

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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 9

Section 165.

CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1933 (c. 12)

^{F1}1

Textual Amendments

^{F1} Sch. 9 para. 1 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

2 (1) Section 49 of the Children and Young Persons Act 1933 (restrictions on reports of proceedings in which children or young persons are concerned) shall be amended as follows.

^{F2}(2)

(3) In subsection (4A)—

^{F3}(a)

(b) for “section 76(6)(b) of the Crime and Disorder Act 1998” there shall be substituted “ section 103(6)(b) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F4}(4)

(5) In subsection (11), in each of the definitions of “sexual offence” and “violent offence”, for “section 31(1) of the Criminal Justice Act 1991” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

^{F2} Sch. 9 para. 2(2) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

^{F3} Sch. 9 para. 2(3)(a) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

^{F4} Sch. 9 para. 2(4) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

3 (1) Section 58 of the Children and Young Persons Act 1933 (power of Secretary of State to send certain young offenders to approved schools) shall be amended as follows.

(2) In the first paragraph (b), for the words “with respect to whom he is authorised to give directions under subsection (3) of section fifty-three of this Act” there shall be substituted “ sentenced to be detained under section 91 of the Powers of

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Criminal Courts (Sentencing) Act 2000 with respect to whom he is authorised to give directions under section 92 of that Act ”.

(3) In the second paragraph (a), for “subsection (3)” there shall be substituted “ section 91 ”.

Prison Act 1952 (c. 52)

4 In section 13(2) of the Prison Act 1952 (legal custody of prisoner), for “or the Criminal Justice Act 1982” there shall be substituted “ or section 95, 98, 99 or 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

5 (1) Section 43 of the Prison Act 1952 (institutions for young offenders) shall be amended as follows.

(2) In subsection (1)(d), for “section 73 of the Crime and Disorder Act 1998” there shall be substituted “ section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

(3) In subsection (7), for “section 12 of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F56

Textual Amendments
F5 Sch. 9 para. 6 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F67

Textual Amendments
F6 Sch. 9 para. 7 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Army Act 1955 (c. 18)

F78

Textual Amendments
F7 Sch. 9 para. 8 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

9 In section 71A(1A) of the Army Act 1955 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

10 In section 71AA(6)(a) of the Army Act 1955 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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F8 11

Textual Amendments

F8 Sch. 9 para. 11 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

12 In Schedule 5A to the Army Act 1955 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Air Force Act 1955 (c. 19)

F9 13

Textual Amendments

F9 Sch. 9 para. 13 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

14 In section 71A(1A) of the Air Force Act 1955 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

15 In section 71AA(6)(a) of the Air Force Act 1955 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F10 16

Textual Amendments

F10 Sch. 9 para. 16 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

17 In Schedule 5A to the Air Force Act 1955 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Naval Discipline Act 1957 (c. 53)

F11 18

Textual Amendments

F11 Sch. 9 para. 18 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

19 In section 43A(1A) of the Naval Discipline Act 1957 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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20 In section 43AA(6)(a) of the Naval Discipline Act 1957 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F12 21

Textual Amendments
F12 Sch. 9 para. 21 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

22 In Schedule 4A to the Naval Discipline Act 1957 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Children and Young Persons Act 1963 (c. 37)

F13 23

Textual Amendments
F13 Sch. 9 para. 23 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 5**; S.I. 2004/3033, art. 3(1)(2)(e)(i)

Criminal Justice Act 1967 (c. 80)

F14 24

Textual Amendments
F14 Sch. 9 para. 24 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F15 25

Textual Amendments
F15 Sch. 9 para. 25 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

26 (1) In section 104 of the Criminal Justice Act 1967 (interpretation), subsection (1) shall continue to have effect with the amendment made by paragraph 26(a) of Schedule 5 to the Powers of Criminal Courts Act 1973, that is to say, with the substitution for the definition of “extended sentence certificate” of the following definition—

““extended sentence certificate” means a certificate issued under section 28 of the Powers of Criminal Courts Act 1973 stating that an extended term of imprisonment was imposed on an offender under that section;”.

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^{F16}(2)

Textual Amendments

F16 Sch. 9 para. 26(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

27 In section 106(2) of the Criminal Justice Act 1967 (extent to Scotland), in paragraph (b), for the words from the beginning to “102” there shall be substituted “section 102”.

Criminal Appeal Act 1968 (c. 19)

^{F17}28

Textual Amendments

F17 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F17}29

Textual Amendments

F17 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F17}30

Textual Amendments

F17 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Firearms Act 1968 (c. 27)

31 In section 21 of the Firearms Act 1968 (possession of firearms by persons previously convicted of crime), in subsection (2A)(c), for “section 77 of the Crime and Disorder Act 1998” there shall be substituted “section 104 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Health Services and Public Health Act 1968 (c. 46)

32 In section 64 of the Health Services and Public Health Act 1968 (financial assistance by Secretary of State to certain voluntary organisations), at the end of subsection (3)(a) there shall be inserted the following sub-paragraph—

“(xxi) sections 63 to 66 and 92 of, and Schedules 6 and 7 to, the Powers of Criminal Courts (Sentencing) Act 2000;”.

