Draft Order laid before Parliament under section 50(5) of the Criminal Justice Act 1991, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1998 No.

PRISONS

Parole Board (Transfer of Functions) Order 1998

Made - - - -

Coming into force - -

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by section 50(1) of the Criminal Justice Act 1991(**1**), and after consultation with the Parole Board in accordance with the said section 50(1), I hereby make the following Order:

1.—(1) This Order may be cited as the Parole Board (Transfer of Functions) Order 1998.

(2) This Order shall come into force on the expiry of seven days after the day on which it is made.

(3) Any reference in this Order to a section is a reference to a section of the Criminal Justice Act 1991.

(4) In this Order, "long-term prisoner" has the meaning assigned to it by section 33(5), as extended by section 43(1).

2. For the purposes of section 50(1), the class of case specified in this Order is that of a long-term prisoner serving a sentence of imprisonment for a term of less than fifteen years.

3. In relation to the class of case specified in article 2 above, sections 35 (power to release long-term and life prisoners) and 37 (duration and conditions of licences)(**2**) shall have effect subject to the modifications specified in subsections (2) and (3), respectively, of section 50.

4.—(1) This Order shall apply to cases where the Board makes a recommendation under section 35(1) after the date of coming into force of this Order but shall not apply to any case where such a recommendation was made before that date.

(2) The Parole Board (Transfer of Functions) Order 1992(**3**) is hereby revoked.

(**1**) 1991 c. 53; section 50 was amended by the Criminal Justice and Public Order Act 1994 (c. 33), sections 150, 168(3) and Schedule 11 and by the Crime and Disorder Act 1998 (c. 37), section 119 and Schedule 8.
(**2**) Section 37(5) was substituted by section 119 and paragraph 83(6) of Schedule 8 to the Crime and Disorder Act 1998.
(**3**) S.I. 1992/1829.