



Crime (Sentences) Act 1997

CHAPTER 43

CRIME (SENTENCES) ACT 1997

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Status: Point in time view as at 05/10/2005.

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SCHEDULES

SCHEDULE 1 — Transfer of prisoners within the British Islands

Part I — POWERS OF TRANSFER

Transfer of prisoners: general

1 (1) The Secretary of State may, on the application of—...

Transfer of prisoners for trial

2 (1) If it appears to the Secretary of State that—...

Transfer of prisoners for other judicial purposes

3 (1) If the Secretary of State is satisfied, in the...

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Transfer of supervision of released prisoners

- 4 (1) The Secretary of State may, on the application of...

Conditions of transfers

- 5 (1) A transfer under this Part (other than a transfer...

Conditions of transfer under paragraph 1(2A)

- 5A (1) A transfer under paragraph 1(2A) shall have effect subject...

Part II — EFFECT OF TRANSFERS

Preliminary

- 6 (1) For the purposes of this Part of this Schedule,...

Restricted transfers: general

- 7 (1) Where— (a) a person's transfer under paragraph 1, 2...

Restricted transfers from England and Wales to Scotland

- 8 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from England and Wales to Northern Ireland

- 9 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from Scotland to England and Wales

- 10 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from Scotland to Northern Ireland

- 11 (1) Where a person's transfer under paragraph 1(1)(a), 2(1)(a) or...

Restricted transfers from Northern Ireland to England and Wales

- 12 (1) Where a person's transfer under paragraph 1(1)(a) or (2A)(a),...

Restricted transfers from Northern Ireland to Scotland

- 13 (1) Where a person's transfer under paragraph 1(1)(a) or (2A)(a),...

Restricted transfers between the United Kingdom and the Channel Islands

- 14 (1) Her Majesty may by Order in Council make, in...

Unrestricted transfers: general

- 15 (1) Where a person's transfer under paragraph 1(1)(a) or (2)(a),...

Transfers ceasing to be restricted

- 16 Where a transfer under Part I of this Schedule ceases...

Part III — SUPPLEMENTAL

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Prisoners unlawfully at large

17 (1) The following enactments (relating to the arrest and return...

Subsequent sentence in case of transferred prisoners

18 (1) The power of a court in any part of...

Application to the Isle of Man

19 (1) Her Majesty may by Order in Council direct that...

Interpretation

20 (1) In this Schedule— “prison”, unless the context otherwise requires,...

SCHEDULE 2 — Repatriation of prisoners to the British Islands

Preliminary

1 Any reference in this Schedule to prisoners repatriated to any...

Prisoners repatriated to England and Wales

2
3
4

Prisoners repatriated to Scotland

5 (1) This paragraph applies in relation to—
6 (1) This paragraph applies in relation to—
7 (1) This paragraph applies in relation to prisoners repatriated to...
8

Prisoners repatriated to Northern Ireland

9 (1) This paragraph applies in relation to—
10

Prisoners repatriated to the Islands

11 (1) This paragraph applies where any Order in Council under...

SCHEDULE 3 — Transfers within the British Islands of responsibility for offenders conditionally discharged from hospital

Part I — AMENDMENTS OF THE 1983 ACT

Transfers from England and Wales to Scotland

1 After section 80 of the 1983 Act there shall be...

Transfers from England and Wales to Northern Ireland

2 After section 81 of the 1983 Act there shall be...

Transfers from Northern Ireland to England and Wales

3 After section 82 of the 1983 Act there shall be...

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Transfers from England and Wales to the Islands

4 After section 83 of the 1983 Act there shall be...

Transfers from the Islands to England and Wales

5 After section 85 of the 1983 Act there shall be...

Part II — AMENDMENTS OF THE 1984 ACT

Transfers from Scotland to England and Wales

6 After section 77 of the 1984 Act there shall be...

Transfers from Scotland to Northern Ireland

7 After section 80 of the 1984 Act there shall be...

Transfers from Northern Ireland to Scotland

8 After section 81 of the 1984 Act there shall be...

Transfers from the Islands to Scotland

9 After section 82 of the 1984 Act there shall be...

Transfers from Scotland to the Islands

10 After section 82A of the 1984 Act there shall be...

SCHEDULE 4 — Minor and consequential amendments

Army Act 1955 (c.18)

1 (1) After subsection (3) of section 70 of the Army...

Air Force Act 1955 (c.19)

2 (1) After subsection (3) of section 70 of the Air...

Naval Discipline Act 1957 (c.53)

3 (1) After subsection (1) of section 42 of the Naval...

Children and Young Persons Act 1963 (c.37)

4 After subsection (2) of section 16 of the Children and...

Criminal Justice Act 1967 (c.80)

5 (1) In subsection (2) of section 56 of the Criminal...

Criminal Appeal Act 1968 (c.19)

6 (1) In subsection (1) of section 50 of the Criminal...

Immigration Act 1971 (c.77)

7 In subsection (4) of section 7 of the Immigration Act...

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	<i>Powers of Criminal Courts Act 1973 (c.62)</i>
8
	<i>Rehabilitation of Offenders Act 1974 (c.53)</i>
9
	<i>Magistrates' Courts Act 1980 (c.43)</i>
10	(1) In subsection (4A) of section 82 of the 1980...
	<i>Criminal Justice Act 1982 (c.48)</i>
11
	<i>Mental Health Act 1983 (c.20)</i>
12	(1) In subsection (1) of section 37 of the 1983...
	<i>Criminal Justice Act 1988 (c.33)</i>
13	At the end of subsection (2) of section 36 of...
	<i>Prevention of Terrorism (Temporary Provisions) Act 1989 (c.4)</i>
14	In sub-paragraph (5) of paragraph 9 of Schedule 2 to...
	<i>Criminal Justice Act 1991 (c.53)</i>
15	(1) In subsection (1) of section 1 of the 1991...
	<i>Prisoners and Criminal Proceedings (Scotland) Act 1993 (c.9)</i>
16	(1) In section 10(4) of the Prisoners and Criminal Proceedings...
	<i>Criminal Justice and Public Order Act 1994 (c.33)</i>
17
	SCHEDULE 5 — Transitional provisions and savings
	<i>Sentences for offences committed before the commencement of Chapter I of Part II</i>
1
	<i>Consecutive sentences for offences committed before and after that commencement</i>
2
	<i>Concurrent sentences for offences committed before and after that commencement</i>
3
	<i>Crediting of periods of remand in custody</i>
4

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Duty to release certain life prisoners

5 (1) In relation to any time before the commencement of...

Life prisoners transferred to England and Wales

6

Recall of life prisoners while on licence

7 (1) Section 32(3) and (4) of this Act shall have...

Transfers of prisoners: general

8

Transfers of prisoners from England and Wales to Scotland

9 (1) In relation to any person serving a determinate custodial...

Transfers of prisoners from England and Wales to Northern Ireland

10 (1) In relation to any person serving a determinate custodial...

Transfers of prisoners from Scotland to England and Wales

11 (1) In relation to any prisoner sentenced on or after...

Transfers of prisoners from Scotland to Northern Ireland

12 (1) In relation to any prisoner sentenced on or after...

Interpretation

13 In this Schedule— “life prisoner” has the same meaning as...

SCHEDULE 6 — Repeals

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