^{F18}33

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Textual Amendments

F18 Sch. 9 para. 33 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Social Work (Scotland) Act 1968 (c. 49)

F19³⁴

Textual Amendments

F19 Sch. 9 para. 34 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Theft Act 1968 (c. 60)

35 In section 35(2) of the Theft Act 1968 (application of sections 27 and 28 to proceedings for offences committed before commencement of that Act), for “Sections 27 and 28 of this Act” there shall be substituted “Section 27 of this Act and section 148 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Civil Evidence Act 1968 (c. 64)

F20³⁶

Textual Amendments

F20 Sch. 9 para. 36 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (c. 70)

F21³⁷

Textual Amendments

F21 Sch. 9 para. 37 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Children and Young Persons Act 1969 (c. 54)

F22³⁸

Textual Amendments

F22 Sch. 9 para. 38 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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F23 39

Textual Amendments

F23 Sch. 9 para. 39 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

40 In section 30(1) of the Children and Young Persons Act 1969 (detention of young offenders in community homes), for “section 53 of the Act of 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F24 41

Textual Amendments

F24 Sch. 9 para. 41 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

F25 42

Textual Amendments

F25 Sch. 9 para. 42 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Administration of Justice Act 1970 (c. 31)

43 (1) Part I of Schedule 9 to the Administration of Justice Act 1970 (orders for costs, compensation etc. enforceable as on a summary conviction) shall be amended as follows.

(2) For paragraph 10 there shall be substituted the following paragraph—

“10 Where under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 a court orders the payment of compensation.”

F26 (3)

Textual Amendments

F26 Sch. 9 para. 43(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\)](#), [Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); S.I. 2020/1236, reg. 2

Attachment of Earnings Act 1971 (c. 32)

F27 44

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Textual Amendments

F27 Sch. 9 para. 44 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Consumer Credit Act 1974 (c. 39)

45 In section 119(2) of the Consumer Credit Act 1974 (unreasonable refusal to deliver pawn), for the words from “section 28” to “that section,” there shall be substituted “ section 148 of the Powers of Criminal Courts (Sentencing) Act 2000 (restitution orders) ”.

Solicitors Act 1974 (c. 47)

46 In section 43 of the Solicitors Act 1974 (control of employment of certain persons), in subsection (7), for the words from “under Part I” to “that Act,” there shall be substituted “ discharging a person absolutely or conditionally in respect of an offence shall, notwithstanding anything in section 14 of the Powers of Criminal Courts (Sentencing) Act 2000, ”.

Rehabilitation of Offenders Act 1974 (c. 53)

^{F28}47

Textual Amendments

F28 Sch. 9 para. 47 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

48 (1) Section 5 of the Rehabilitation of Offenders Act 1974 (rehabilitation periods for particular sentences) shall be amended as follows.

(2) In subsection (1)(d)—

- (a) after “life” there shall be inserted “ under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “or for a term exceeding thirty months, passed under section 53 of the Children and Young Persons Act 1933” there shall be substituted “ or a sentence of detention for a term exceeding thirty months passed under section 91 of the said Act of 2000 ”.

[^{F29}(3) In subsection (2), in Table B, for “section 53 of the said Act of 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F29}(4) In subsection (4B), as inserted by paragraph 6(3) of Schedule 4 to the ^{M1}Youth Justice and Criminal Evidence Act 1999—

- (a) for “Part I of the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”;
- (b) for “section 8” there shall be substituted “ section 23 ”; and
- (c) for “section 9” there shall be substituted “ section 24 ”.]

[^{F29}(5) In subsection (4C) as so inserted—

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- (a) for “the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”;
- (b) for “section 8” there shall be substituted “ section 23 ”; and
- (c) for “section 9” there shall be substituted “ section 24 ”.]

[^{F29}(6) In subsection (5)(e), for “any provision of the Children and Young Persons Act 1969” there shall be substituted “ section 63(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F29}(7) In subsection (6)(c), for “section 19 of the Criminal Justice Act 1948” there shall be substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F29}(8) In subsection (6A), for “section 73 of the Crime and Disorder Act 1998” there shall be substituted “ section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F29}(9) In subsection (9)(b), for “section 53 of the said Act of 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F29}(10) In subsection (10)—

- (a) for “the Children and Young Persons Act 1969” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “the said Act of 1969” there shall be substituted “ the Children and Young Persons Act 1969 ”.]

Textual Amendments

F29 Sch. 9 para. 48(3)-(10) repealed (E.W.) (10.3.2014) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 25 Pt. 2** (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)

Marginal Citations

M1 1999 c. 23.

