



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 7

SENTENCING AND RELEASE

CHAPTER 1

CUSTODIAL SENTENCES

Release on licence

134 Responsibility for setting licence conditions for fixed-term prisoners

(1) Section 250 of the Criminal Justice Act 2003 (licence conditions for fixed-term prisoners) is amended in accordance with subsections (2) and (3).

(2) For subsections (5A) to (5B) substitute—

“(5A) The Secretary of State must not—

- (a) include a condition referred to in subsection (4)(b)(ii) in a licence within subsection (5B), either on release or subsequently, or
 - (b) vary or cancel any such condition included in such a licence,
- unless the Board directs the Secretary of State to do so (and must, if the Board so directs, include, vary or cancel such a condition).

(5B) A licence is within this subsection if it is granted to a relevant prisoner—

- (a) on their initial release in a case where that release is at the direction of the Board, or

Status: Point in time view as at 01/07/2022.

Changes to legislation: Police, Crime, Sentencing and Courts Act 2022, Section 134 is up to date with all changes known to be in force on or before 06 August 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) on their release after recall to prison in a case where that release is at the direction of the Board (see sections 255B(5), 255C(5) and 256A(5)).
- (5C) In subsection (5B), “relevant prisoner” means a prisoner to whom section 244ZC, 244A, 246A, 247 or 247A applies (or applied) for the purposes of their initial release.”
- (3) Omit subsection (9).
- (4) Subsection (5) applies to any condition of a licence that is in force immediately before commencement if—
- (a) the inclusion of the condition required a direction of the Board, but
 - (b) no such direction was given.
- (5) The condition is to be treated, for the purposes of any time after commencement, as if it was included in the licence at the direction of the Board.
- (6) Nothing in this section except subsection (5) affects the validity of any condition included in a licence before commencement.
- (7) In this section—
- “the Board” means the Parole Board;
 - “commencement” means the coming into force of this section;
 - “licence” means a licence under Chapter 6 of Part 12 of the Criminal Justice Act 2003.

Commencement Information

- I1** S. 134 not in force at Royal Assent, see [s. 208\(1\)](#)
- I2** S. 134 in force at 28.6.2022 by [S.I. 2022/520](#), [reg. 5\(o\)](#)

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