

Status: Point in time view as at 01/10/2018.

Changes to legislation: Criminal Justice Act 2003, Paragraph 32 is up to date with all changes known to be in force on or before 22 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)

SCHEDULES

[^{F1}SCHEDULE 20B

MODIFICATIONS OF CHAPTER 6 OF PART 12 IN CERTAIN TRANSITIONAL CASES

Textual Amendments

- F1** Sch. 20B inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 17 para. 10](#); S.I. 2012/2906, art. 2(o)

Modifications etc. (not altering text)

- C1** Schs. 20A, 20B applied by 1997 c. 43, Sch. 1 para. 8(2)(a) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(2\)\(b\)](#) (with [Sch. 7 para. 2](#)); S.I. 2015/40, art. 2(u))
- C1** Schs. 20A, 20B applied by 1997 c. 43, Sch. 1 para. 9(4)(a) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 3\(3\)\(b\)](#) (with [Sch. 7 para. 2](#)); S.I. 2015/40, art. 2(u))
- C1** Schs. 20A, 20B applied by 1997 c. 43, Sch. 1 para. 9(2)(a)(4)(a) (as amended (1.2.2015) by [Offender Rehabilitation Act 2014 \(c. 11\)](#), s. 22(1), [Sch. 3 para. 5\(2\)\(3\)](#) (with [Sch. 7 para. 2](#)); S.I. 2015/40, art. 2(u))

PART 3

PRISONERS SERVING 1967 ACT SENTENCES

Concurrent or consecutive terms

- 32 (1) This paragraph applies where—
- one or more of the sentences is a 1967 Act sentence, and
 - one or more of them is a 1991 Act sentence.
- (2) Sections 263 and 264 (consecutive and concurrent terms) do not apply in relation to the sentences mentioned in sub-paragraph (1).
- (3) For the purposes of any reference in this Chapter, however expressed, to the term of imprisonment to which P has been sentenced or which, or part of which, P has served—
- the terms mentioned in sub-paragraph (1) are to be treated as a single term, and
 - that single term is to be treated as if it were a 1967 Act sentence.
- (4) If one or more of the sentences is a section 85 extended sentence—
- for the purpose of determining the single term mentioned in sub-paragraph (3), the extension period or periods is or are to be disregarded, and
 - the period for which P is to be on licence in respect of the single term is to be increased in accordance with sub-paragraph (5).
- (5) That period is to be increased—

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- (a) if only one of the sentences is a section 85 extended sentence, by the extension period;
 - (b) if there is more than one such sentence and they are wholly or partly concurrent, by the longest of the extension periods;
 - (c) if there is more than one such sentence and they are consecutive, by the aggregate of the extension periods.
- (6) If P is also serving a 2003 Act sentence, sub-paragraph (3) is to be applied before the period mentioned in section 263(2)(c) (concurrent terms) or paragraph 33(3) (consecutive terms) is calculated.]

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