



# Serious Crime Act 2007

## 2007 CHAPTER 27

### PART 2

#### ENCOURAGING OR ASSISTING CRIME

##### *Jurisdiction and procedure*

#### **58 Penalties**

- (1) Subsections (2) and (3) apply if—
  - (a) a person is convicted of an offence under section 44 or 45; or
  - (b) a person is convicted of an offence under section 46 by reference to only one offence (“the reference offence”).
- (2) If the anticipated or reference offence is murder, he is liable to imprisonment for life.
- (3) In any other case he is liable to any penalty for which he would be liable on conviction of the anticipated or reference offence.
- (4) Subsections (5) to (7) apply if a person is convicted of an offence under section 46 by reference to more than one offence (“the reference offences”).
- (5) If one of the reference offences is murder, he is liable to imprisonment for life.
- (6) If none of the reference offences is murder but one or more of them is punishable with imprisonment, he is liable—
  - (a) to imprisonment for a term not exceeding the maximum term provided for any one of those offences (taking the longer or the longest term as the limit for the purposes of this paragraph where the terms provided differ); or
  - (b) to a fine.
- (7) In any other case he is liable to a fine.
- (8) Subsections (3), (6) and (7) are subject to any contrary provision made by or under—
  - (a) an Act; or

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*Changes to legislation: There are currently no known outstanding effects for the Serious Crime Act 2007, Section 58. (See end of Document for details)*

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(b) Northern Ireland legislation.

(9) In the case of an offence triable either way, the reference in subsection (6) to the maximum term provided for that offence is a reference to the maximum term so provided on conviction on indictment.

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**Modifications etc. (not altering text)**

**C1** Pt. 2 restricted by 2007 c. 19, s. 18(1A) (as inserted (1.10.2008) by [Serious Crime Act 2007 \(c. 27\)](#), **ss. 62, 94(1)** (with [Sch. 13 para. 5](#)); [S.I. 2008/2504](#), **art. 2(a)**)

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**Commencement Information**

**I1** [S. 58](#) in force at 1.10.2008 by [S.I. 2008/2504](#), **art. 2(a)**

**Changes to legislation:**

There are currently no known outstanding effects for the Serious Crime Act 2007, Section 58.