



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART VII

FURTHER POWERS OF COURTS

Driving disqualifications

[^{F1}147A Extension of disqualification where custodial sentence also imposed

- (1) This section applies where a person is convicted of an offence for which the court—
 - (a) imposes a custodial sentence, and
 - (b) orders the person to be disqualified under section 146 or 147 for holding or obtaining a driving licence.
- (2) The order under section 146 or 147 must provide for the person to be disqualified for the appropriate extension period, in addition to the discretionary disqualification period.
- (3) The discretionary disqualification period is the period for which, in the absence of this section, the court would have disqualified the person under section 146 or 147.
- (4) The appropriate extension period is—
 - (a) where an order under section 82A(2) of this Act (determination of tariffs) is made in relation to the custodial sentence, a period equal to the part of the sentence specified in that order;
 - (b) in the case of a detention and training order under section 100 of this Act (offenders under 18: detention and training orders), a period equal to half the term of that order;
 - ^{F2}(c)
 - ^{F2}(d)

Status: Point in time view as at 23/02/2017. This version of this provision has been superseded.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Section 147A is up to date with all changes known to be in force on or before 28 May 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)

- (e) where section [F3226A] of [F4the Criminal Justice Act 2003] (extended sentence for certain violent or sexual offences: persons 18 or over) applies in relation to the custodial sentence, a period equal to [F5two-thirds of] the term imposed pursuant to section [F6226A(5)(a)] of that Act F7...;
 - (f) where section [F8226B] of that Act (extended sentence for certain violent or sexual offences: persons under 18) applies in relation to the custodial sentence, a period equal to [F9two-thirds of] the term imposed pursuant to section [F10226B(3)(a)] of that Act F7...;
 - [F11(fa) in the case of a sentence under section 236A of that Act (special custodial sentence for certain offenders of particular concern), a period equal to half of the term imposed pursuant to section 236A(2)(a) of that Act;]
 - (g) where an order under section 269(2) of that Act (determination of minimum term in relation to mandatory life sentence: early release) is made in relation to the custodial sentence, a period equal to the part of the sentence specified in that order;
 - (h) in any other case, a period equal to half the custodial sentence imposed F12....
- (5) If a period determined under subsection (4) includes a fraction of a day, that period is to be rounded up to the nearest number of whole days.
- F13(6)
- (7) This section does not apply where—
- (a) the custodial sentence was a suspended sentence,
 - (b) the court has made an order under section 269(4) of the Criminal Justice Act 2003 (determination of minimum term in relation to mandatory life sentence: no early release) in relation to the custodial sentence, or
 - (c) the court has made an order under section 82A(4) of this Act (determination of minimum term in relation to discretionary life sentence: no early release) in relation to the custodial sentence.
- (8) Subsection (9) applies where an amending order provides that the proportion of a prisoner's sentence referred to in section [F14243A(3)(a),] 244(3)(a) F15... of the Criminal Justice Act 2003 (release of prisoners in certain circumstances) is to be read as a reference to another proportion (“the new proportion”).
- (9) The Secretary of State may by order—
- (a) if the amending order makes provision in respect of section [F16243A(3)(a) or] 244(3)(a) of that Act, provide that the proportion specified in subsection (4) (h) of this section is to be read, in the case of a custodial sentence to which the amending order applies, as a reference to the new proportion;
 - F17(b)
- (10) In this section—
- “amending order” means an order under section 267 of the Criminal Justice Act 2003 (alteration by order of relevant proportion of sentence);
 - “driving licence” means a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988;
 - “suspended sentence” has the meaning given by section 189 of the Criminal Justice Act 2003.]

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Textual Amendments

- F1** S. 147A - S. 147B inserted (13.4.2015) by [Coroners and Justice Act 2009 \(c. 25\)](#), s. 182(5), [Sch. 16 para. 5\(1\)](#) (with s. 180, [Sch. 22 para. 29](#)); S.I. 2015/819, art. 2(b)
- F2** S. 147A(4)(c)(d) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 10 para. 10; S.I. 2012/2906, art. 2(h)
- F3** S. 147A(4)(e) word substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(2)(a); S.I. 2012/2906, art. 2(s)
- F4** Words in s. 147A(4)(e) substituted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 1 para. 13\(2\)](#); S.I. 2015/778, art. 3, Sch. 1 para. 72
- F5** S. 147A(4)(e) words substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(2)(b); S.I. 2012/2906, art. 2(s)
- F6** S. 147A(4)(e) word substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(2)(c); S.I. 2012/2906, art. 2(s)
- F7** Words in s. 147A(4)(e)(f) omitted (13.4.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 30\(2\)\(a\)](#), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25; S.I. 2015/778, art. 3, Sch. 1 para. 25
- F8** S. 147A(4)(f) word substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(3)(a); S.I. 2012/2906, art. 2(s)
- F9** S. 147A(4)(f) words substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(3)(b); S.I. 2012/2906, art. 2(s)
- F10** S. 147A(4)(f) word substituted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(3)(c); S.I. 2012/2906, art. 2(s)
- F11** S. 147A(4)(fa) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 1 para. 13\(3\)](#); S.I. 2015/778, art. 3, Sch. 1 para. 72
- F12** Words in s. 147A(4)(h) omitted (13.4.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 30\(2\)\(b\)](#), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25
- F13** S. 147A(6) omitted (13.4.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), [ss. 30\(2\)\(c\)](#), 95(1); S.I. 2015/778, art. 3, Sch. 1 para. 25
- F14** S. 147A(8) words inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 14 para. 3(a); S.I. 2012/2906, art. 2(l)
- F15** S. 147A(8) words omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(4); S.I. 2012/2906, art. 2(s)
- F16** S. 147A(9)(a) words inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 14 para. 3(b); S.I. 2012/2906, art. 2(l)
- F17** S. 147A(9)(b) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), Sch. 21 para. 15(5); S.I. 2012/2906, art. 2(s)

Modifications etc. (not altering text)

- C1** S. 147A excluded by 2003 c. 32, s. 54(3A)(c) (as inserted (coming into force in accordance with art. 3 of the commencing S.I.) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 7 para. 2\(4\)](#) (with [Sch. 7 para. 27](#)); S.I. 2017/189, art. 3)

Status:

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Changes to legislation:

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