

## SCHEDULE 2

### PRISONERS SERVING MORE THAN ONE SENTENCE: APPLICATION OF PART 2

#### *Combinations of custody-only and custody and community sentences*

- 3 (1) This paragraph applies where a prisoner—
- (a) is serving, or liable to serve, at least one custody-only sentence and at least one custody and community sentence, and
  - (b) is not serving, or liable to serve, any other sentence of imprisonment.
- (2) Part 2 applies subject to the following modifications.
- (3) Sections 5 and 34(1) do not apply.
- (4) In sections 10 to 13, 18 and 47, references to the custody part are to be read as references to the custody-only sentence or, as the case may be, the custody part of the custody and community sentence which expires after the expiry of—
- (a) any other custody-only sentence (or sentences) imposed on the prisoner, and
  - (b) the custody part of any other custody and community sentence (or sentences) so imposed.
- (5) In section 14—
- (a) subsection (9) does not apply, and
  - (b) “three-quarter point”, in relation to each of the sentences imposed on the prisoner, means the day on which the prisoner will have served—
    - (i) at least three-quarters of the custody and community sentence (or sentences), and
    - (ii) the custody-only sentence (or sentences).
- (6) In section 19(1), the reference to the prisoner’s having served three-quarters of the prisoner’s sentence is to be read as a reference to the prisoner’s having served—
- (a) at least three-quarters of the custody and community sentence (or sentences) imposed on the prisoner, and
  - (b) the custody-only sentence (or sentences) so imposed.
- (7) In sections 34(2) and 43, references to the expiry of the prisoner’s sentence are to be read as references to the expiry of the sentence which expires after the expiry of the other sentence (or sentences) imposed on the prisoner.
- (8) In section 47(4)(a)(i), the reference to the prisoner’s sentence is to be read as a reference—
- (a) where one custody and community sentence is imposed on the prisoner, to that sentence,
  - (b) where two or more such sentences are so imposed, to the longer (or longest) of them.
- (9) This paragraph is subject to paragraph 7.