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STATUTORY INSTRUMENTS

2005 No. 2122

CRIMINAL LAW

The Criminal Justice Act 2003 (Commencement
No.8 and Transitional and Saving Provisions) Order
2005 (Supplementary Provisions) Order 2005

Made - - - - 29th July 2005

The Secretary of State, in exercise of the powers conferred upon him by sections 330(4) and 336 (3) of the Criminal Justice Act 2003(1), hereby makes the following Order:

1. This Order may be cited as the Criminal Justice Act 2003 (Commencement No.8 and Transitional and Saving Provisions) Order 2005 (Supplementary Provisions) Order 2005.

2. For the avoidance of doubt, in paragraph 23(1) of Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005(2) (“transitional arrangements for recall after release”), the reference to a prisoner who falls to be released under the provisions of Part 2 of the Criminal Justice Act 1991(3) is to be read as including a prisoner who was released before 4th April 2005 and the words “after 4th April 2005” are to be read only as indicating the date from which sub-paragraphs (a) and (b) of that paragraph take effect.

Home Office
29th July 2005

Fiona Mactaggart
Parliamentary Under-Secretary of State

(1) 2003 c. 44.
(2) [S.I.2005/950 \(C.42\)](#).
(3) 1991 c. 53.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides, for the avoidance of doubt, that paragraph 23(1) of Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (“transitional arrangements for recall after release”) is to be read so that the reference to a prisoner who falls to be released under the Criminal Justice Act 1991 includes a prisoner who was released before 4th April 2005 and the words “after 4th April 2005” are to be read only as indicating the date from which sub-paragraphs (a) and (b) of that paragraph take effect. The effect of paragraph 23 (1) of Schedule 2 to that Order is that a prisoner released on licence under the Criminal Justice Act 1991 can have his licence revoked and be recalled to prison by the Secretary of State under section 254 of the Criminal Justice Act 2003.