^{F30}49

Textual Amendments

F30 Sch. 9 para. 49 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Bail Act 1976 (c. 63)

- 50 (1) Section 2 of the Bail Act 1976 (definitions) shall be amended as follows.
- (2) In subsection (1)(c), for “section 30(1) of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
 - (3) In subsection (2)—
 - (a) for the definition of “bail hostel” and “probation hostel” there shall be substituted the following definition—

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““bail hostel” means premises for the accommodation of persons remanded on bail,”;

and

(b) after the definition of “offence” there shall be inserted the following definition—

““probation hostel” means premises for the accommodation of persons who may be required to reside there by a probation order.”.

51 In section 3 of the Bail Act 1976 (general provisions), in subsection (9), for “subsection (2) of section 30 of the Magistrates’ Courts Act 1980” there shall be substituted “ subsection (3) of section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F31 52

Textual Amendments
F31 Sch. 9 para. 52 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

53 In section 5 of the Bail Act 1976 (supplementary provisions about decisions on bail), in subsection (6A)(a)—

- (a) after the words “in custody under” there shall be inserted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 (remand for medical examination) or ”;
- (b) at the end of sub-paragraph (ii) there shall be inserted “ or ”; and
- (c) for sub-paragraphs (iii) and (iv) there shall be substituted the following sub-paragraph—

“(iii) section 18 (initial procedure on information against adult for offence triable either way),”.

54 (1) Schedule 1 to the Bail Act 1976 (persons entitled to bail: supplementary provisions) shall be amended as follows.

(2) In Part I, in paragraph 8(3)—

- (a) for “section 30(2) of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11(3) of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “the said section 30(2)” there shall be substituted “ the said section 11(3) ”.

F32 (3)

Textual Amendments
F32 Sch. 9 para. 54(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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Criminal Law Act 1977 (c. 45)

^{F33}55

Textual Amendments

F33 Sch. 9 para. 55 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

56 In section 38A of the Criminal Law Act 1977 (execution in different parts of United Kingdom of warrants for imprisonment for non-payment of fine), in subsection (5), in the definition of “prison”, for “section 12(10) of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

57 In section 38B of the Criminal Law Act 1977 (further provision for execution of certain warrants of commitment), in subsection (5), in the definition of “prison”, for “section 12(10) of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Ancient Monuments and Archaeological Areas Act 1979 (c. 46)

58 In section 5(2) of the Ancient Monuments and Archaeological Areas Act 1979 (execution of works for preservation of a scheduled monument by Secretary of State), for “section 35 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F34}59

Textual Amendments

F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Licensed Premises (Exclusion of Certain Persons) Act 1980 (c. 32)

^{F34}60

Textual Amendments

F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Magistrates’ Courts Act 1980 (c. 43)

^{F34}61

Textual Amendments

F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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^{F34}62

Textual Amendments
F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F34}63

Textual Amendments
F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F34}64 (1)
(2)
(3)

Textual Amendments
F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F34}65

Textual Amendments
F34 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

66 In section 77(2) of the Magistrates’ Courts Act 1980 (postponement of issue of warrant of commitment)—
(a) for “section 9 of the Criminal Justice Act 1982” there shall be substituted “section 108 of the Powers of Criminal Courts (Sentencing) Act 2000”; and
(b) for “17” there shall be substituted “ 18 ”.

67 (1) Section 81 of the Magistrates’ Courts Act 1980 (enforcement of fines imposed on young offenders) shall be amended as follows.

^{F35}(2)

(3) In subsection (3), for “section 17(1) of the Criminal Justice Act 1982” there shall be substituted “ section 60(1) of the said Act of 2000 ”.

^{F35}(4)

Textual Amendments
F35 Sch. 9 para. 67(2)(4) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

68 In section 88(4) of the Magistrates' Courts Act 1980 (supervision pending payment), for "section 9 of the Criminal Justice Act 1982" there shall be substituted " section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ".

F36 69

Textual Amendments

F36 Sch. 9 para. 69 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

70 In section 96A of the Magistrates' Courts Act 1980 (application of Part III to persons aged 18 to 20), for "section 9 of the Criminal Justice Act 1982" there shall be substituted " section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ".

F37 71

Textual Amendments

F37 Sch. 9 para. 71 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

72 In section 113 of the Magistrates' Courts Act 1980 (bail on appeal or case stated), in subsection (3), for "or 38 above" there shall be substituted " above or section 3 of the Powers of Criminal Courts (Sentencing) Act 2000 ".

F38 73

Textual Amendments

F38 Sch. 9 para. 73 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F39 74

Textual Amendments

F39 Sch. 9 para. 74 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

75 In section 128(6) of the Magistrates' Courts Act 1980 (remand in custody or on bail), for "or 30 above" there shall be substituted " above or section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ".

