

SCHEDULES

SCHEDULE 24

CONSEQUENTIAL AMENDMENTS

PART 1

ACTS OF PARLIAMENT

Children and Young Persons Act 1933 (c. 12)

- 1 In section 34(7B) of the Children and Young Persons Act 1933—
 - (a) for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “section 173 of the Sentencing Code”;
 - (b) for “section 4 of that Act” substitute “section 191 of that Code”.
- 2 (1) Section 49 of that Act is amended as follows.
 - (2) In subsection (2)(c), for “Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “Schedule 7 to the Sentencing Code”.
 - (3) In subsection (4A)—
 - (a) in paragraph (d), for “section 222(1)(d) or (e) of the Criminal Justice Act 2003” substitute “section 394(1)(d) or (e) of the Sentencing Code”;
 - (b) in paragraph (e), for “section 103(6)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 242(4)(b) of the Sentencing Code”.
 - (4) In subsection (10), for “Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “Schedule 7 to the Sentencing Code”.
 - (5) In subsection (11)—
 - (a) in the definition of “sexual offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (b) in the definition of “terrorism offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (c) in the definition of “violent offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”.
- 3 (1) Section 58 of that Act is amended as follows.
 - (2) After the first paragraph (a) insert—

“(aa) a child or young person sentenced to be detained under section 250 of the Sentencing Code with respect to whom the Secretary of State is authorised to give directions under section 260 of that Code; or”.
 - (3) In the second paragraph (a), before “section 91” insert “section 250 or”.

Status: This is the original version (as it was originally enacted).

Prison Act 1952 (c. 52)

- 4 In section 13(2) of the Prison Act 1952, after “or section 95, 98, 99 or 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 271, 276 or 329 of the Sentencing Code”.
- 5 In section 49(5)(c) of that Act, for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248(1) of the Sentencing Code”.

Prevention of Crime Act 1953 (c. 14)

- 6 In section 1 of the Prevention of Crime Act 1953, after subsection (2) insert—
“(2ZA) See section 315 of the Sentencing Code for provision about the sentence which the court may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.”
- 7 In section 1A of that Act, after subsection (4) insert—
“(4A) For provision about the sentence which the court may be required to impose where a person aged 16 or over is convicted of an offence under this section, see section 312 of the Sentencing Code.”

Copyright Act 1956 (c. 74)

- 8 In section 21 of the Copyright Act 1956, for subsection (7C) substitute—
“(7C) In subsection (7A) of this section “the standard scale”—
(a) in relation to England and Wales and Northern Ireland, has the meaning given by section 122 of the Sentencing Code;
(b) in relation to Scotland, has the meaning given by section 225(1) of the Criminal Procedure (Scotland) Act 1995.
- For the purposes of paragraph (a), section 122 of the Sentencing Code, and regulations under paragraph 5 of Schedule 23 to the Sentencing Act 2020 which alter the sums specified in that section, shall extend to Northern Ireland.”

Criminal Appeal Act 1968 (c. 19)

- 9 In section 9(1A) of the Criminal Appeal Act 1968—
(a) for “subsection (2) or (4) of section 269 of the Criminal Justice Act 2003” substitute “section 321 of the Sentencing Code”;
(b) for “section 277 of that Act” substitute “section 324 of that Code”.
- 10 In section 10(2)(b) of that Act—
(a) in sub-paragraph (ii), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”;
(b) in sub-paragraph (iii), for “the meaning of Part 12 of the Criminal Justice Act 2003” substitute “the meaning given by section 200 of that Code”.
- 11 After section 30A of that Act insert—

“30B Criminal courts charge

The criminal courts charge duty (see section 46 of the Sentencing Code) applies to the Court of Appeal—

- (a) when dismissing an appeal under this Part of this Act by a person convicted of an offence against the person’s conviction or sentence for the offence;
 - (b) when dismissing an application for leave to bring such an appeal.”
- 12 In section 50(1A) of that Act, for “Section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Section 82 of the Sentencing Code”.
- 13 In Schedule 2 to that Act, in paragraph 2(4), after “Sections 240ZA and 240A of the Criminal Justice Act 2003” insert “and section 325 of the Sentencing Code”.

Court Martial Appeals Act 1968 (c. 20)

- 14 In section 8(1ZA) of the Court Martial Appeals Act 1968—
- (a) for “subsection (2) or (4) of section 269 of the Criminal Justice Act 2003” substitute “section 321 of the Sentencing Code”;
 - (b) for “section 277 of that Act” substitute “section 324 of that Code”.

Firearms Act 1968 (c. 27)

- 15 (1) Section 21 of the Firearms Act 1968 is amended as follows.
- (2) In subsection (2A)(c)(ii), after “section 104 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or paragraph 3 of Schedule 12 to the Sentencing Code”.
 - (3) In subsection (2C)(b), after “section 189 of the Criminal Justice Act 2003” insert “or section 264 or 277 of the Sentencing Code”.
 - (4) In subsection (3ZA)(a)—
 - (a) for “the meaning of Part 12 of the Criminal Justice Act 2003” substitute “the meaning given by section 200 of the Sentencing Code”;
 - (b) for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of that Code”.
- 16 (1) Section 51A of that Act is amended as follows.
- (2) In subsection (1)—
 - (a) for “This section applies” substitute “Subsections (2) to (5) apply”;
 - (b) in paragraph (a), after “convicted” insert “in Scotland”.
 - (3) After subsection (5) insert—

“(6) For the minimum sentence for certain offences under this Act where an individual is convicted in England and Wales, see section 311 of the Sentencing Code.”
- 17 In section 52(1A)(a) of that Act—
- (a) for “the meaning of Part 12 of the Criminal Justice Act 2003” substitute “the meaning given by section 200 of the Sentencing Code”;

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- (b) for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of that Code”.

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

- 18 In section 64(3)(a) of the Health Services and Public Health Act 1968—
- (a) in sub-paragraph (xxi), before “section 92 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “section 260 of the Sentencing Code or”;
 - (b) in sub-paragraph (xxii), before “Part 1 of the Criminal Justice and Immigration Act 2008” insert “Chapter 1 of Part 9 of the Sentencing Code or”.
- 19 In section 65(3)(b)(xxii) of that Act, before “Part 1 of the Criminal Justice and Immigration Act 2008” insert “Chapter 1 of Part 9 of the Sentencing Code or”.

Civil Evidence Act 1968 (c. 64)

- 20 In section 11(5)(a) of the Civil Evidence Act 1968, for “section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82 of the Sentencing Code”.

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

- 21 In section 94(1) of the Social Work (Scotland) Act 1968, in the definition of “youth rehabilitation order”, for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

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

- 22 In section 10(5)(a) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1968, for “section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82 of the Sentencing Code”.

Children and Young Persons Act 1969 (c. 54)

- 23 In section 30(1) of the Children and Young Persons Act 1969, after “section 92 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 260 of the Sentencing Code”.
- 24 (1) Section 32 of that Act is amended as follows.
- (2) In subsection (1A)—
- (a) in paragraph (a), for the words after “has been taken under” substitute “paragraph 4(2)(a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code; or”;
 - (b) in paragraph (b)(i), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”;
 - (c) in paragraph (b)(ii), for the words after “has been remanded under” substitute “paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code; or”.
- (3) In subsection (1C)—

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- (a) in paragraph (a), for the words after “made the arrangements under” substitute “paragraph 4(2)(a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code;”;
 - (b) in paragraph (b), for “paragraph 17(5) of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 24(3)(b) of Schedule 6 to the Sentencing Code”;
 - (c) in paragraph (c), for the words after “designated under” substitute “paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code;”.
- (4) In subsection (1D)(b), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 191 of the Sentencing Code”.
- (5) In subsection (1E)(b), for “paragraph 18(3) of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 26(2)(b) of Schedule 6 to the Sentencing Code”.

25 In section 70(1) of that Act—

- (a) in the definition of “local authority residence requirement”, for “the same meaning as in Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by paragraph 24 of Schedule 6 to the Sentencing Code”;
- (b) in the definition of “youth rehabilitation order” and “youth rehabilitation order with fostering”, for “the same meanings as in Part 1 of the Criminal Justice and Immigration Act 2008 (see section 1 of that Act)” substitute “the meanings given by sections 173 and 176 of the Sentencing Code”.

Administration of Justice Act 1970 (c. 31)

- 26 (1) Schedule 9 to the Administration of Justice Act 1970 is amended as follows.
- (2) In paragraph 9A, for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
 - (3) In paragraph 10, for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”.
 - (4) In paragraph 12, for “section 137 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 380 of the Sentencing Code”.
 - (5) In paragraph 12A, for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.

