



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART VIII

MISCELLANEOUS AND SUPPLEMENTARY

Interpretation

^{F1}161 Meaning of “associated offence”, “sexual offence”, “violent offence” and “protecting the public from serious harm”.

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Textual Amendments

F1 S. 161 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F2}162 Meaning of “pre-sentence report”.

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Textual Amendments

F2 S. 162 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), [Sch. 26 para. 78](#), [Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), [Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), [Sch. 14 para. 17](#); [S.I. 2012/2906](#), art. 2(l)); in so far as it is still in force,

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amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h)

163 General definitions.

[^{F3}(1)] In this Act, except where the contrary intention appears—

[^{F4}“action plan order” means an order under section 69(1) above;]

[^{F4}[^{F5}“affected person” —

(a) in relation to an exclusion order, has the meaning given by section 40A(13) above;

(b) ^{F6}

(c) ^{F6}]]

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[^{F4}“attendance centre” has the meaning given by [^{F8}section 221(2) of the Criminal Justice Act 2003];]

[^{F4}“attendance centre order” means an order under section 60(1) above (and, except where the contrary intention is shown by paragraph 8 of Schedule 3 or paragraph 4 of Schedule 7 or 8 to this Act, includes orders made under section 60(1) by virtue of paragraph 4(1)(c) or 5(1)(c) of Schedule 3 or paragraph 2(2)(a) of Schedule 7 or 8);]

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[^{F4}“community sentence” has the meaning given by section 33(2) above;]

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“court” does not include [^{F10}the Court Martial];

[^{F4}“curfew order” means an order under section 37(1) above (and, except where the contrary intention is shown by section 59 above or paragraph 3 of Schedule 7 or 8 to this Act or section 35 of the ^{M1}Crime (Sentences) Act 1997, includes orders made under section 37(1) by virtue of section 59 or paragraph 2(2)(a) of Schedule 7 or 8 or the said section 35);]

“custodial sentence” has the meaning given by section 76 above;

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[^{F4}[^{F5}“ exclusion order ” means an order under section 40A(1) above]]

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“the register” means the register of proceedings before a magistrates’ court required by [F12Criminal Procedure Rules] to be kept by the F13[[F14designated officer] for] the court;

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[F4“supervision order” means an order under section 63(1) above;]
[F4“supervisor”, in relation to a supervision order, has the meaning given by section 63(3) above;]

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[F4[F15“youth community order” has the meaning given by section 33(1) above.]]

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Textual Amendments

- F3** S. 163(1): s. 216 renumbered s. 216(1) (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, **Sch. 13 para. 133(2)** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F4** Words in s. 163 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), Sch. 4 para. 61(a), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(p)(u)(xii)
- F5** Words in s. 163 inserted (1.4.2001, 20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 197(f)**; S.I. 2001/919, **art. 2(f)(iii)**; S.I. 2001/2232, **art. 2(m)(vii)**; S.I. 2004/2171, art. 2
- F6** Words in s. 163 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I.

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- 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F7** Words in s. 163(1) omitted (1.12.2020) by virtue of Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 168(2)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F8** Words in s. 163 substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 123(2)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F9** Definitions of “combination order”, “probation order” and “probation period” in s. 163 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 197(b), **Sch. 8**; S.I. 2001/919, **art. 2(f)(iii)(g)**
- F10** Words in s. 163 substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), **Sch. 16 para. 168**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F11** Words in s. 163(1) omitted (3.12.2012) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 9 para. 1** (with s. 68(7)); S.I. 2012/2906, art. 2(g)
- F12** Words in s. 163 substituted (1.9.2004) by The Courts Act 2003 (Consequential Amendments) Order 2004 (S.I. 2004/2035), art. 2(1), **Sch. para. 44** (with art. 2(2))
- F13** S. 163: words in the definition of “the register” substituted (1.4.2001) by S.I. 2001/618, **art. 5(5)**
- F14** Words in s. 163 substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 1, **Sch. para. 80**
- F15** Words in s. 163 inserted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 123(8)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F16** S. 163(2) omitted (1.12.2020) by virtue of Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 168(3)** (with Sch. 27); S.I. 2020/1236, reg. 2

Marginal Citations

M1 1997 c. 43.

164 Further interpretive provisions.

- (1) For the purposes of any provision of this Act which requires the determination of the age of a person by the court or the Secretary of State, his age shall be deemed to be that which it appears to the court or (as the case may be) the Secretary of State to be after considering any available evidence.
- (2) Any reference in this Act to an offence punishable with imprisonment shall be construed without regard to any prohibition or restriction imposed by or under this or any Act on the imprisonment of young offenders.

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Textual Amendments

F17 S. 164(3) omitted (1.12.2020) by virtue of Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 169** (with Sch. 27); S.I. 2020/1236, reg. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(1A)(g) inserted by [2019 c. 17 s. 13\(6\)](#)
- s. 41(9A) inserted by [2000 c. 43 Sch. 7 para. 165\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 165 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 41(12) inserted by [2000 c. 43 Sch. 7 para. 165\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 165 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 58(2) inserted by [2000 c. 43 Sch. 7 para. 172](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 172 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 82A(3A)-(3C) inserted by [2008 c. 4 s. 19\(3\)](#)
- s. 83(2)(aa) substituted for s. 83(2)(b)(c) by [2000 c. 43 Sch. 7 para. 178](#)
- s. 101(2A) inserted by [2003 c. 44 s. 298\(3\)](#)
- s. 147A(6)(a) words substituted by [2012 c. 10 Sch. 13 para. 12\(b\)](#)
- s. 147A(6)(b) words inserted by [2012 c. 10 Sch. 13 para. 12\(c\)](#)
- Sch. 2 para. 8 and cross-heading inserted by [2000 c. 43 s. 51](#) (This amendment not applied to legislation.gov.uk. S. 51 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 6A and cross-heading inserted by [2000 c. 43 Sch. 7 para. 199\(9\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(9) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 26 inserted by [2000 c. 43 Sch. 7 para. 199\(26\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(26) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 4(4A) inserted by [2004 c. 28 Sch. 5 para. 5\(4\)](#) (Effect not applied as it relates to a version of Sch. 3 para. 4 prospectively substituted but not brought into force)
- Sch. 3 para. 7(4)-(7) substituted for Sch. 3 para. 7(4)-(6) by [2000 c. 43 Sch. 7 para. 199\(10\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(10)(c) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 10 para. 12(2)(e)(f) inserted by [2000 c. 43 Sch. 7 para. 204](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 204 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))