
STATUTORY INSTRUMENTS

2001 No. 2564

The Life Sentences (Northern Ireland) Order 2001

PART III

LIFE SENTENCES

Determination of tariffs

[^{F1}Minimum tariff in serious terrorism cases

5A.—(1) If the court makes an order under Article 5(1) in a serious terrorism case, the part of the sentence specified in the order must be at least 14 years.

This is subject to paragraphs (2) to (4).

(2) The court may, to the extent that it considers appropriate in order to take into account a guilty plea in accordance with Article 33(1) of the Criminal Justice (Northern Ireland) Order 1996, specify a period of less than 14 years but (subject to paragraphs (3) and (4)) no less than 11 years and 73 days.

(3) The court may specify a lesser period than that otherwise required by paragraph (1) or (2) if the court is of the opinion that it is appropriate to do so on taking account of matters under section 73(2) of the Serious Organised Crime and Police Act 2005 (assistance given or offered to investigator or prosecutor).

(4) The court may specify a lesser period than that otherwise required by paragraph (1) or (2) if the court is of the opinion that there are exceptional circumstances which—

- (a) relate to the offence or to the offender; and
- (b) justify the specification of a lesser period.

(5) For the purposes of this Article, a “serious terrorism case” is a case where, if the court did not impose a life sentence or an indeterminate custodial sentence, it would be required by Article 13A of the Criminal Justice (Northern Ireland) Order 2008 to impose a serious terrorism sentence (assuming for this purpose that the court was not of the opinion mentioned in paragraph (2) of that Article).

(6) In paragraph (5), “indeterminate custodial sentence” means a sentence under Article 13(4) of the Criminal Justice (Northern Ireland) Order 2008.]

F1 Art. 5A inserted (29.6.2021) by [Counter-Terrorism and Sentencing Act 2021 \(c. 11\)](#), [ss. 13\(3\)](#), [50\(2\)\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Life Sentences (Northern Ireland) Order 2001, Section 5A.