F40 76

Textual Amendments

F40 Sch. 9 para. 76 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

- 77 In section 135(3) of the Magistrates’ Courts Act 1980 (detention of offender for one day in court-house or police station), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 78 In section 136(4) of the Magistrates’ Courts Act 1980 (committal to custody overnight at police station), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 79 In section 143(2) of the Magistrates’ Courts Act 1980 (power to alter sums specified in certain provisions)—
 - ^{F41}(a)
 - (b) in paragraph (j), for “section 31(3A) of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 139(4) of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
 - ^{F41}(c)

Textual Amendments
F41 Sch. 9 para. 79(a)(c) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

^{F42} ^{F43} (1)

(2) At the end of that Schedule there shall be inserted the following entry—

“POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000

Section 123(3) (failure to comply with suspended sentence supervision order)	£1,000
In Schedule 3, paragraphs 4(1) and 5(1) (failure to comply with certain community orders)	£1,000
In Schedule 5, paragraph 2(1) (failure to comply with attendance centre order or attendance centre rules)	£1,000
In Schedule 7, paragraph 2(2) (failure to comply with supervision order)	£1,000”]

Textual Amendments
F42 Sch. 9 para. 80(1) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2
F43 Sch. 9 para. 80 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with **Sch. 27** paras. 15); S.I. 2009/3074, art. 2(u)(xxvii)

Public Passenger Vehicles Act 1981 (c. 14)

^{F44}81

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F44 Sch. 9 para. 81 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Attempts Act 1981 (c. 47)

F4582

Textual Amendments

F45 Sch. 9 para. 82 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

Contempt of Court Act 1981 (c. 49)

- 83 In section 12(5) of the Contempt of Court Act 1981 (application of certain provisions in case of contempt of magistrates' court)—
- (a) at the beginning there shall be inserted “ Section 135 of the Powers of Criminal Courts (Sentencing) Act 2000 (limit on fines in respect of young persons) and ”; and
 - (b) for the words “, namely: section 36 (restriction on fines in respect of young persons);” there shall be substituted “ ; and those provisions of the Magistrates’ Courts Act 1980 are ”.
- 84 In section 14 of the Contempt of Court Act 1981 (proceedings in England and Wales), in the subsection (2A) inserted by the ^{M2}Criminal Justice Act 1982, for “section 17 of the Criminal Justice Act 1982” there shall be substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Marginal Citations

M2 1982 c. 48.

F4685

Textual Amendments

F46 Sch. 9 para. 85 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4786

Textual Amendments

F47 Sch. 9 para. 86 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: *Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)*

[^{F48}Senior Courts Act 1981] (c. 54)

Textual Amendments

F48 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2\(d\)](#)

- 87 In section 81(1) of the [^{F48}Senior Courts Act 1981] (bail), in paragraph (g)—
- (a) after the word “under” there shall be inserted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 (remand for medical examination) or ”;
 - (b) at the end of sub-paragraph (ii) there shall be inserted “ or ”; and
 - (c) sub-paragraph (iv) and the word “or” immediately preceding it shall be omitted.

^{F49}88

Textual Amendments

F49 Sch. 9 para. 88 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28 \(with Sch. 27\); S.I. 2020/1236, reg. 2](#)

Criminal Justice Act 1982 (c. 48)

- 89 (1) Part III of Schedule 13 to the Criminal Justice Act 1982 (reciprocal arrangements (Northern Ireland): persons residing in England and Wales or Scotland) shall be amended as follows.

^{F50}(2)

- (3) In paragraph 9(6)(b), for “relevant officer under the Powers of Criminal Courts Act 1973” there shall be substituted “ responsible officer under the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

F50 Sch. 9 para. 89(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28 \(with ss. 413\(4\)\(5\), 416\(7\), Sch. 27\); S.I. 2020/1236, reg. 2](#)

Mental Health Act 1983 (c. 20)

- 90 (1) Section 37 of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship) shall be amended as follows.
- (2) In subsection (1), for “section 2(2) of the Crime (Sentences) Act 1997” there shall be substituted “ section 109(2) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F51}(3)

- (4) After subsection (1A) there shall be inserted the following subsection—

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

“(1B) For the purposes of subsections (1) and (1A) above, a sentence falls to be imposed under section 109(2), 110(2) or 111(2) of the Powers of Criminal Courts (Sentencing) Act 2000 if it is required by that provision and the court is not of the opinion there mentioned.”

F51(5)

(6) In subsection (8) as amended by paragraph 11 of Schedule 4 to the ^{M3}Youth Justice and Criminal Evidence Act 1999—

- (a) for “Part I of the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “any such order as is mentioned in section 7(7)(b) of the Children and Young Persons Act 1969 or section 58 of the Criminal Justice Act 1991” there shall be substituted “ a supervision order (within the meaning of that Act) or an order under section 150 of that Act (binding over of parent or guardian) ”.

Textual Amendments

F51 Sch. 9 para. 90(3)(5) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Marginal Citations

M3 1999 c. 23.

