

Status: Point in time view as at 08/02/2000.

Changes to legislation: *Crime and Disorder Act 1998, Cross Heading: Repatriation of Prisoners Act 1984 (c.47) is up to date with all changes known to be in force on or before 05 July 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)*

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Repatriation of Prisoners Act 1984 (c.47)

- 56 In subsection (4)(b) of section 2 (transfer of prisoners out of United Kingdom) of the Repatriation of Prisoners Act 1984, for sub-paragraph (i) there shall be substituted the following sub-paragraph—
- “(i) released on licence under section 33(1)(b), (2) or (3), 33A(2), 34A(3) or 35(1) of the ^{M1}Criminal Justice Act 1991 or section 28(5) or 29(1) of the ^{M2}Crime (Sentences) Act 1997;”.

Commencement Information

- I1** [Sch. 8 para. 56](#) wholly in force; [Sch. 8 para. 56](#) not in force at Royal Assent see [s. 121](#); In force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)\(2\)](#) (subject to savings in [arts. 5-8](#))

Marginal Citations

- M1** [1991 c.53](#).
M2 [1997 c.43](#).

- 57 In subsection (9) of section 3 of that Act (transfer of prisoners into United Kingdom)
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- (a) for the words “section 48 of the ^{M3}Criminal Justice Act 1991 (discretionary life prisoners transferred to England and Wales)” there shall be substituted the words “ section 33 of the ^{M4}Crime (Sentences) Act 1997 (life prisoner transferred to England and Wales) ”; and
- (b) for the words “section 34 of that Act (duty of Secretary of State to release discretionary life prisoners)” there shall be substituted the words “ section 28 of that Act (duty to release certain life prisoners) ”.

Commencement Information

- I2** [Sch. 8 para. 57](#) wholly in force; [Sch. 8 para. 57](#) not in force at Royal Assent see [s. 121](#); In force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)\(2\)](#) (subject to savings in [arts. 5-8](#))

Marginal Citations

- M3** [1991 c.53](#).
M4 [1997 c.43](#).

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- 58 (1) Paragraph 2 of the Schedule to that Act as it has effect, and is deemed always to have had effect, by virtue of paragraph 2 of Schedule 2 to the 1997 Act shall be amended as follows.
- (2) In sub-paragraph (4), for the definition of “the enactments relating to release on licence” there shall be substituted the following definition—
- ““the enactments relating to release on licence” means sections 33(1)(b), (2) and (3), 33A(2), 34A(3), 35(1) and 37(1) and (2) of the ^{M5}Criminal Justice Act 1991 and section 28(5) and (7) of the ^{M6}Crime (Sentences) Act 1997;”.

Commencement Information

I3 Sch. 8 para. 58 wholly in force; Sch. 8 para. 58 not in force at Royal Assent see s. 121; In force at 30.9.1998 by S.I. 1998/2327, art. 2(1)(2) (subject to savings in arts. 5-8)

Marginal Citations

M5 1991 c.53.
M6 1997 c.43.

- 59 (1) Paragraph 2 of the Schedule to that Act (operation of certain enactments in relation to the prisoner) as it has effect by virtue of paragraph 3 of Schedule 2 to the 1997 Act—
- (a) shall have effect in relation to all prisoners repatriated to England and Wales after the commencement of Schedule 2; and
- (b) as it so has effect, shall be amended as follows.
- (2) In sub-paragraph (2), for the words “34(3) and (5) and 35(1) of the ^{M7}Criminal Justice Act 1991” there shall be substituted the words “ 35(1) of the Criminal Justice Act 1991 and section 28(5) and (7) of the ^{M8}Crime (Sentences) Act 1997 ”.
- (3) In sub-paragraph (4), for the definition of “the enactments relating to release on licence” there shall be substituted the following definition—
- ““the enactments relating to release on licence” means sections 33(1)(b), (2) and (3), 33A(2), 34A(3), 35(1) and 37(1) and (2) of the ^{M9}Criminal Justice Act 1991 and section 28(5) and (7) of the ^{M10}Crime (Sentences) Act 1997;”.

Commencement Information

I4 Sch. 8 para. 59 wholly in force; Sch. 8 para. 59 not in force at Royal Assent see s. 121; In force at 30.9.1998 by S.I. 1998/2327, art. 2(1)(2) (subject to savings in arts. 5-8)

Marginal Citations

M7 1991 c.53.
M8 1997 c.43.
M9 1991 c.53.
M10 1997 c.43.

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60 For paragraph 3 of the Schedule to that Act there shall be substituted the following paragraph—

Life imprisonment

“3 Where the relevant provisions include provision equivalent to a sentence in relation to which subsection (1) of section 29 of the ^{M11}Crime (Sentences) Act 1997 (power to release certain life prisoners etc.) applies, that subsection shall have effect as if the reference to consultation with the trial judge if available were omitted.”

Commencement Information

I5 Sch. 8 para. 60 wholly in force; Sch. 8 para. 60 not in force at Royal Assent see s. 121; In force at 30.9.1998 by S.I. 1998/2327, art. 2(1)(2) (subject to savings in arts. 5-8)

Marginal Citations

M11 1997 c.43.

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