Misuse of Drugs Act 1971 (c. 38)

- 27 (1) Section 4A of the Misuse of Drugs Act 1971 is amended as follows.
- (2) In subsection (1)—
 - (a) for “This section applies” substitute “Subsections (2) to (8) apply”;
 - (b) in paragraph (a), after “court” insert “in Scotland or Northern Ireland”.
 - (3) After subsection (8) insert—

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“(9) For the requirement for a court in England and Wales considering the seriousness of an offence under section 4(3) of this Act to treat certain matters as aggravating factors, see section 71 of the Sentencing Code.”

Juries Act 1974 (c. 23)

- 28 (1) Schedule 1 to the Juries Act 1974 is amended as follows.
- (2) In paragraph 6(d), after “under section 226A, 226B, 227 or 228 of the Criminal Justice Act 2003” insert “or section 254, 266 or 279 of the Sentencing Code”.
- (3) In paragraph 7(b), after “section 177 of the Criminal Justice Act 2003” insert “or Chapter 2 of Part 9 of the Sentencing Code”.

Consumer Credit Act 1974 (c. 39)

- 29 In section 119(2) of the Consumer Credit Act 1974, for “section 148 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 3 of Part 7 of the Sentencing Code”.

Solicitors Act 1974 (c. 47)

- 30 In section 43(7) of the Solicitors Act 1974, for “section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82 of the Sentencing Code”.

Rehabilitation of Offenders Act 1974 (c. 53)

- 31 (1) Section 1 of the Rehabilitation of Offenders Act 1974 is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (za), after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”;
- (b) in paragraph (c), after “section 21A of the Prosecution of Offences Act 1985” insert “or section 46 of the Sentencing Code”.
- (3) In subsection (4), for “section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82 of the Sentencing Code”.
- 32 (1) Section 5 of that Act, as it extends to England and Wales, is amended as follows.
- (2) In subsection (1)(d)—
- (a) after “under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “, under section 250 or 259 of the Sentencing Code”;
- (b) after “under section 91 of the said Act of 2000” insert “or section 250 of that Code”.
- (3) In subsection (1)(f), after “228 of that Act” insert “or section 254, 266 or 279 of the Sentencing Code”.
- (4) In subsection (7)(e), after “section 104(3) of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or paragraph 3(2) of Schedule 12 to the Sentencing Code”.
- (5) In subsection (8)—

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- (a) in paragraph (a) of the definition of “community or youth rehabilitation order”, for “section 177 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
 - (b) in paragraph (c) of that definition, for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”;
 - (c) in paragraph (f) of the definition of “custodial sentence”, for “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 250 of the Sentencing Code”;
 - (d) in paragraph (g) of that definition, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “within the meaning given by section 233 of the Sentencing Code”;
 - (e) in paragraph (e) of the definition of “relevant order”, for “section 16 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 6 of the Sentencing Code”;
 - (f) in the words after paragraph (g) of that definition, after “section 73 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 6 of the Sentencing Code”.
- 33 (1) Section 5 of that Act, as it extends to Scotland, is amended—
- (a) if section 18 of the Management of Offenders (Scotland) Act 2019 ([asp 14](#)) (the “2019 Act”) does not come into force on or before the commencement date, as set out in sub-paragraphs (2) and (3);
 - (b) if section 19 of the 2019 Act does not come into force on or before that date, as set out in sub-paragraphs (4) to (10).
- (2) In subsection (1)(d)—
- (a) after “under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “, under section 250 or 259 of the Sentencing Code”;
 - (b) after “under section 91 of the said Act of 2000” insert “or section 250 of that Code”.
- (3) In subsection (1)(f), after “228 of that Act” insert “or section 254, 266 or 279 of the Sentencing Code”.
- (4) In subsection (2), in Table B, in the fourth entry, after “under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 of the Sentencing Code”.
- (5) In subsection (4A), after “section 177 of the Criminal Justice Act 2003” insert “or Chapter 2 of Part 9 of the Sentencing Code”.
- (6) In subsection (4B)—
- (a) in the opening words, after “the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 1 of Part 6 of the Sentencing Code”;
 - (b) in paragraph (a)—
 - (i) after “section 23 of that Act” insert “or section 96 of that Code”;
 - (ii) after “section 24 of that Act” insert “or section 97 of that Code”.
- (7) In subsection (4C)—
- (a) in the opening words, after “paragraph 11 or 12 of Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” insert “or paragraph 15 of Schedule 4 to the Sentencing Code”;

Status: This is the original version (as it was originally enacted).

- (b) in paragraph (a)—
 - (i) after “section 23 of that Act” insert “or section 96 of that Code”;
 - (ii) after “section 24 of that Act” insert “or section 97 of that Code”.
- (8) In subsection (5)(da), after “Part 1 of the Criminal Justice and Immigration Act 2008” insert “or Chapter 1 of Part 9 of the Sentencing Code”.
- (9) In subsection (6A), after “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 233 of the Sentencing Code”.
- (10) In subsection (9)(b), after “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 of the Sentencing Code”.
- 34 In section 7(2)(d) of that Act, for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

Bail Act 1976 (c. 63)

- 35 In section 2(2) of the Bail Act 1976—
 - (a) in the definition of “custodial sentence”, for “section 76(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 222(1) of the Sentencing Code”;
 - (b) in the definition of “probation hostel”, for “by a community order under section 177 of the Criminal Justice Act 2003” substitute “by a community order under Chapter 2 of Part 9 of the Sentencing Code”;
 - (c) in the definition of “sexual offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (d) in the definition of “terrorism offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (e) in the definition of “violent offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”.
- 36 In section 4(3) of that Act—
 - (a) in paragraph (za), for “Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Schedule 4 to the Sentencing Code”;
 - (b) in paragraph (zb), for “Schedule 8 to that Act” substitute “Schedule 5 to that Code”;
 - (c) in paragraph (a), for “Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “Schedule 7 to that Code”;
 - (d) in paragraph (b), for “Schedule 8 to the Criminal Justice Act 2003” substitute “Schedule 10 to that Code”.
- 37 (1) Schedule 1 to that Act is amended as follows.
 - (2) In paragraph 6B(1)(b) of Part 1, for sub-paragraph (ii) substitute—
 - “(ii) under section 34A of the Sentencing Code (pre-sentence drug testing)”.
 - (3) In paragraph 4 of Part 3, in the definition of “default”, for “Schedule 8 to the Criminal Justice Act 2003” substitute “Schedule 10 to the Sentencing Code”.

Criminal Law Act 1977 (c. 45)

- 38 In section 3(1) of the Criminal Law Act 1977, for “section 163 of the Criminal Justice Act 2003” substitute “section 120 of the Sentencing Code”.

Interpretation Act 1978 (c. 30)

- 39 (1) Schedule 1 to the Interpretation Act 1978 is amended as follows.
- (2) At the appropriate place insert—
- ““The Sentencing Code” means the code contained in the Sentencing Act 2020 (see section 1 of that Act).”
- (3) In paragraph (a) of the definition of “The standard scale”, for “has the meaning given by section 37 of the Criminal Justice Act 1982” substitute “has the meaning given by section 122 of the Sentencing Code (or, in the case of an offence of which the offender was convicted before that Act came into force, section 37 of the Criminal Justice Act 1982)”.

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

- 40 In section 5(2)(a) of the Ancient Monuments and Archaeological Areas Act 1979, after “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 7 of the Sentencing Code”.
- 41 In section 29 of that Act, for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”.

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

- 42 In section 1(2)(b) of the Licensed Premises (Exclusion of Certain Persons) Act 1980, for “sections 12 and 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 79, 80 and 82 of the Sentencing Code”.

Magistrates’ Courts Act 1980 (c. 43)

- 43 In section 11(3) of the Magistrates’ Courts Act 1980 (“the MCA 1980”), for “paragraph 8(2)(a) or (b) of Schedule 12 to the Criminal Justice Act 2003” substitute “paragraph 13(1)(a) or (b) of Schedule 16 to the Sentencing Code”.
- 44 In section 17A(4)(b) of the MCA 1980—
- (a) for “section 3 or (if applicable) 3A of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 14 or (if applicable) 15 of the Sentencing Code”;
- (b) for “subsection (2)” substitute “subsection (1)(b)”.
- 45 In section 17D(2)(b) of the MCA 1980, for “sections 3 and 4 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 14 and 18 of the Sentencing Code”.
- 46 In section 20(2)(c) of the MCA 1980—
- (a) for “section 3 or (if applicable) 3A of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 14 or (if applicable) 15 of the Sentencing Code”;
- (b) for “subsection (2)” substitute “subsection (1)(b)”.

