



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 7

SENTENCING AND RELEASE

CHAPTER 1

CUSTODIAL SENTENCES

Driving disqualification: extension in connection with custodial sentence

**141 Increase in driving disqualification periods under certain existing orders:
England and Wales**

- (1) Subsection (2) applies where—
- (a) a driving disqualification order was made in accordance with an extended disqualification provision,
 - (b) the custodial sentence as a result of which the extended disqualification provision applied was imposed before the day on which section 140 came into force,
 - (c) section 244ZA (inserted by section 130) or 247A of the Criminal Justice Act 2003 applies to the offender in respect of the sentence (the offender, in particular, not having been released in respect of the sentence), and
 - (d) the appropriate extension period for the purposes of the order would have been longer had the sentence been imposed on the day on which section 140 came into force.
- (2) The order has effect, on and after the day on which section 140 comes into force, as if the period of disqualification included an appropriate extension period of such length as it would have included had the custodial sentence been imposed on that day.

Status: This is the original version (as it was originally enacted).

- (3) For the purposes of this section, the “extended disqualification provisions” are—
- (a) section 35A of the Road Traffic Offenders Act 1988,
 - (b) section 147A of the Powers of Criminal Courts (Sentencing) Act 2000, and
 - (c) section 166 of the Sentencing Code,
- and “appropriate extension period”, “driving disqualification order” and “custodial sentence” are to be read in accordance with the extended disqualification provision concerned.
- (4) In the application of this section before section 130 comes into force, the reference in subsection (1)(c) to section 244ZA of the Criminal Justice Act 2003 is to be read as a reference to section 244 of that Act as modified by the Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2020 (S.I. 2020/158).
- (5) In the application of this section in relation to a custodial sentence imposed under a provision repealed by the Sentencing Act 2020, the references to the sentence in subsections (1)(d) and (2) are to be read as referring to an equivalent sentence imposed under the corresponding provision of the Sentencing Code.