

STATUTORY INSTRUMENTS

2008 No. 1216

The Criminal Justice (Northern Ireland) Order 2008

PART 2

SENTENCING

CHAPTER 4

RELEASE ON LICENCE

^{F1}Duty . . . to release on licence

Duty to release certain fixed-term prisoners

17.—(1) As soon as a fixed-term prisoner, other than [^{F1}one to whom Article 18 or 20A applies], has served the requisite custodial period, the [^{F2}Department of Justice] shall release the prisoner on licence under this Article.

(2) In this Article “the requisite custodial period” means—

- (a) subject to sub-paragraph (b), the custodial period specified by the court under Article 8;
- (b) in relation to a person serving two or more concurrent or consecutive sentences, the period determined under Article 32(2) or 33(2)

Textual Amendments

F1 Words in art. 17(1) substituted (30.4.2021) by Counter-Terrorism and Sentencing Act 2021 (c. 11), s. 50(1)(i), **Sch. 13 para. 74(3)**

F2 Words in art. 17(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 6(2), **Sch. 5 para. 13** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Modifications etc. (not altering text)

C1 Art. 17 applied (13.5.2016) by Justice Act (Northern Ireland) 2016 (c. 21), **ss. 55(6)(a)**, 61(1)

C2 Art. 17(1) modified (13.5.2016) by Justice Act (Northern Ireland) 2016 (c. 21), **ss. 56(5)(b)**, 61(1)

Commencement Information

I1 Art. 17 wholly in operation at 1.4.2009, see art. 1(4) and S.R. 2009/120, **art. 2**, **Sch. 1** (subject to **Sch. 2 paras. 2(2)(5), 4**)

Changes to legislation:

The Criminal Justice (Northern Ireland) Order 2008, Section 17 is up to date with all changes known to be in force on or before 29 February 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 2 Pt. 1 para. 31A renumbered as 31(B) by [2022 c. 19 \(N.I.\) Sch. 4 para. 3\(a\)](#)
- art. 19(1A) inserted by [2015 c. 9 \(N.I.\) s. 82](#)
- art. 45(1A) inserted by [2011 c. 24 \(N.I.\) s. 58\(2\)](#)