Status: This is the original version (as it was originally enacted).

- 47 (1) Section 20A of the MCA 1980 is amended as follows.
- (2) In subsection (2), for “sections 3A(4), 4(8) and 5(3) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 15(4), 18(8) and 21(6) of the Sentencing Code”.
- (3) In subsection (6), for “the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “the meaning given by section 222 of the Sentencing Code”.
- 48 In section 24(3) of the MCA 1980, for “section 89(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 227(1) of the Sentencing Code”.
- 49 In section 24A(5)(b) of the MCA 1980—
- (a) for “section 91(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 249(1)(a) or (b) of the Sentencing Code”;
- (b) for “under section 3B or (if applicable) 3C of that Act if the court is of such opinion as is mentioned in subsection (2) of the applicable section” substitute “under section 16 or 17 of that Act if the court is of such opinion as is mentioned in section 16(1)(c) or (if applicable) section 17(1)(b)”.
- 50 (1) Section 81 of the MCA 1980 is amended as follows.
- (2) In subsection (1), for “section 89 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 227 of the Sentencing Code”.
- (3) In subsection (8), in the definition of “sum adjudged to be paid by a conviction”, for “an order under section 130 of the said Act of 2000 (compensation orders)” substitute “a compensation order (within the meaning given by section 133 of the Sentencing Code)”.
- 51 In section 82(1A) of the MCA 1980—
- (a) in paragraph (a), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”;
- (b) in paragraph (b), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of that Code”.
- 52 In section 85(3A)(b) of the MCA 1980, for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- 53 In section 91(3) of the MCA 1980, for “section 140(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 132(1) of the Sentencing Code”.
- 54 (1) Section 108 of the MCA 1980 is amended as follows.
- (2) In subsection (1A), for “Section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Section 82 of the Sentencing Code”.
- (3) In subsection (4), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- (4) In subsection (5), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
- 55 In section 113(3) of the MCA 1980 as amended by the Sentencing (Pre-consolidation Amendments) Act 2020, for “section 3, 3A, 3B or 3C of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 14, 15, 16 or 17 of the Sentencing Code”.

- 56 In section 121(5A) of the MCA 1980—
- (a) in paragraph (d), for “section 130(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (e), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”;
 - (c) in paragraph (h), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
- 57 In section 125D(3)(f) of the MCA 1980, for “Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Schedule 4 to the Sentencing Code”.
- 58 In section 126(f) of the MCA 1980, for “Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Schedule 4 to the Sentencing Code”.
- 59 In section 133(1) of the MCA 1980, for “section 265 of the Criminal Justice Act 2003” substitute “section 225 of the Sentencing Code”.
- 60 In section 139(aa) of the MCA 1980, for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.

Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)

- 61 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland) Act 1980, in paragraph (bb)(v) of Part 2, after “within the meaning of section 177 of the Criminal Justice Act 2003” insert “or imposed under Chapter 2 of Part 9 of the Sentencing Code”.

Imprisonment (Temporary Provisions) Act 1980 (c. 57)

- 62 In section 6(1) of the Imprisonment (Temporary Provisions) Act 1980, for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248(1) of the Sentencing Code”.

Public Passenger Vehicles Act 1981 (c. 14)

- 63 In Schedule 3 to the Public Passenger Vehicles Act 1981, in paragraph 1(6), after “section 177 of the Criminal Justice Act 2003” insert “or Chapter 2 of Part 9 of the Sentencing Code”.

Criminal Attempts Act 1981 (c. 47)

- 64 In section 4(5)(b) of the Criminal Attempts Act 1981, for sub-paragraph (ii) substitute—
- “(ii) in section 224(1) and (2) (general limit on magistrates’ court’s powers to impose imprisonment etc) of the Sentencing Code.”

Contempt of Court Act 1981 (c. 49)

- 65 In section 12(5) of the Contempt of Court Act 1981, for “Section 135 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Section 123 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

- 66 In section 16(3) of that Act, for “sections 139 and 140 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 130 to 132 of the Sentencing Code”.
- 67 In Schedule 1 to that Act, in paragraph 6, for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.

Senior Courts Act 1981 (c. 54)

- 68 After section 52 of the Senior Courts Act 1981 insert—

“52A Appeals to Crown Court: criminal courts charge

The criminal courts charge duty (see section 46 of the Sentencing Code) applies to the Crown Court when dismissing an appeal by a person convicted of an offence against conviction or sentence for the offence.”

- 69 (1) Section 140 of that Act is amended as follows.
- (2) In subsection (3), for “sections 139 and 140 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 130 to 132 of the Sentencing Code”.
- (3) In subsection (5), for “sections 139 and 140 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 130 to 132 of the Sentencing Code”.

Criminal Justice Act 1982 (c. 48)

- 70 In section 32(1A) of the Criminal Justice Act 1982—
- (a) in paragraph (d), after “under section 226A, 226B, 227 or 228 of the Criminal Justice Act 2003” insert “or under section 254, 266 or 279 of the Sentencing Code”;
- (b) in paragraph (e), for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248 of the Sentencing Code”.
- 71 In section 46(3) of that Act—
- (a) for “an order under section 143 of the Magistrates’ Courts Act 1980 alters the sums specified in section 37(2) above” substitute “regulations under paragraph 5 of Schedule 23 to the Sentencing Act 2020 alter the sums specified in section 122(1) of the Sentencing Code”;
- (b) for “the order” substitute “the regulations”.
- 72 (1) Schedule 13 to that Act is amended as follows.
- (2) In paragraph 7—
- (a) in sub-paragraph (1), in sub-paragraph (b) of the substituted text—
- (i) for “section 177 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
- (ii) for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of that Part”;
- (b) in sub-paragraph (3)(b), for “Part 12 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
- (c) in sub-paragraph (4)(b), for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of that Part 9”.

- (3) In paragraph 9—
- (a) in sub-paragraph (3)(a), for “Part 12 of the Criminal Justice Act 2003 (so far as relating to such orders)” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
 - (b) in sub-paragraph (3)(aa), for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of that Part”;
 - (c) in sub-paragraph (6)(b)(i)—
 - (i) for “Part 12 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
 - (ii) for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.
- (4) In paragraph 10—
- (a) in the definition of “community order”, for “section 177 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
 - (b) in the definition of “youth rehabilitation order”, for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

Mental Health Act 1983 (c. 20)

- 73 (1) Section 37 of the Mental Health Act 1983 is amended as follows.
- (2) In subsection (1A), for the words from “imposed” to “nothing” substitute “imposed under section 258, 273, 274, 283 or 285 of the Sentencing Code or under Chapter 7 of Part 10 of that Code, nothing”.
- (3) For subsection (1B) substitute—
- “(1B) For the purposes of subsection (1A) above—
- (a) a sentence falls to be imposed under section 258 of the Sentencing Code if the court is obliged by that section to pass a sentence of detention for life under section 250 of that Code;
 - (b) a sentence falls to be imposed under section 273 or 274 of that Code if the court is obliged by that section to pass a sentence of custody for life;
 - (c) a sentence falls to be imposed under section 283 or 285 of that Code if the court is obliged by that section to pass a sentence of imprisonment for life;
 - (d) a sentence falls to be imposed under Chapter 7 of Part 10 of that Code if it is required by section 311(2), 312(2), 313(2), 314(2) or 315(2) of that Code and the court is not of the opinion there mentioned.”
- (4) In subsection (8)(a)—
- (a) for “the meaning of Part 12 of the Criminal Justice Act 2003” substitute “the meaning given by section 200 of the Sentencing Code”;
 - (b) for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of that Code”.
- (5) In subsection (8)(b), for “the meaning of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “the meaning given by section 83 of that Code”.

Status: This is the original version (as it was originally enacted).

- (6) In subsection (8)(c), for “section 150 of that Act” substitute “section 376 of that Code”.
- 74 In section 43(4) of that Act, for “section 3 or 3B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 14 or 16 of the Sentencing Code”.

Child Abduction Act 1984 (c. 37)

- 75 In the Schedule to the Child Abduction Act 1984, in paragraph 2(1)—
- (a) for paragraph (a) substitute—
 - “(a) detained in a place of safety under paragraph 4(2)(a) of Schedule 4, paragraph 7(2)(a) of Schedule 5 or paragraph 24(2)(a) of Schedule 7 to the Sentencing Code;”;
 - (b) for paragraph (b) substitute—
 - “(b) remanded to local authority accommodation under paragraph 5 of Schedule 4, paragraph 8 of Schedule 5 or paragraph 25 of Schedule 7 to the Sentencing Code;”.

