



# Sentencing Act 2020

## 2020 CHAPTER 17

### THIRD GROUP OF PARTS Disposals

#### PART 10

##### CUSTODIAL SENTENCES

#### CHAPTER 8

##### EFFECT OF LIFE SENTENCES

### **323 Minimum term order: other life sentences**

- (1) This section applies where a court—
  - (a) passes a life sentence in circumstances in which the sentence is not fixed by law, and
  - (b) makes a minimum term order.
- (2) The minimum term must be such as the court considers appropriate, taking into account—
  - (a) the seriousness of—
    - (i) the offence, or
    - (ii) the combination of the offence and one or more offences associated with it,
  - (b) the early release provisions as compared with section 244(1) of the Criminal Justice Act 2003 (duty to release prisoners), and
  - (c) the effect that the following would have if the court had sentenced the offender to a term of imprisonment—
    - (i) section 240ZA of the Criminal Justice Act 2003 (crediting periods of remand in custody);
    - (ii) section 240A of that Act (crediting periods of remand on bail subject to certain restrictions);

---

*Status: This is the original version (as it was originally enacted).*

---

including the effect of any declaration which the court would have made under section 325 or 327 (specifying periods of remand on bail subject to certain restrictions or in custody pending extradition).