F5291

Textual Amendments

F52 Sch. 9 para. 91 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Telecommunications Act 1984 (c. 12)

F5392

Textual Amendments

F53 Sch. 9 para. 92 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Child Abduction Act 1984 (c. 37)

F5493

Textual Amendments

F54 Sch. 9 para. 93 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 44](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

Repatriation of Prisoners Act 1984 (c. 47)

F55 94

Textual Amendments

F55 Sch. 9 para. 94 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Police and Criminal Evidence Act 1984 (c. 60)

95 In section 17(1) of the Police and Criminal Evidence Act 1984 (entry for purpose of arrest etc.), in paragraph (cb), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F56 96

Textual Amendments

F56 Sch. 9 para. 96 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

97 In section 63A(3B) of the Police and Criminal Evidence Act 1984 (supplementary provision as to samples), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

98 In section 75(3) of the Police and Criminal Evidence Act 1984 (provisions supplementary to section 74), in paragraph (a), for “section 13 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 14 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Prosecution of Offences Act 1985 (c. 23)

99 In section 19(3)(c) of the Prosecution of Offences Act 1985 (provision for payment of certain costs of medical practitioner), for “section 30 of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Protection of Military Remains Act 1986 (c. 35)

F57 100

Textual Amendments

F57 Sch. 9 para. 100 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Public Order Act 1986 (c. 64)

F58 101

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F58 Sch. 9 para. 101 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Justice Act 1988 (c. 33)

102 In section 36(2) of the Criminal Justice Act 1988 (review of sentencing), for “section 2(2), 3(2) or 4(2) of the Crime (Sentences) Act 1997” there shall be substituted “ section 109(2), 110(2) or 111(2) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F59}103

Textual Amendments

F59 Sch. 9 para. 103 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

104 In section 60(1) of the Criminal Justice Act 1988 (periods of imprisonment for default), for “Tables in section 31(3A) of the Powers of Criminal Courts Act 1973 and” there shall be substituted “ Table in ”.

^{F60}105

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F60}106

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F60}107

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F60}108

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

F60 109

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F60 110

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F60 111

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F60 112

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F60 113

Textual Amendments

F60 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

114 In Schedule 15 to the Criminal Justice Act 1988 (minor and consequential amendments), in paragraph 80, for “that Act” there shall be substituted “ the [^{F48}Senior Courts Act 1981] ”.

Textual Amendments

F48 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2\(d\)](#)

Copyright, Designs and Patents Act 1988 (c. 48)

F61 115

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F61 Sch. 9 para. 115 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F62}116

Textual Amendments

F62 Sch. 9 para. 116 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

Road Traffic Act 1988 (c. 52)

117 In section 164(5) of the Road Traffic Act 1988 (power of constables to require production of driving licence), for “or section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “, section 40 of the Crime (Sentences) Act 1997, section 146 or 147 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Road Traffic Offenders Act 1988 (c. 53)

^{F63}118

Textual Amendments

F63 Sch. 9 para. 118 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

119 (1) Section 26 of the Road Traffic Offenders Act 1988 (interim disqualification) shall be amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a), for the words from “subsection (1)” to “applies” there shall be substituted “ section 6 of the Powers of Criminal Courts (Sentencing) Act 2000 or any enactment mentioned in subsection (4) of that section ”; and
- (b) in paragraph (b), for “section 39 of the Magistrates’ Courts Act 1980” there shall be substituted “ section 10 of that Act ”.

(3) In subsection (2), for “section 1 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 1 of that Act ”.

120 In section 27(3) of the Road Traffic Offenders Act 1988 (production of licence), for “section 44 of the Powers of Criminal Courts Act 1973,” there shall be substituted “ section 40 of the Crime (Sentences) Act 1997, section 146 or 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

121 In section 34(4A) of the Road Traffic Offenders Act 1988 (disqualification for certain offences), for “section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

122 In section 35(5) of the Road Traffic Offenders Act 1988 (disqualification for repeated offences), for “section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F64 123

Textual Amendments

F64 Sch. 9 para. 123(1)(2)(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

Extradition Act 1989 (c. 33)

F65 124

Textual Amendments

F65 Sch. 9 para. 124 repealed (1.1.2004) by [Extradition Act 2003 \(c. 41\)](#), s. 221, **Sch. 4**; S.I. 2003/3103, art. 2 (with arts. 3-5) (as amended (11.12.2003) by S.I. 2003/3258, art. 2 and (18.12.2003) by S.I. 2003/3312, art. 2)

Football Spectators Act 1989 (c. 37)

F66 125

Textual Amendments

F66 Sch. 9 para. 125 repealed (28.8.2000) by [2000 c. 25](#), s. 1(3), **Sch. 3**; S.I. 2000/2125, art. 2

Children Act 1989 (c. 41)

F67 126

Textual Amendments

F67 Sch. 9 para. 126 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 44**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

F68 127

Textual Amendments

F68 Sch. 9 para. 127 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with **Sch. 27** paras. 15); S.I. 2009/3074, art. 2(u)(xxvii)

F69 128

Status: Point in time view as at 01/12/2020.