Police and Criminal Evidence Act 1984 (c. 60)

- 76 In section 17(1)(cb)(ii) of the Police and Criminal Evidence Act 1984, after “section 92 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 260 of the Sentencing Code”.
- 77 In section 38(6A) of that Act, in the definition of “sexual offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”.
- 78 In section 63A(3B) of that Act, after “section 92 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 260 of the Sentencing Code;”.
- 79 In section 63K(6)(a) of that Act, after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 222 of the Sentencing Code”.
- 80 In section 75(3)(a) of that Act—
- (a) after “section 14 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 82 of the Sentencing Code”;
 - (b) omit “probation or”.

Prosecution of Offences Act 1985 (c. 23)

- 81 In section 3(2) of the Prosecution of Offences Act 1985—
- (a) in paragraph (fa), for “section 22 of the Anti-social Behaviour, Crime and Policing Act 2014” substitute “Chapter 1 of Part 11 of the Sentencing Code”;
 - (b) in paragraph (fb)—
 - (i) for “applications under section 27 of the Anti-social Behaviour, Crime and Policing Act 2014” substitute “applications under section 336 of the Sentencing Code”;
 - (ii) for “section 22 of that Act” substitute “Chapter 1 of Part 11 of that Code”.
- 82 In section 7A(5) of that Act, in the definition of “preventative civil orders”—

Status: This is the original version (as it was originally enacted).

- (a) in paragraph (b), for “section 5 or” substitute “section 360 of the Sentencing Code or section”;
 - (b) in paragraph (c), after “section 8 of the Crime and Disorder Act 1998” insert “or section 366 or 369 of the Sentencing Code”.
- 83 (1) Section 19(3C) of that Act is amended as follows.
- (2) For the definition of “community order” substitute—
““community order” has the meaning given by section 200 of the Sentencing Code;”.
- (3) In the definition of “mental health treatment requirement”—
- (a) in paragraph (a), for “under section 207 of the Criminal Justice Act 2003” substitute “within the meaning given by paragraph 16 of Schedule 9 to the Sentencing Code”;
 - (b) in paragraph (b), for “under paragraph 20 of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “within the meaning given by paragraph 28 of Schedule 6 to that Code”.
- (4) In the definition of “youth rehabilitation order”, for “the same meaning as in Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”.

Housing Act 1985 (c. 68)

- 84 In section 84A(5) of the Housing Act 1985, after “section 30 of the Anti-social Behaviour, Crime and Policing Act 2014” insert “or section 339 of the Sentencing Code”.
- 85 In Schedule 3 to that Act, under Ground 2A, in the definition of “relevant order”, for “an order under section 22 of that Act” substitute “a criminal behaviour order within the meaning given by section 330 of the Sentencing Code”.

Surrey Act 1985 (c. iii)

- 86 In section 2(1) of the Surrey Act 1985, in the definition of “the standard scale”, for “section 37 (3) of the Criminal Justice Act 1982” substitute “section 122 of the Sentencing Code”.

Clwyd County Council Act 1985 (c. xliv)

- 87 In section 2(1) of the Clwyd County Council Act 1985, in the definition of “the standard scale”, for “section 37 of the Criminal Justice Act 1982” substitute “section 122 of the Sentencing Code”.

Insolvency Act 1986 (c. 45)

- 88 In section 281(4A) of the Insolvency Act 1986, for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.

Criminal Justice Act 1988 (c. 33)

- 89 (1) Section 36 of the Criminal Justice Act 1988 is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (2), for paragraph (b) substitute—
 “(b) failed to comply with a mandatory sentence requirement that applied as mentioned in section 399(b) or (c) of the Sentencing Code.”
- (3) In subsection (3A), for “an order under subsection (2) of section 269 of the Criminal Justice Act 2003 (determination of minimum term in relation to mandatory life sentence)” substitute “a minimum term order made under section 321 of the Sentencing Code in respect of an offence the sentence for which is fixed by law”.
- (4) In subsection (9)—
 (a) for paragraphs (aa) to (ac) substitute—
 “(aa) subsection (2)(b) shall have effect as if for the words after “failed to” there were substituted
 “impose a sentence required by—
 (i) Article 70(2) of the Firearms (Northern Ireland) Order 2004,
 (ii) paragraph 2(4) or (5) of Schedule 2 to the Violent Crime Reduction Act 2006,
 (iii) Article 13 or 14 of the Criminal Justice (Northern Ireland) Order 2008, or
 (iv) section 7(2) of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015;””
 (b) in paragraph (c), for “an order specified in subsection (3B)” substitute “a minimum term order made under section 321 of the Sentencing Code”;
 (c) omit paragraph (d) and the preceding “and”.
- 90 In section 139 of that Act, after subsection (6) insert—
 “(6ZA) See section 315 of the Sentencing Code for provision about the sentence which a court in England and Wales may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.”
- 91 In section 139A of that Act, before subsection (6) insert—
 “(5ZB) See section 315 of the Sentencing Code for provision about the sentence which a court in England and Wales may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.”
- 92 In section 139AA of that Act, after subsection (6) insert—
 “(6A) For provision about the sentence which the court may be required to impose where a person aged 16 or over is convicted of an offence under this section, see section 312 of the Sentencing Code.”
- 93 In section 159(1)(aa) of that Act, after “by the Crown Court under” insert “section 39(7) or (8) of the Sentencing Code or”.

Firearms (Amendment) Act 1988 (c. 45)

- 94 (1) Section 1 of the Firearms (Amendment) Act 1988 is amended as follows.

Status: This is the original version (as it was originally enacted).

(2) In subsection (4A)(bb), for “subsection (1A)(a) of section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “paragraph 1 of Schedule 20 to the Sentencing Code”.

(3) After subsection (4A) insert—

“(4B) An order under subsection (4) which, by virtue of subsection (4A)(bb), amends paragraph 1 of Schedule 20 to the Sentencing Code may also—

(a) provide for section 311 to apply with modifications or exceptions, or

(b) provide for section 249 not to apply,

in relation to any provision added by the order to section 5(1) of the principal Act.”

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

95 In section 108(6) of the Copyright, Designs and Patents Act 1988, for “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 153 of the Sentencing Code”.

96 In section 199(6) of that Act, for “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 153 of the Sentencing Code”.

Housing Act 1988 (c. 50)

97 In Schedule 2 to the Housing Act 1988, under Condition 3 of Ground 7A, after “section 30 of the Anti-social Behaviour, Crime and Policing Act 2014” insert or “section 339 of the Sentencing Code”.

Road Traffic Act 1988 (c. 52)

98 In section 164(5) of the Road Traffic Act 1988, for “section 146 or 147 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 168 of the Sentencing Code”.

Road Traffic Offenders Act 1988 (c. 53)

99 (1) Section 26 of the Road Traffic Offenders Act 1988 is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a), for “section 6 of the Powers of Criminal Courts (Sentencing) Act 2000 or any enactment mentioned in subsection (4) of that section” substitute “section 20 of the Sentencing Code or any enactment mentioned in subsection (1) of that section”;

(b) in paragraph (b), for “section 10 of that Act” substitute “section 28 of that Code”.

(3) In subsection (2)(a), for “section 1” substitute “Chapter 1 of Part 2”.

100 (1) Section 34 of that Act is amended as follows.

