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**Changes to legislation:** There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 5. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 11

#### RELEASE ON LICENCE OF REPATRIATED TERRORIST PRISONERS

5 In paragraph 2A (application of early release provisions to prisoners repatriated to Northern Ireland), after sub-paragraph (4) insert—

“(4A) If sub-paragraph (4B) or (4C) applies by virtue of an offence in relation to which a determinate sentence is to be served, Chapter 4 of Part 2 of the Criminal Justice (Northern Ireland) Order 2008 applies to the prisoner as if that offence was within Article 20A(2) (terrorist offences carrying restricted eligibility for release on licence).

(4B) This sub-paragraph applies if the warrant specifies that the offence or any of the offences in relation to which a sentence is to be served corresponds to an offence specified in Part 2, 4, 5 or 7 of Schedule 2A to the Criminal Justice (Northern Ireland) Order 2008 (terrorism offences carrying restricted eligibility for release on licence).

(4C) This sub-paragraph applies if the warrant specifies that—

- (a) the offence or any of the offences in relation to which a sentence is to be served (“the overseas offence”) corresponds to an offence under the law of Northern Ireland (“the corresponding offence”),
- (b) section 30 of the Counter-Terrorism Act 2008 would have applied to the corresponding offence if—
  - (i) it had been committed at the same time as the overseas offence, and
  - (ii) the prisoner had been convicted of and sentenced for it in Northern Ireland at the same time respectively as the conviction and sentencing for the overseas offence, and
- (c) findings made by the court before which the prisoner was tried or sentenced for the overseas offence would, had the prisoner been tried and sentenced in Northern Ireland for the corresponding offence, have justified a determination under that section that the corresponding offence had a terrorist connection.

(4D) The Department of Justice may amend a warrant (whether issued before or after sub-paragraph (4A) comes into force and whether or not the transfer it authorises has taken place) so as to specify the matters referred to in sub-paragraph (4B) or (4C).”

**Changes to legislation:**

There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021, Paragraph 5.