



# Criminal Justice Act 1991

## 1991 CHAPTER 53

### PART II

#### EARLY RELEASE OF PRISONERS

##### *Special cases*

#### **45 Fine defaulters and contemnors**

- (1) Subject to subsection (2) below, this Part (except sections 35 and 40 above) applies to persons committed to prison or to be detained under section 9 of the 1982 Act—
- (a) in default of payment of a sum adjudged to be paid by a conviction; or
  - (b) for contempt of court or any kindred offence,
- as it applies to persons serving equivalent sentences of imprisonment; and references in this Part to short-term or long-term prisoners, or to prison or imprisonment, shall be construed accordingly.
- (2) In relation to persons committed as mentioned in subsection (1) above, the provisions specified in subsections (3) and (4) below shall have effect subject to the modifications so specified.
- (3) In section 33 above, for subsections (1) to (4) there shall be substituted the following subsections—
- “(1) As soon as a person committed as mentioned in section 45(1) below has served the appropriate proportion of his term, that is to say—
    - (a) one-half, in the case of a person committed for a term of less than twelve months;
    - (b) two-thirds, in the case of a person committed for a term of twelve months or more,it shall be the duty of the Secretary of State to release him unconditionally.
  - (2) As soon as a person so committed who—
    - (a) has been released on licence under section 36(1) below; and

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*Status: This is the original version (as it was originally enacted).*

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(b) has been recalled under section 38(2) or 39(1) below,  
would (but for his release) have served the appropriate proportion of his term,  
it shall be the duty of the Secretary of State to release him unconditionally.”

(4) In section 37 above, for subsections (1) to (3) there shall be substituted the following subsection—

“(1) Where a person committed as mentioned in section 45(1) below is released  
on licence under section 36(1) above, the licence shall, subject to—

(a) any suspension under section 38(2) below; or

(b) any revocation under section 39(1) below,

continue in force until the date on which he would (but for his release)  
have served the appropriate proportion of his term; and in this subsection  
“appropriate proportion” has the meaning given by section 33(1) above.”