(2) In subsection (4A), after “or section 147 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 164 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

- (3) In subsection (4AA), in paragraph (c) insert at the end “or section 166 of the Sentencing Code”.
- 101 (1) Section 35 of that Act is amended as follows.
- (2) In subsection (2A), in paragraph (c) insert at the end “or section 166 of the Sentencing Code”.
- (3) In subsection (5), after “or section 147 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 164 of the Sentencing Code”.
- 102 (1) Section 35A of that Act is amended as follows.
- (2) In subsection (4)—
- (a) in paragraph (a), for “section 82A(2) of the Powers of Criminal Courts (Sentencing) Act 2000 (life sentence: determination of tariffs)” substitute “section 321(2) of the Sentencing Code (life sentence: minimum term order)”;
 - (b) in paragraph (b), for “under section 100 of that Act” substitute “within the meaning given by section 233 of that Code”;
 - (c) in paragraph (e)—
 - (i) for “section 226A of the Criminal Justice Act 2003” substitute “section 266 or 279 of that Code”;
 - (ii) for “section 226A(5)(a) of that Act” substitute “section 266(a) or 279(a) of that Code”;
 - (d) in paragraph (f)—
 - (i) for “section 226B of that Act” substitute “section 254 of that Code”;
 - (ii) for “section 226B(3)(a) of that Act” substitute “section 254(a) of that Code”;
 - (e) in paragraph (fa)—
 - (i) for “section 236A of that Act” substitute “section 265 or 278 of that Code”;
 - (ii) for “section 236A(2)(a) of that Act” substitute “section 265(2)(a) or 278(2)(a) of that Code”;
 - (f) omit paragraph (g).
- (3) In subsection (7)—
- (a) at the end of paragraph (a) insert “or”;
 - (b) for paragraphs (b) and (c) substitute—
 - “(b) the court has made a whole life order under section 321(3) of the Sentencing Code in relation to the custodial sentence.”
- (4) In subsection (11)—
- (a) in the definition of “custodial sentence”, for “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 222 of the Sentencing Code”;
 - (b) in the definition of “suspended sentence”, for “section 189 of the Criminal Justice Act 2003” substitute “section 286 of the Sentencing Code”.
- 103 In section 37(1B) of that Act, in paragraph (c) insert at the end “or section 166 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

- 104 In section 42(3B) of that Act, in paragraph (c) insert at the end “or section 166 of the Sentencing Code”.
- 105 (1) Section 46 of that Act is amended as follows.
- (2) In subsection (1), for “section 14(3) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82(4) of the Sentencing Code”.
- (3) In subsection (2), for “section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82(2) of the Sentencing Code”.
- 106 In section 47(2ZA) of that Act, for paragraph (c) substitute—
“(c) section 166 of the Sentencing Code.”

Football Spectators Act 1989 (c. 37)

- 107 In section 14A(5) of the Football Spectators Act 1989, for “sections 12 and 14 of the Powers of the Criminal Courts (Sentencing) Act 2000” substitute “sections 79, 80 and 82 of the Sentencing Code”.

Children Act 1989 (c. 41)

- 108 (1) Section 21 of the Children Act 1989 is amended as follows.
- (2) In subsection (2)(c)—
- (a) in sub-paragraph (ia), for “paragraph 4 of Schedule 1 or paragraph 6 of Schedule 8 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “paragraph 5 of Schedule 4 or paragraph 7 of Schedule 5 to the Sentencing Code”;
- (b) in sub-paragraph (ii), for “paragraph 21 of Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 25 of Schedule 7 to that Code”.
- (3) For subsection (2A) substitute—
- “(2A) In subsection (2)(c)(iii)—
“local authority residence requirement” has the meaning given by paragraph 24 of Schedule 6 to the Sentencing Code;
“youth rehabilitation order” has the meaning given by section 173 of that Code;
“youth rehabilitation order with fostering” has the meaning given by section 176 of that Code.”
- 109 In section 31(7)(b)(ii) of that Act, for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”.
- 110 In section 104 of that Act—
- (a) in subsection (3A), after “(3BA)” insert “, (3BB)”.
- (b) after subsection (3BA) insert—
- “(3BB) Regulations fall within this subsection if they are regulations made in the exercise of the power conferred by paragraph 3B(4) of Schedule A1.”

Status: This is the original version (as it was originally enacted).

- 111 In section 105(6)(ba) of that Act, for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.
- 112 (1) Schedule A1 to that Act is amended as follows.
- (2) For Part 1 substitute—

“PART 1

UNPAID WORK REQUIREMENT

The responsible officer etc

- 1 (1) For the purposes of this Part of this Schedule—
- “the responsible officer”, in relation to a relevant person, means the person who is for the time being responsible for discharging the functions conferred by this Part of this Schedule on the responsible officer in accordance with arrangements made by the Secretary of State;
- “relevant person”, in relation to an enforcement order, means a person subject to the order.
- (2) The responsible officer must be an officer of a provider of probation services.

Obligations of responsible officer

- 2 (1) This paragraph applies where an enforcement order is in force.
- (2) The responsible officer must—
- (a) make any arrangements that are necessary in connection with the requirements imposed by the order, and
- (b) promote the relevant person’s compliance with those requirements.
- (3) Sub-paragraph (4) applies where—
- (a) an enforcement order is in force, and
- (b) an officer of the Children and Family Court Advisory and Support Service or a Welsh family proceedings officer (as defined in section 35 of the Children Act 2004) is required under section 11M to report on matters relating to the order.
- (4) The officer of the Service or the Welsh family proceedings officer (“the family officer”) may request the responsible officer to report to the family officer on such matters relating to the order as the family officer may require for the purpose of making a report under section 11M(1) (c) or (d); and it shall be the duty of the responsible officer to comply with such a request.

Enforcement order to specify relevant person’s home local justice area

- 3 (1) An enforcement order must specify which local justice area is the relevant person’s home local justice area.

Status: This is the original version (as it was originally enacted).

- (2) The area specified must be the local justice area in which the relevant person resides or will reside.

Requirement and obligation of relevant person

- 3A (1) In this Part of this Schedule “unpaid work requirement”, in relation to an enforcement order, means a requirement that the relevant person must perform unpaid work in accordance with the instructions of the responsible officer as to—
- (a) the work to be performed, and
 - (b) the times, during a period of 12 months, at which the person is to perform it.
- (2) Sub-paragraph (1)(b) is subject to paragraphs 7 and 9.
- (3) But the period of 12 months is not to run while the enforcement order is suspended under section 11J(9).

Number of hours of unpaid work to be specified in order

- 3B (1) The number of hours which a person may be required to work under an unpaid work requirement—
- (a) must be specified in the relevant order, and
 - (b) must, in aggregate, be—
 - (i) not less than 40, and
 - (ii) not more than 200.
- (2) Sub-paragraph (3) applies where on the same occasion and in relation to the same person the court makes more than one enforcement order imposing an unpaid work requirement.
- (3) The court may direct that the hours of work specified in any of those requirements is to be—
- (a) concurrent with, or
 - (b) additional to,
- those specified in any other of those orders.

But the total number of hours which are not concurrent must not exceed the maximum number (see sub-paragraph (1)(b)(ii)).

- (4) The Secretary of State may by regulations substitute the maximum number of hours for the time being specified in sub-paragraph (1)(b).

Duty to keep in touch with responsible officer

- 3C (1) This paragraph applies where an enforcement order is in force.
- (2) The relevant person—
- (a) must keep in touch with the responsible officer in accordance with any instructions the responsible officer may give the relevant person from time to time, and
 - (b) must notify the responsible officer of any change of address.

Status: This is the original version (as it was originally enacted).

- (3) An obligation imposed by sub-paragraph (2) is enforceable as if it were a requirement of the enforcement order.

Rules relating to enforcement orders

3D The power of the Secretary of State to make rules under section 394 of the Sentencing Code in relation to persons subject to community orders or suspended sentence orders may also be exercised in relation to persons subject to enforcement orders.”

- (3) In paragraph 6(2), for “section 199(2)(a) of the Criminal Justice Act 2003” substitute “paragraph 3B(1)(b)(i)”.
- (4) In paragraph 7(2), for “section 200(2) of the Criminal Justice Act 2003 (as substituted by paragraph 3)” substitute “paragraph 3A(1)(b)”.
- (5) In paragraph 8(8), “the same meaning as in section 197 of the Criminal Justice Act 2003 (as modified by paragraph 2)” substitute “the meaning given by paragraph 1”.
- (6) In paragraph 9(9)—
- (a) for “section 199(2)(b) of the Criminal Justice Act 2003, as substituted by paragraph 3” substitute “paragraph 3B(1)(b)(ii)”;
 - (b) for “section 200(2) of the Criminal Justice Act 2003 (as substituted by paragraph 3)” substitute “paragraph 3A(1)(b)”.
- 113 In Schedule 2 to that Act, in paragraph 21(7), at the end of paragraph (c) insert “or section 260 of the Sentencing Code”.
- 114 (1) Schedule 3 to that Act is amended as follows.
- (2) In paragraph 13(2)(c), for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.
 - (3) In paragraph 14(1), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”.
- 115 In Schedule 8 to that Act, in paragraph 3(a), for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

Environmental Protection Act 1990 (c. 43)

- 116 (1) Section 33B of the Environmental Protection Act 1990 is amended as follows.
- (2) In subsection (2), for “section 130(1)(a) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 133(a) of the Sentencing Code”.
 - (3) In subsection (5), for “the reference in section 131(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “a reference in section 139(2) or (3) of the Sentencing Code”.
- 117 In section 33C(8) of that Act, for “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 153 of the Sentencing Code”.
- 118 In section 59(8A), for “a compensation order has been made under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “a compensation order (within the meaning given by section 133 of the Sentencing Code) has been made”.