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Textual Amendments

F69 Sch. 9 para. 128 repealed (7.6.2005) by [Inquiries Act 2005 \(c. 12\)](#), s. 51(1), [Sch. 3](#) (with ss. 44, 50); S.I. 2005/1432, art. 2

^{F70}129

Textual Amendments

F70 Sch. 9 para. 129 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

130 In Part III of Schedule 2 to the Children Act 1989 (contributions towards maintenance of children looked after by local authorities), in paragraph 21(7), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F71}131

Textual Amendments

F71 Sch. 9 para. 131 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

^{F72}132

Textual Amendments

F72 Sch. 9 para. 132 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25)

133 In section 5(4) of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (modifications for cases where accused is not guilty by reason of insanity etc.), for “Section 1A(1) of the Powers of Criminal Courts Act 1973” there shall be substituted “ Section 12(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Criminal Justice Act 1991 (c. 53)

134 In section 16(b) of the Criminal Justice Act 1991 (reciprocal enforcement of certain orders), for “corresponding” there shall be substituted “ certain ”.

135 In section 23(1) of the Criminal Justice Act 1991 (default in certain cases), for “Tables in section 31(3A) of the 1973 Act and” there shall be substituted “ Table in ”.

^{F73}136

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F73 Sch. 9 para. 136 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}137

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}138 (a)
(b)
(c)

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}139

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}140

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}141 (1)
(2)
(3)

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F74}142

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

- F74**143 (a)
- (b)

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

- F74**144 (1)
- (2)
- (3)
- (4)

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

- F74**145

Textual Amendments

F74 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

- 146 In section 82(4) of the Criminal Justice Act 1991 (duties of prisoner custody officers acting in pursuance of prisoner escort arrangements), for “section 34A of the 1973 Act” there shall be substituted “ section 142 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 147 (1) Part III of Schedule 3 to the Criminal Justice Act 1991 (transfer of probation orders from Northern Ireland) shall be amended as follows.
 - (2) In paragraph 10(3)—
 - (a) in paragraph (b), for “mental hospital within the meaning of paragraph 5 of Schedule 1A to the 1973 Act” there shall be substituted “ hospital or mental nursing home within the meaning of the Mental Health Act 1983, not being hospital premises at which high security psychiatric services within the meaning of that Act are provided ”; and
 - F75**(b)
 - F75**(3)

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F75 Sch. 9 para. 147(2)(b)(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

148 In Schedule 4 to the Criminal Justice Act 1991 (increase of certain maxima), in Part I, in the first column of the entry relating to section 63(3)(a) of the Magistrates' Courts Act 1980, for "that Act" there shall be substituted "the 1980 Act".

149 In Schedule 12 to the Criminal Justice Act 1991 (transitional provisions and savings), after paragraph 6 (which is repealed by this Act) there shall be inserted the following paragraph—

"6A Section 17 of this Act shall not apply in relation to offences committed before the commencement of that section."

Social Security Administration Act 1992 (c. 5)

^{F76}150

Textual Amendments

F76 Sch. 9 para. 150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Aggravated Vehicle-Taking Act 1992 (c. 11)

^{F77}151

Textual Amendments

F77 Sch. 9 para. 151 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

Local Government Finance Act 1992 (c. 14)

152 In Schedule 1 to the Local Government Finance Act 1992 (persons disregarded for purposes of discount), in paragraph 1(4), for "section 9 of the Criminal Justice Act 1982" there shall be substituted "section 108 of the Powers of Criminal Courts (Sentencing) Act 2000".

Probation Service Act 1993 (c. 47)

^{F78}153

Textual Amendments

F78 Sch. 9 para. 153 repealed (1.4.2001) by [2000 c. 43](#), ss. 74, 75, [Sch. 7 pt. II para. 203\(2\)](#), [Sch. 8](#); S.I. 2001/919, [art. 2\(f\)\(vi\)\(g\)](#)

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

F79 154

Textual Amendments

F79 Sch. 9 para. 154 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), **Sch. 8**; S.I. 2001/919, **art. 2(f)(vi)(g)**

F80 155

Textual Amendments

F80 Sch. 9 para. 155 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), **Sch. 8**; S.I. 2001/919, **art. 2(f)(vi)(g)**

F81 156

Textual Amendments

F81 Sch. 9 para. 156 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), **Sch. 8**; S.I. 2001/919, **art. 2(f)(vi)(g)**

Pension Schemes Act 1993 (c. 48)

F82 157

Textual Amendments

F82 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Vehicle Excise and Registration Act 1994 (c. 22)

F82 158

Textual Amendments

F82 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F82 159

Textual Amendments

F82 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

Criminal Justice and Public Order Act 1994 (c. 33)

160 In section 25 of the Criminal Justice and Public Order Act 1994 (restrictions on bail for defendants charged with or convicted of homicide or rape after previous conviction of such offences), in subsection (5), in the definition of “the relevant enactments”, for “section 53(2) of the Children and Young Persons Act 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F83 161

Textual Amendments
F83 Sch. 9 para. 161 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F84 162

Textual Amendments
F84 Sch. 9 para. 162 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

Drug Trafficking Act 1994 (c. 37)

F85 163

Textual Amendments
F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), Sch. 12; S.I. 2003/333, art. 2, Sch. (with arts. 10-13)

