

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism and Sentencing Act 2021,
Cross Heading: Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1)). (See end of Document for details)

SCHEDULES

SCHEDULE 13

CONSEQUENTIAL AND RELATED AMENDMENTS

PART 9

TERRORISM SENTENCE WITH FIXED LICENCE PERIOD: NORTHERN IRELAND

Criminal Justice (Northern Ireland) Order 2008 (S.I. 2008/1216 (N.I. 1))

- 72 (1) The Criminal Justice (Northern Ireland) Order 2008 is amended as follows.
- (2) In Article 3 (interpretation of Part 2 (sentencing))—
- (a) in paragraph (1), before the definition of “community sentence” insert—
- ““Article 15A terrorism sentence” means a sentence under Article 15A;”;
- (b) after paragraph (4) insert—
- “(5) For the purposes of this Part, references to an offence punishable with imprisonment for a certain term are to be read as references to an offence that is punishable with imprisonment for that term on conviction on indictment in the case of an offender aged 21 or over.”
- (3) In Article 4 (interpretation of Chapter 2 (custodial sentences))—
- (a) in paragraph (1), in paragraph (c) of the definition of “custodial sentence”, for “or 14(5)” substitute “, 14(5) or 15A(5) ”;
- (b) in paragraph (2), after sub-paragraph (b) insert—
- “(ba) a sentence falls to be imposed under Article 15A if the court is obliged to pass a sentence complying with that Article;”.
- (4) In Article 7 (custodial term to be shortest commensurate with seriousness of offence)—
- (a) in paragraph (1), after sub-paragraph (c) (but before the final “or”) insert—
- “(ca) of detention under Article 15A(5);”;
- (b) in paragraph (2), for “Article 14” substitute “ Articles 14 and 15A ”.
- (5) In Article 8(1)(a) (setting of custodial period), after “extended custodial sentence” insert “ or an Article 15A terrorism sentence ”.
- (6) In the heading of Chapter 3 of Part 2, at the end insert “ and other terrorist offenders ”.
- (7) In Article 14 (extended custodial sentences), in paragraph (4)(a), after “this Article” insert “ and Article 15A ”.

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- (8) In Article 16(2) (interpretation of Chapter 4 (release on licence)), in paragraph (c) of the definition of “custodial sentence”, for “or 14(5)” substitute “, 14(5) or 15A(5) ”.
- (9) In Article 33(6) (custodial periods to be aggregated in case of consecutive sentences), in sub-paragraph (a)(i)—
 - (a) after “extended sentence” insert “ or an Article 15A terrorism sentence ”;
 - (b) after “14” insert “ or 15A ”.

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