- 119 In section 59ZB(10), for “a compensation order has been made under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “a compensation order (within the meaning given by section 133 of the Sentencing Code) has been made”.

Criminal Justice Act 1991 (c. 53)

- 120 (1) Section 24 of the Criminal Justice Act 1991 is amended as follows.
- (2) In subsection (3)(a), for “section 140 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 132 of the Sentencing Code”.
- (3) In subsection (3A), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- (4) In subsection (4), in paragraph (ba) of the definition of “fine”, for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
- 121 (1) In Schedule 3 to that Act, paragraph 11 is amended as follows.
- (2) In sub-paragraph (2)(b), for “Part 12 of the Criminal Justice Act 2003 (so far as relating to such orders)” substitute “Chapter 2 of Part 9 of the Sentencing Code”.
- (3) In sub-paragraph (2A)(b), for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.
- (4) In sub-paragraph (4)—
- (a) for “paragraph 9(1)(b) or (c) or 13(2) of Schedule 8 to the Criminal Justice Act 2003” substitute “paragraph 10(5)(c) or (d) or 14(5) of Schedule 10 to the Sentencing Code”;
- (b) for “paragraph 6(2)(c) or 11(2) of Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 6(5)(c) or 12(5) of Schedule 7 to that Code”.
- (5) In sub-paragraph (5)—
- (a) for “Part 12 of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
- (b) for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of that Part”;
- (c) in paragraph (a), for “that Act” substitute “that Part”.
- (6) In sub-paragraph (8)—
- (a) for the definition of “community order” substitute—
““community order” has the meaning given by section 200 of the Sentencing Code;”;
- (b) for the definition of “youth rehabilitation order” substitute—
““youth rehabilitation order” has the meaning given by section 173 of the Sentencing Code.”

Social Security Administration Act 1992 (c. 5)

- 122 In section 121(2) of the Social Security Administration Act 1992, for “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 79 or 80 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

Aggravated Vehicle-Taking Act 1992 (c. 11)

- 123 In section 1(2)(a) of the Aggravated Vehicle-Taking Act 1992, for “section 163 of the Criminal Justice Act 2003” substitute “section 120 of the Sentencing Code”.

Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

- 124 In section 1AB(2) of the Prisoners and Criminal Proceedings (Scotland) Act 1993—
- (a) in paragraph (b)—
 - (i) after “section 31” insert “of the Counter-Terrorism Act 2008”;
 - (ii) for “the Counter-Terrorism Act 2008” substitute “that Act or section 69 of the Sentencing Code”;
 - (b) in paragraph (c), after “that Act” insert “or section 69 of that Code (as applied by section 238(6) of the Armed Forces Act 2006)”.
- 125 (1) Section 10 of that Act is amended as follows.
- (2) In subsection (1), at the end of paragraph (a) insert “or
 - (iv) a minimum term order made under section 321 of the Sentencing Code applies;”.
 - (3) In subsection (5)(b), after “the Criminal Justice Act 2003,” insert “section 321(2) of the Sentencing Code or”.

Vehicle Excise and Registration Act 1994 (c. 22)

- 126 In section 32(1)(a) of the Vehicle Excise and Registration Act 1994, for “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 79 or 80 of the Sentencing Code”.
- 127 In section 41(1)(a) of that Act, for “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 79 or 80 of the Sentencing Code”.

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

- 128 In section 15 of the Criminal Justice and Public Order Act 1994, in the definition of “youth detention accommodation”, for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000)” substitute “section 248(1) of the Sentencing Code”.
- 129 In section 25(5) of that Act, in paragraph (a) of the definition of “the relevant enactments”, after “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 of the Sentencing Code”.
- 130 In section 136(7A) of that Act—
- (a) for “Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Schedule 4 to the Sentencing Code”;
 - (b) for “Schedule 2 to the Criminal Justice and Immigration Act 2008” substitute “Schedule 7 to that Code”.

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

- 131 In Schedule 3 to the Goods Vehicles (Licensing of Operators) Act 1995, in paragraph 3(3)(b), after “under section 177 of the Criminal Justice Act 2003” insert “or Chapter 2 of Part 9 of the Sentencing Code”.

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

- 132 In section 222(8) of the Criminal Procedure (Scotland) Act 1995, for “section 139 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 129 of the Sentencing Code”.
- 133 (1) Schedule 13 to that Act is amended as follows.
- (2) In paragraph 5(3), for “an order made by the Secretary of State by virtue of section 215(3) of the 2003 Act” substitute “regulations made by the Secretary of State by virtue of paragraph 31(2) of Schedule 9 to the Sentencing Code”.
- (3) In paragraph 7(1)—
- (a) omit the definitions of “the 2003 Act” and “the 2008 Act”;
 - (b) in paragraph (a) of the definition of “corresponding order”, for “the meaning of Part 1 of the 2008 Act” substitute “the meaning given by section 173 of the Sentencing Code”;
 - (c) in paragraph (b) of that definition, for “the meaning of Part 12 of the 2003 Act” substitute “the meaning given by section 200 of that Code”;
 - (d) in paragraph (a) of the definition of “relevant area” omit “(within the meaning given by section 7(1) of the 2008 Act)”;
 - (e) in paragraph (a) of the definition of “relevant service”, for “a youth offending team within the meaning given by section 7(1) of the 2008 Act” substitute “a team established under section 39 of the Crime and Disorder Act 1998 (youth offending teams)”;
 - (f) in paragraph (a) of the definition of “responsible officer”, for “section 4 of the 2008 Act” substitute “section 191 of the Sentencing Code”;
 - (g) in paragraph (b) of that definition, for “section 197 of the 2003 Act” substitute “section 213 of that Code”.
- (4) After sub-paragraph (1) of paragraph 7 insert—
- “(1A) For the purposes of the definition of “relevant area” in sub-paragraph (1), “local authority” means—
- (a) in relation to England—
 - (i) a county council,
 - (ii) a district council whose district does not form part of an area that has a county council,
 - (iii) a London borough council, or
 - (iv) the Common Council of the City of London in its capacity as a local authority, and
 - (b) in relation to Wales—
 - (i) a county council, or
 - (ii) a county borough council.”

London Local Authorities Act 1995 (c. x)

- 134 In section 26(1) of the London Local Authorities Act 1995, for “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 153 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

Criminal Procedure and Investigations Act 1996 (c. 25)

- 135 In the Criminal Procedure and Investigations Act 1996, in the italic heading before section 58, at the end insert “(Northern Ireland)”.
- 136 (1) Section 58 of that Act is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after “a court” insert “in Northern Ireland”;
- (b) omit paragraph (b) and the preceding “or”.
- (3) In subsection (2), in paragraphs (a) and (b), after “a court” insert “in Northern Ireland”.
- (4) In subsection (9) omit paragraph (b).
- 137 In section 59(1) of that Act, in paragraphs (a) and (b), for “Great Britain” substitute “Northern Ireland”.
- 138 In section 79 of that Act, after subsection (3) insert—
- “(3A) Sections 58 to 60 and section 61(1) to (3) extend only to Northern Ireland.”
- 139 Omit sections 58 to 60 and section 61(1) to (3) of that Act except so far as they extend to Northern Ireland.
- 140 In Schedule 4 to that Act omit paragraphs 23 and 24.

Housing Act 1996 (c. 52)

- 141 In section 179(5) of the Housing Act 1996, in paragraph (g) of the definition of “youth detention accommodation”, for “by order under section 107(1)(e) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “by regulations under section 248(1)(f) of the Sentencing Code”.

Education Act 1996 (c. 56)

- 142 (1) Section 562 of the Education Act 1996 is amended as follows.
- (2) In subsection (1A)(b)(i), for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248(1) of the Sentencing Code”.
- (3) In subsection (2)(b), for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

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

- 143 In Schedule 1 to the Social Security (Recovery of Benefits) Act 1997, in paragraph 2, after “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000,” insert “or Chapter 2 of Part 7 of the Sentencing Code,”.

Protection from Harassment Act 1997 (c. 40)

- 144 In section 5A of the Protection from Harassment Act 1997, for subsection (2) substitute—
- “(2) The order may have effect for a specified period or until further order.

