

Status: Point in time view as at 31/01/2017.

Changes to legislation: Coroners and Justice Act 2009, Cross Heading: Sentencing Council for England and Wales is up to date with all changes known to be in force on or before 15 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 22

TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS

PART 4

SENTENCING

Sentencing Council for England and Wales

- 27 (1) Nothing in section 125 or 126 has effect in relation to the sentencing of persons for offences committed before the commencement of the section in question.
- (2) Where an offence is found to have been committed over a period of 2 or more days, or at some time during a period of 2 or more days, it must be taken for the purposes of sub-paragraph (1) to have been committed on the last of those days.

Commencement Information

II Sch. 22 para. 27 in force at 6.4.2010 by S.I. 2010/816, art. 2, Sch. para. 21(d)

- 28 (1) Without prejudice to the generality of section 177, an order under subsection (3) of that section made by the Lord Chancellor may provide—
- (a) for the Sentencing Council for England and Wales to exercise any function conferred on the Sentencing Guidelines Council by any provision of Chapter 1 of Part 12 of the Criminal Justice Act 2003 (c. 44) pending the repeal of the provision in question by this Act;
 - (b) for existing guidelines which have effect immediately before the coming into force of section 125(1) to be treated as guidelines issued by the Sentencing Council for England and Wales under this Act;
 - (c) that, in relation to the sentencing of persons for offences committed before the coming into force of section 125(1), any provision of Chapter 1 of Part 12 of the Criminal Justice Act 2003 repealed by this Act continues to have effect with such modifications as are specified in the order.
- (2) “Existing guidelines” means—
- (a) sentencing or allocation guidelines issued as definitive guidelines under section 170 of the Criminal Justice Act 2003;
 - (b) guidelines with respect to sentencing which were included in any judgment of the Court of Appeal given before 27 February 2004 and have not been superseded by sentencing guidelines so issued.

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Commencement Information

I2 Sch. 22 para. 28 in force at 1.2.2010 by S.I. 2010/145, art. 2(2), **Sch. para. 26(d)**

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