



Sentencing Act 2020

2020 CHAPTER 17

THIRD GROUP OF PARTS Disposals

PART 10

CUSTODIAL SENTENCES

CHAPTER 7

MINIMUM SENTENCES FOR PARTICULAR OFFENCES

Minimum sentence for repeat offences

316 Appeals where previous convictions set aside

- (1) This section applies where—
- (a) a sentence has been imposed on an offender under subsection (2) of any of the following sections—
 - (i) section 313,
 - (ii) section 314, or
 - (iii) section 315,
 - (b) a previous conviction of the offender is subsequently set aside on appeal, and
 - (c) without the previous conviction the section would not have applied.
- (2) Notice of appeal against the sentence may be given at any time within 28 days from the day on which the previous conviction was set aside (despite anything in section 18 of the Criminal Appeal Act 1968).

Modifications etc. (not altering text)

- C1** S. 316 applied (with modifications) by 2007 c. ii, s. 8(8) (as substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 265](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2)

Status: Point in time view as at 01/12/2020. This version of this provision has been superseded.

Changes to legislation: Sentencing Act 2020, Section 316 is up to date with all changes known to be in force on or before 15 September 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)

Commencement Information

II S. 316 in force at 1.12.2020 by [S.I. 2020/1236](#), **reg. 2**

Status:

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