1967 (c. 80) or section 87 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (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).

##### *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 Part 2 of the Criminal Justice Act 1991 (early release of prisoners);
- 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—

*Status: This is the original version (as it was originally enacted).*

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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;  
section 23 of that Act (release on licence of life prisoners);  
section 24 of that Act (power to discharge prisoners temporarily on grounds of ill health).