- (2A) In proceedings under this section both the prosecution and the defence may lead, as further evidence, any evidence that would be admissible in proceedings for an injunction under section 3.
- (2B) The prosecutor, the defendant or any other person mentioned in the order may apply to the court that made the order for it to be varied or discharged by a further order.
- (2C) Any person mentioned in the order is entitled to be heard on the hearing of an application under subsection (2B).
- (2D) It is an offence for the defendant, without reasonable excuse, to do anything that the defendant is prohibited from doing by an order under this section.
- (2E) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding five years, or a fine, or both, or
 - (b) on summary conviction, to imprisonment for a term not exceeding six months, or a fine, or both.
- (2F) A court dealing with a person for an offence under this section may vary or discharge the order in question by a further order.”

Crime (Sentences) Act 1997 (c. 43)

- 145 In section 28(8A) of the Crime (Sentences) Act 1997, at the end insert “, or
(c) subsection (2) of section 321 of the Sentencing Code (life sentence: minimum term order etc).”
- 146 In section 34(2) of that Act—
- (a) in paragraph (b), after “under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 or 259 of the Sentencing Code”;
 - (b) in paragraph (c), for the words after “custody for life” substitute “under section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000, under section 272 or 275 of the Sentencing Code (including a sentence passed as a result of section 217 of the Armed Forces Act 2006) or under section 210A of the Armed Forces Act 2006”.
- 147 In section 35(1)(b) of that Act, for “section 89 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 227 of the Sentencing Code”.
- 148 In section 40(1)(b) of that Act, for “section 89 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 227 of the Sentencing Code”.
- 149 (1) Schedule 1 to that Act is amended as follows.
- (2) In paragraph 6(3)(aa), for “section 103(6)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 242(2)(b) of the Sentencing Code”.
 - (3) In paragraph 8—
 - (a) in sub-paragraph (2)(a), for “sections 102 to 104 and 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 241, 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code”;

Status: This is the original version (as it was originally enacted).

- (b) in sub-paragraph (4)(a), for “sections 103 and 104 and 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code”;
 - (c) in sub-paragraph (6)—
 - (i) for “sections 102 to 104 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 241 and 242 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code”;
 - (ii) in paragraph (b) omit “except in section 103(2),”;
 - (iii) in paragraph (e), for “section 103” substitute “section 242”;
 - (iv) omit paragraph (ea);
 - (v) in paragraph (f), for “in section 103(3), for paragraph (c)” substitute “in section 242(2)(a), for sub-paragraph (ii)”;
 - (vi) in paragraph (fa), for “section 103(4)” substitute “section 242(6)”;
 - (vii) in paragraph (g), for “section 103(5)” substitute “section 242(7)”;
 - (viii) in paragraph (h), for “in section 104, for subsection (1)” substitute “in paragraph 2 of Schedule 12, for sub-paragraphs (1) and (2)”;
 - (ix) in the substituted text set out in paragraph (h), for “section 103(6)(b)” substitute “section 242(4)(b)”;
 - (x) for paragraph (i) substitute—
 - “(i) paragraph 2(3) of Schedule 12 were omitted.”;
 - (xi) in paragraph (j), for “section 104(6)” substitute “paragraph 3(11) of that Schedule”;
 - (xii) at the end of that paragraph insert “, and”;
 - (xiii) after that paragraph insert—
 - “(k) paragraph 3(12)(a)(ii) and (b)(ii) of that Schedule were omitted.”;
 - (d) in sub-paragraph (8)(c), for “section 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 247 of the Sentencing Code”;
 - (e) in sub-paragraph (9), for paragraph (c) substitute—
 - “(c) section 247 of the Sentencing Code.”;
 - (f) in sub-paragraph (12), for “section 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 247 of the Sentencing Code”.
- (4) In paragraph 9—
- (a) in sub-paragraph (2)(a), for “sections 102 to 104 and 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 241, 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code”;
 - (b) in sub-paragraph (4)(a), for “sections 103 and 104 and 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “sections 242 and 247 of, and paragraphs 2 and 3 of Schedule 12 to, the Sentencing Code”;
 - (c) in sub-paragraph (10), for paragraph (b) substitute—
 - “(b) section 247 of the Sentencing Code.”
- (5) In paragraph 20(1)—
- (a) in the definition of “prison”, for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248(1) of the Sentencing Code”;

Status: This is the original version (as it was originally enacted).

- (b) in the definition of “sentence of imprisonment”, after “section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 272 or 275 of the Sentencing Code”;
- (c) in paragraph (d) of the definition of “supervision”, for “section 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 247 of the Sentencing Code”.

Police Act 1997 (c. 50)

- 150 In section 113CA(2)(fa) of the Police Act 1997—
- (a) after “under section 103A of the Sexual Offences Act 2003” insert “or Chapter 2 of Part 11 of the Sentencing Code”;
 - (b) in sub-paragraph (iii), for “of that Act” substitute “of the Sexual Offences Act 2003 or section 347(2) or 348(1) of the Sentencing Code”;
 - (c) in sub-paragraph (iv), for “of that Act” substitute “of the Sexual Offences Act 2003 or section 350(6) of the Sentencing Code”.
- 151 In section 113CB(2)(fa) of that Act—
- (a) after “under section 103A of the Sexual Offences Act 2003” insert “or Chapter 2 of Part 11 of the Sentencing Code”;
 - (b) in sub-paragraph (iii), for “of that Act” substitute “of the Sexual Offences Act 2003 or section 347(2) or 348(1) of the Sentencing Code”;
 - (c) in sub-paragraph (iv), for “of that Act” substitute “of the Sexual Offences Act 2003 or section 350(6) of the Sentencing Code”.

Crime and Disorder Act 1998 (c. 37)

- 152 (1) Section 8 of the Crime and Disorder Act 1998 (“the CDA 1998”) is amended as follows.
- (2) In subsection (1)—
- (a) at the end of paragraph (aa), insert “or”;
 - (b) in paragraph (b), for “, an order is made under section 22 of that Act or a” substitute “or a criminal behaviour order or”.
- (3) For subsection (9) substitute—
- “(9) In this section—
- “criminal behaviour order” has the meaning given by section 330 of the Sentencing Code;
- “sexual harm prevention order” means an order under section 103A of the Sexual Offences Act 2003 or Chapter 2 of Part 11 of the Sentencing Code.”
- 153 (1) Section 9 of the CDA 1998 is amended as follows.
- (2) In subsection (1B), for “an order is made under section 22 of that Act” substitute “a criminal behaviour order”.
- (3) After subsection (7) insert—
- “(7ZA) In this section “criminal behaviour order” has the meaning given by section 330 of the Sentencing Code.”

Status: This is the original version (as it was originally enacted).

- 154 In section 38(4) of the CDA 1998—
- (a) in paragraph (fa), for “(within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008)” substitute “under Chapter 1 of Part 9 of the Sentencing Code”;
 - (b) in paragraph (fb), for “that Part”, in both places, substitute “that Chapter”.
 - (c) in paragraph (ha), for “section 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 247 of the Sentencing Code”;
 - (d) in paragraph (i), after “section 226, 226B or 228 of the Criminal Justice Act 2003” insert “, section 250, 254 or 259 of the Sentencing Code”;
 - (e) in paragraph (ib), after “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “, section 250 of the Sentencing Code”;
 - (f) in paragraph (j), for “section 102 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 241 of the Sentencing Code”;
 - (g) in paragraph (k), for “the meaning of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “the meaning given by section 83(1) of the Sentencing Code”.
- 155 (1) Section 41(5) of the CDA 1998 is amended as follows.
- (2) In paragraph (i)(i)—
 - (a) for “section 107 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248 of the Sentencing Code”;
 - (b) for “that Act or” substitute “the Powers of Criminal Courts (Sentencing) Act 2000, detention and training orders within the meaning given by section 233 of the Sentencing Code, orders under paragraph 3(2)(a) or 7(2) of Schedule 12 to that Code or orders under”.
 - (3) In paragraph (i)(ii), after “sentenced under” insert “section 250, 254 or 259 of the Sentencing Code,”.
 - (4) In paragraph (j)(i)—
 - (a) for “section 107 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248 of the Sentencing Code”;
 - (b) after “a determination under” insert “section 241(1) of that Code, paragraph 3(2)(a) or 7(2) of Schedule 12 to that Code,”;
 - (c) for “that Act” substitute “the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (5) In paragraph (j)(ii), after “a direction by the Secretary of State under” insert “section 260 of the Sentencing Code or”.
 - (6) In paragraph (ja), for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 248(1) of the Sentencing Code”.
- 156 (1) Section 51A of the CDA 1998 is amended as follows.
- (2) In subsection (3)(b)—
 - (a) for “subsection (1) of section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 249(1)(a) or (b) of the Sentencing Code”;
 - (b) for “subsection (3) of that section” substitute “section 251(2) of that Code”.
 - (3) In subsection (3)(d)—