F85 164

Textual Amendments
F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), Sch. 12; S.I. 2003/333, art. 2, Sch. (with arts. 10-13)

F85 165

Textual Amendments
F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), s. 458(1), Sch. 12; S.I. 2003/333, art. 2, Sch. (with arts. 10-13)

F85 166

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85167

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85168

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85169

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85170

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85171

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85172

Textual Amendments

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F85173

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F85 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; [S.I. 2003/333](#), art. 2, **Sch.** (with arts. 10-13)

Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)

174 In Schedule 3 to the Goods Vehicles (Licensing of Operators) Act 1995 (qualifications for standard licence), in paragraph 3(3), for “section 14 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 46 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Children (Scotland) Act 1995 (c. 36)

175 In section 33 of the Children (Scotland) Act 1995 (effect of orders etc. made in different parts of the United Kingdom), in subsection (5)(b), after “the Children and Young Persons Act 1969” there shall be inserted “ or sections 63 to 67 of and Schedules 6 and 7 to the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Criminal Procedure (Scotland) Act 1995 (c. 46)

^{F86}176

Textual Amendments

F86 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

^{F86}177 (1)
(2)
(3)
(4)

Textual Amendments

F86 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

^{F86}178

Textual Amendments

F86 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

London Local Authorities Act 1995 (c. x)

^{F86}179

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F86 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Evidence (Amendment) Act 1997 (c. 17)

F86 180

Textual Amendments

F86 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Social Security (Recovery of Benefits) Act 1997 (c. 27)

181 In Part I of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (exempted payments), in paragraph 2, for “section 35 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Crime (Sentences) Act 1997 (c. 43)

F87 182

Textual Amendments

F87 Sch. 9 para. 182 repealed (30.11.2000 with effect as mentioned in [2000 c. 43](#), s. 75, [Sch. 8](#) Note (b) of the repealing Act) by [2000 c. 43](#), ss. 74, 75, 80(3), [Sch. 7 Pt. II para. 203\(3\)](#), [Sch. 8](#)

183 (1) Section 34 of the Crime (Sentences) Act 1997 (interpretation of Chapter II of Part II) shall be amended as follows.

(2) In subsection (2)—

- (a) for “section 53 of the 1933 Act” there shall be substituted “ section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “section 8 of the 1982 Act” there shall be substituted “ section 93 or 94 of that Act ”.

F88 (3)

Textual Amendments

F88 Sch. 9 para. 183(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

184 (1) Section 35 of the Crime (Sentences) Act 1997 (community orders for fine defaulters) shall be amended as follows.

F89 (2)

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Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

(3) For subsections (4) and (5) there shall be substituted the following subsections—

“(4) Section 46(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (community service orders) shall apply for the purposes of subsection (2)(a) above as if for the words from the beginning to “make” there were substituted “Where section 35(2) of the Crime (Sentences) Act 1997 applies, the court may make in respect of the offender”; and—

- (a) section 46(3) and (4) of that Act, and
- (b) so far as applicable, the following provisions of section 46 of that Act and the other provisions of Part IV of that Act relating to community service orders,

have effect in relation to a community service order made by virtue of this section as they have effect in relation to any community service order made under that Act, subject to the exceptions in subsection (5) below.

(5) The following are the exceptions, namely—

- (a) the reference in section 46(3)(a) of that Act to 40 hours shall be construed as a reference to 20 hours;
- (b) section 46(8) of that Act shall not apply;
- (c) the power conferred by paragraph 4(1)(d) of Schedule 3 to that Act shall be construed as a power to revoke the order or deal with the person in respect of whom the order was made for his default in paying the sum in question or do both of those things;
- (d) paragraph 4(2)(a) and (3) of that Schedule shall not apply;
- (e) the reference in paragraph 10(1)(b) of that Schedule to the offence in respect of which the order was made shall be construed as a reference to the default in respect of which the order was made;
- (f) the power conferred by paragraph 10(3)(b) of that Schedule to deal with an offender for the offence in respect of which the order was made shall be construed as a power to deal with the person in respect of whom the order was made for his default in paying the sum in question; and
- (g) paragraph 11(2)(b) of that Schedule shall not apply.”

(4) For subsections (7) and (8) there shall be substituted the following subsections—

“(7) Section 37(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (curfew orders) shall apply for the purposes of subsection (2)(b) above as if for the words from the beginning to “make” there were substituted “Where section 35(2) of the Crime (Sentences) Act 1997 applies, the court may make in respect of the offender”; and—

- (a) section 37(3), (5) to (8) and (10) to (12) of that Act, and
- (b) so far as applicable, the other provisions of Part IV of that Act relating to curfew orders,

have effect in relation to a curfew order made by virtue of this section as they have effect in relation to any curfew order made under that Act, subject to the exceptions in subsection (8) below.

