



# Criminal Justice and Immigration Act 2008

## 2008 CHAPTER 4

### PART 3

#### APPEALS

##### *Miscellaneous*

#### **46 Review of sentence on reference by Attorney General**

(1) Section 36 of the Criminal Justice Act 1988 (c. 33) (reviews of sentencing) is amended as follows.

[<sup>F1</sup>(2) In subsection (3A) (as amended by paragraph 89(3) of Schedule 24 to the Sentencing Act 2020) omit “in respect of an offence the sentence for which is fixed by law”]

(3) In subsection (9) after paragraph (b) insert “, and

(c) the reference in subsection (3A) to an order specified in subsection (3B) shall be construed as a reference to an order under Article 5(1) of the Life Sentences (Northern Ireland) Order 2001.”

#### **Textual Amendments**

**F1** S. 46(2) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 267](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

#### **Commencement Information**

**I1** S. 46(1)(3) in force at 14.7.2008 by [S.I. 2008/1586](#), art. 2(1), [Sch. 1 para. 25](#)

**Changes to legislation:**

Criminal Justice and Immigration Act 2008, Section 46 is up to date with all changes known to be in force on or before 17 April 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 Act associated Parts and Chapters:**

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

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)