

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations commence the whole of the Offenders (Day of Release from Detention) Act 2023. The Offenders (Day of Release from Detention) Act 2023 amends section 23 of the Criminal Justice Act 1961 (c. 39), which makes provision as to the day of release of offenders from detention, to provide the Secretary of State with a discretionary power to bring forward the release date of an offender by up to two “eligible working days”, where that release date falls on a Friday or the day preceding a bank/public holiday. An “eligible working day” is a working day not immediately followed by a non-working day. The Offenders (Day of Release from Detention Act) 2023 also makes a consequential amendment to the International Criminal Court Act 2001 (c. 17), so that section 23(3B) of the Criminal Justice Act 1961 is not applicable to persons detained pursuant to a sentence of the International Criminal Court.