



Criminal Justice and Immigration Act 2008

2008 CHAPTER 4

PART 2

SENTENCING

Custodial sentences

18 Further amendments relating to sentences for public protection

(1) In section 231 of the Criminal Justice Act 2003 (c. 44) (appeals where previous convictions set aside), for subsection (1) substitute—

“(1) This section applies where—

- (a) a sentence has been imposed on any person under section 225(3) or 227(2),
- (b) the condition in section 225(3A) or (as the case may be) 227(2A) was met but the condition in section 225(3B) or (as the case may be) 227(2B) was not, and
- (c) any previous conviction of his without which the condition in section 225(3A) or (as the case may be) 227(2A) would not have been met has been subsequently set aside on appeal.”

(2) In section 232 of that Act (certificates for purposes of section 229)—

- (a) in the heading for “section 229” substitute “ sections 225 and 227 ”,
- (b) in paragraph (a)—
 - (i) for “the commencement of this section” substitute “ the commencement of Schedule 15A ”, and
 - (ii) for “a relevant offence” substitute “ an offence specified in that Schedule ”, and
- (c) for “section 229” substitute “ sections 225(3A) and 227(2A) ”.

Status: Point in time view as at 14/07/2008. This version of this provision has been superseded.

Changes to legislation: *Criminal Justice and Immigration Act 2008, Section 18 is up to date with all changes known to be in force on or before 05 January 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)*

(3) Section 234 of that Act (determination of day when offence committed) is omitted.

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Commencement Information

I1 S. 18 in force at 14.7.2008 by S.I. 2008/1586, art. 2(1), **Sch. 1 para. 9** (with Sch. 2 para. 2)

Status:

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