(8) The following are the exceptions, namely—

- (a) the power conferred by paragraph 4(1)(d) of Schedule 3 to that Act shall be construed as a power to revoke the order or deal with the

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- person in respect of whom the order was made for his default in paying the sum in question or do both of those things;
- (b) paragraph 4(2)(a) and (3) of that Schedule shall not apply;
 - (c) the reference in paragraph 10(1)(b) of that Schedule to the offence in respect of which the order was made shall be construed as a reference to the default in respect of which the order was made;
 - (d) the power conferred by paragraph 10(3)(b) of that Schedule to deal with an offender for the offence in respect of which the order was made shall be construed as a power to deal with the person in respect of whom the order was made for his default in paying the sum in question; and
 - (e) paragraph 11(2)(b) of that Schedule shall not apply.”

(5) After subsection (12) there shall be inserted the following subsection—

“(12A) Sections 35 and 36 of the Powers of Criminal Courts (Sentencing) Act 2000 (restrictions and procedural requirements for community sentences) do not apply in relation to an order under subsection (2)(a) or (b) above.”

Textual Amendments

F89 Sch. 9 para. 184(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

185 (1) Section 40 of the Crime (Sentences) Act 1997 (driving disqualifications for fine defaulters) shall be amended as follows.

^{F90}(2)

(3) For subsection (6) there shall be substituted the following subsections—

“(6) A court which makes an order under this section disqualifying a person for holding or obtaining a driving licence shall require him to produce any such licence held by him together with its counterpart.

(7) In this section—

“driving licence” means a licence to drive a motor vehicle granted under Part III of the Road Traffic Act 1988;

“counterpart”, in relation to a driving licence, has the meaning given in relation to such a licence by section 108(1) of that Act.”

Textual Amendments

F90 Sch. 9 para. 185(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

186 (1) Schedule 1 to the Crime (Sentences) Act 1997 (transfer of prisoners within the British islands) shall be amended as follows.

^{F91}(2)

^{F92}(3)

^{F92}(4)

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Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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)

(5) In paragraph 20(1), in the definition of “sentence of imprisonment”, for “section 8 of the 1982 Act” there shall be substituted “ section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

- F91** Sch. 9 para. 186(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F92** Sch. 9 para. 186(3)(4) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F93}187

Textual Amendments

- F93** Sch. 9 para. 187 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F94}188

Textual Amendments

- F94** Sch. 9 para. 188 repealed (30.11.2000 with effect as mentioned in [2000 c. 43](#), s. 75, **Sch. 8** Note (b) of the repealing Act) by [2000 c. 43](#), ss. 74, 75, 80(1), [Sch. 7 Pt. II para. 203\(3\)](#), **Sch. 8**

Sex Offenders Act 1997 (c. 51)

^{F95}189

Textual Amendments

- F95** Sch. 9 para. 189 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 43\(5\)](#), **Sch. 7**; [S.I. 2004/874](#), art. 2

^{F96}190

Textual Amendments

- F96** Sch. 9 para. 190 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 43\(5\)](#), **Sch. 7**; [S.I. 2004/874](#), art. 2

Data Protection Act 1998 (c. 29)

^{F97}191

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F97 Sch. 9 para. 191 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Crime and Disorder Act 1998 (c. 37)

F98 192

Textual Amendments

F98 Sch. 9 para. 192 repealed (23.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 50](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 4(f)(xii)

F99 193

Textual Amendments

F99 Sch. 9 para. 193 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 43\(5\)](#), [Sch. 7](#); S.I. 2004/874, art. 2

F100 194

Textual Amendments

F100 Sch. 9 para. 194 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 12](#); S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

F101 195

Textual Amendments

F101 Sch. 9 para. 195 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 12](#); S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

F102 196

Textual Amendments

F102 Sch. 9 para. 196 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

197 In section 38(4) of the Crime and Disorder Act 1998 (meaning of “youth justice services”)—

- (a) in paragraph (j), for “section 75 below” there shall be substituted “section 102 of the Powers of Criminal Courts (Sentencing) Act 2000 (period of detention and training under detention and training orders)”;

F103(b)

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F103 Sch. 9 para. 197(b) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F104 198

Textual Amendments

F104 Sch. 9 para. 198 omitted (8.4.2013) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 24 para. 20** (with s. 135(4)); S.I. 2013/453, art. 4(f)

F105 199

Textual Amendments

F105 Sch. 9 para. 199 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F106 200

Textual Amendments

F106 Sch. 9 para. 200 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F107 201

Textual Amendments

F107 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F107 202(1)

(2)

(3)

Textual Amendments

F107 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F107 203

Status: Point in time view as at 01/12/2020.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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

F107 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Access to Justice Act 1999 (c. 22)

F107 204

Textual Amendments

F107 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Youth Justice and Criminal Evidence Act 1999 (c. 23)

F108 205

Textual Amendments

F108 Sch. 9 para. 205 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status:

Point in time view as at 01/12/2020.

Changes to legislation:

Powers of Criminal Courts (Sentencing) Act 2000, SCHEDULE 9 is up to date with all changes known to be in force on or before 15 July 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.