



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART V

CUSTODIAL SENTENCES ETC.

CHAPTER I

GENERAL PROVISIONS

[^{F1} Life sentences]

Textual Amendments

F1 S. 82A and cross-heading inserted (30.11.2000) by 2000 c. 43, ss. 60(1), 80(3)

^{F2}82A Determination of tariffs.

- (1) This section applies if a court passes a life sentence in circumstances [^{F3}where the sentence is not fixed by law].
- (2) The court shall, unless it makes an order under subsection (4) below, order that the provisions of section 28(5) to (8) of the ^{M1}Crime (Sentences) Act 1997 (referred to in this section as the “early release provisions”) shall apply to the offender as soon as he has served the part of his sentence which is specified in the order.
- (3) The part of his sentence shall be such as the court considers appropriate taking into account—
 - (a) the seriousness of the offence, or of the combination of the offence and one or more offences associated with it;

Status: Point in time view as at 02/09/2004.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Life sentences is up to date with all changes known to be in force on or before 01 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)

- (b) the effect of any direction which it would have given under section 87 below (crediting periods of remand in custody) if it had sentenced him to a term of imprisonment; and
- (c) the early release provisions as compared with [^{F4}section 244(1) of the Criminal Justice Act 2003] .
- (4) If [^{F5}the offender was aged 21 or over when he committed the offence and] the court is of the opinion that, because of the seriousness of the offence or of the combination of the offence and one or more offences associated with it, no order should be made under subsection (2) above, the court shall order that, ^{F6}..., the early release provisions shall not apply to the offender.
- ^{F7}(5)
- ^{F7}(6)
- (7) In this section—
 “court” includes a court-martial;
 “life sentence” has the same meaning as in Chapter II of Part II of the ^{M2}Crime (Sentences) Act 1997.
- (8) So far as this section relates to sentences passed by a court-martial, section 167(1) below does not apply.]

Textual Amendments

- F2** S. 82A and cross-heading inserted (30.11.2000) by 2000 c. 43, **ss. 60(1)**, 80(3)
- F3** Words in s. 82A(1) substituted (18.12.2003) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(2), **Sch. 32 para. 109(2)**
- F4** Words in s. 82A(3)(c) substituted (18.12.2003) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(2), **Sch. 32 para. 109(3)(b)**
- F5** Words in s. 82A(4) inserted (18.12.2003) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(2), **Sch. 32 para. 109(4)(a)**
- F6** Words in s. 82A(4) repealed (18.12.2003) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(2), Sch. 32 para. 109(4)(b), **Sch. 37 Pt. 8**
- F7** S. 82A(5)(6) repealed (18.12.2003) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(2), Sch. 32 para. 109(5), **Sch. 37 Pt. 8**

Modifications etc. (not altering text)

- C1** S. 82A modified (30.11.2000) by 2000 c. 43, **ss. 60(4)**, 80(3)

Marginal Citations

- M1** 1997 c. 43.
M2 1997 c. 43.

Status:

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