

*Status: Point in time view as at 05/11/2012.*

*Changes to legislation: Crime and Disorder Act 1998, Cross Heading: Magistrates' Courts Act 1980 (c.43) is up to date with all changes known to be in force on or before 18 September 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)*

## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Magistrates' Courts Act 1980 (c.43)*

39 In subsection (3) of section 11 of the 1980 Act (certain sentences and orders not to be made in absence of accused), for the words “secure training order” there shall be substituted the words “detention and training order”.

<sup>F1</sup>40 .....

#### Textual Amendments

**F1** Sch. 8 para. 40 repealed (18.6.2012 for specified purposes, 5.11.2012 for specified purposes, 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 4](#); [S.I. 2012/1320](#), art. 4(1)(d)(2)(3) (with art. 5) (see [S.I. 2012/2574](#), art. 4(2) and [S.I. 2013/1103](#), art. 4); [S.I. 2012/2574](#), art. 2(2)(3)(d), Sch. (with arts. 3, 4) (as amended (4.11.2012) by [S.I. 2012/2761](#), art. 2) (with [S.I. 2013/1103](#), art. 4); [S.I. 2013/1103](#), art. 2(1)(d)(2)(3) (with arts. 3, 4)

41 Section 37 of the 1980 Act (committal to Crown Court with a view to greater term of detention in a young offender institution) shall cease to have effect.

42 In subsection (1) of section 65 of the 1980 Act (meaning of “family proceedings”), after paragraph (p) there shall be inserted the following paragraph—  
“(q) sections 11 and 12 of the Crime and Disorder Act 1998;”.

#### Commencement Information

**II** [Sch. 8 para. 42](#) wholly in force; [Sch. 8 para. 42](#) not in force at Royal Assent see [s. 121](#); In force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)\(2\)](#) (subject to savings in [arts. 5-8](#))

43 In subsection (2) of section 108 of the 1980 Act (right of appeal to the Crown Court), the words “a probation order or” shall cease to have effect.

#### Commencement Information

**I2** [Sch. 8 para. 43](#) wholly in force; [Sch. 8 para. 43](#) not in force at Royal Assent see [s. 121](#); In force at 30.9.1998 by [S.I. 1998/2327](#), [art. 2\(1\)\(2\)](#) (subject to savings in [arts. 5-8](#))

<sup>F2</sup>44 .....

*Status: Point in time view as at 05/11/2012.*

*Changes to legislation: Crime and Disorder Act 1998, Cross Heading: Magistrates' Courts Act 1980 (c.43) is up to date with all changes known to be in force on or before 18 September 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)*

**Textual Amendments**

**F2** Sch. 8 para. 44 repealed (19.2.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt. V(8)** (with Sch. 14 paras. 7, 36(9)); S.I. 2001/168, **art. 2(b)(c)**

45 In section 126 of the 1980 Act (execution of certain warrants outside England and Wales)—

- (a) the word “and” at the end of paragraph (c) shall cease to have effect;
- (b) after that paragraph there shall be inserted the following paragraph—  
“**(cc)** warrants of arrest issued under section 97A above;”; and
- (c) after paragraph (d) there shall be inserted the words “; and  
(e) warrants of arrest issued under paragraph 4 of Schedule 3 to the Crime and Disorder Act 1998.”

**Commencement Information**

**I3** Sch. 8 para. 45 wholly in force; **Sch. 8 para. 45** not in force at Royal Assent, see s. 121; **Sch. 8 para. 45** in force at 4.1.1999 for the purpose of sending any person for trial under s. 51 from any area specified in Sch. 2 of the said S.I. by S.I. 1998/2327, **art. 4(2)**; **Sch. 8 para. 45** in force at 15.1.2001 to the extent that it is not already in force by S.I. 2000/3283, **art. 2** (subject to transitional provisions in **art. 3**)

<sup>F3</sup>46 . . . . .

**Textual Amendments**

**F3** Sch. 8 para. 46 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

**Status:**

Point in time view as at 05/11/2012.

**Changes to legislation:**

Crime and Disorder Act 1998, Cross Heading: Magistrates' Courts Act 1980 (c.43) is up to date with all changes known to be in force on or before 18 September 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.