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- (a) for “of section 224 of the Criminal Justice Act 2003” substitute “given by section 306 of the Sentencing Code”;
 - (b) for “the criteria for the imposition of a sentence under section 226B of that Act” substitute “the criteria in section 255(1) of that Code for the imposition of an extended sentence of detention”.
- (4) In subsection (12)(b), for “section 51A(1) of the Firearms Act 1968” substitute “section 311(1) of the Sentencing Code”.
- 157 In section 66ZB(6)(a) of the CDA 1998, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.
- 158 In section 66F(a) of the CDA 1998, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.
- 159 In section 117(1) of the CDA 1998, in the definition of “custodial sentence”, for “the same meaning as in the Powers of Criminal Courts (Sentencing) Act 2000” substitute “the meaning given by section 222 of the Sentencing Code”.
- 160 (1) Schedule 3 to the CDA 1998 is amended as follows.
- (2) In paragraph (b) of paragraph 10(2) as it has effect without the amendment made by paragraph 20(10)(a) of Schedule 3 to the Criminal Justice Act 2003—
- (a) for “section 3 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 14 of the Sentencing Code”;
 - (b) for “subsection (2)” substitute “subsection (1)(b)”.
- (3) In paragraph (c) of paragraph 10(2) as substituted by paragraph 20(10)(a) of Schedule 3 to the Criminal Justice Act 2003—
- (a) for “section 224 of the Criminal Justice Act 2003” substitute “section 306 of the Sentencing Code”;
 - (b) for “section 3A of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 15 of the Sentencing Code”;
 - (c) for “subsection (2)” substitute “subsection (1)(b)”.

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

- 161 In Schedule 2 to the Youth Justice and Criminal Evidence Act 1999, in paragraph 3(9), in the inserted subsection (13)—
- (a) in paragraph (c)(i), for “section 62(3) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 394(1)(d) or (e) of the Sentencing Code”;
 - (b) in paragraph (c)(ii), for “section 103(6)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 242(4)(b) of the Sentencing Code”;
 - (c) in paragraph (g)(ii), for the words before “there were substituted” substitute “for the references to Part 1 or 2 of Schedule 18 to the Sentencing Code”.

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

- 162 In section 60(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000, for “section 89 below (restrictions on imprisonment of young offenders and

Status: This is the original version (as it was originally enacted).

- defaulters)” substitute “section 227 of the Sentencing Code (restriction on imposing imprisonment on persons under 21)”.
- 163 In section 108(1) of that Act, for “section 89(1) above” substitute “section 227(2) of the Sentencing Code”.
- 164 In the italic heading before section 139 of that Act, for “fines” substitute “recognizances”.
- 165 (1) Section 139 of that Act is amended as follows.
- (2) In the heading omit “fines and”.
- (3) In subsection (1)—
- (a) for “imposes a fine on any person or forfeits his recognizance” substitute “forfeits a person’s recognizance”;
- (b) in paragraph (a) omit “the amount of the fine or”;
- (c) in paragraph (c) omit “in the case of a recognizance,”.
- (4) In subsection (2)—
- (a) for “imposes a fine on any person or forfeits his recognizance” substitute “forfeits a person’s recognizance”;
- (b) omit “(but this subsection does not apply where the court imposes a fine on an offender who was aged under 18 at the time of conviction)”.
- (5) In subsection (3) omit “a fine is imposed on him or”.
- (6) In subsection (5) omit “a fine or”.
- (7) Omit subsections (8) and (9).
- 166 (1) Section 140 of that Act is amended as follows.
- (2) In the heading omit “fines imposed and”.
- (3) In subsection (1)—
- (a) omit “a fine imposed or”;
- (b) omit “fine or other”;
- (c) omit “imposed or”;
- (d) omit the words after paragraph (b).
- (4) In subsection (2) omit paragraph (a).
- (5) In subsection (3) omit the words after paragraph (b).
- (6) In subsection (4) omit “fine imposed or” in both places.
- (7) In subsection (5)—
- (a) omit “fine imposed by, or”;
- (b) omit “85(1) or”.
- (8) In subsection (6)—
- (a) omit “fine or other”;
- (b) omit “as having been imposed by a magistrates’ court, or”;
- (c) for “such a court” substitute “a magistrates’ court”.
- 167 (1) Section 142(1) of that Act is amended as follows.

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- (2) In paragraph (za), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- (3) In paragraph (ba), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
- (4) In paragraph (c), for “a compensation order” substitute “an order under Chapter 2 of Part 7 of the Sentencing Code (compensation orders)”.
- (5) In paragraph (d), for “section 137 above” substitute “section 380(1) of the Sentencing Code”.
- 168 (1) Section 163 of that Act is amended as follows.
- (2) In subsection (1) omit the definitions of the following expressions—
- “associated”;
 - “child”;
 - “community order”;
 - “compensation order”;
 - “detention and training order”;
 - “guardian”;
 - “local authority accommodation”;
 - “local probation board”;
 - “offence punishable with imprisonment”;
 - “order for conditional discharge”;
 - “period of conditional discharge”;
 - “referral order”;
 - “reparation order”;
 - “responsible officer”;
 - “sentence of imprisonment”;
 - “suspended sentence”
 - “young person”;
 - “youth offending team”;
 - “youth rehabilitation order”.
- (3) Omit subsection (2).
- 169 In section 164 omit subsection (3).
- 170 (1) Schedule 5 to that Act is amended as follows.
- (2) In paragraph 1(1)(b), for “section 222(1)(d) or (e) of the Criminal Justice Act 2003” substitute “section 394(1)(d) or (e) of the Sentencing Code”.
- (3) In paragraph 2, after sub-paragraph (3) insert—
- “(3A) Where—
- (a) the offender is aged under 18, and
 - (b) but for this sub-paragraph, the court would impose a fine on the offender under sub-paragraph (1)(a) above,
- section 380 of the Sentencing Code (order for payment by parent or guardian) applies to the fine.”

Status: This is the original version (as it was originally enacted).

- (4) In paragraphs 2(5)(b) and 3(3)(b), for “section 152(2) of the Criminal Justice Act 2003” substitute “section 230(2) of the Sentencing Code”.

Terrorism Act 2000 (c. 11)

- 171 In section 23A(4) of the Terrorism Act 2000—
- (a) after “Counter-Terrorism Act 2008” insert “or Schedule 1 to the Sentencing Code”;
 - (b) in paragraph (a), after “that Act” insert “or section 69 of the Sentencing Code”.
- 172 In Schedule 4 to that Act—
- (a) in paragraph 1, in the definition of “relevant offence”, in paragraph (c), for “Schedule 2 to the Counter-Terrorism Act 2008” substitute “Schedule 1 to the Sentencing Code”;
 - (b) in paragraph 4A(3), for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”.

Criminal Justice and Court Services Act 2000 (c. 43)

- 173 In section 62(5) of the Criminal Justice and Court Services Act 2000—
- (a) in paragraph (c), after “section 90 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 259 of the Sentencing Code”;
 - (b) in paragraph (d), after “that Act” insert “or section 250 of that Code”;
 - (c) in paragraph (e), after “that Act” insert “or section 272 or 275 of that Code (including one passed as a result of section 210A, 217, 218A or 219 of the Armed Forces Act 2006)”;
 - (d) in paragraph (f), after “section 226, 226B or 228 of the Criminal Justice Act 2003” insert “or section 254 of the Sentencing Code”.
- 174 In section 62A(4)(b) of that Act, after “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 of the Sentencing Code”.
- 175 In section 64(5) of that Act—
- (a) in paragraph (c), after “section 90 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 259 of the Sentencing Code”;
 - (b) in paragraph (d), after “that Act” insert “or section 250 of that Code”;
 - (c) in paragraph (e), after “that Act” insert “or section 272 or 275 of that Code”.
- 176 In section 64A(8) of that Act, in the definition of “sentence of imprisonment”—
- (a) in paragraph (b), after “section 90 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 259 of the Sentencing Code”;
 - (b) in paragraph (c), after “that Act” insert “or section 250 of that Code”;
 - (c) in paragraph (d), after “that Act” insert “or section 272 or 275 of that Code (including one passed as a result of section 210A, 217, 218A or 219 of the Armed Forces Act 2006)”;
 - (d) in paragraph (e), after “section 226, 226B or 228 of the Criminal Justice Act 2003” insert “or section 254 of the Sentencing Code”.

Social Security Fraud Act 2001 (c. 11)

- 177 In section 6B(14)(b)(ii) of the Social Security Fraud Act 2001, for “section 189(7)(b) of the Criminal Justice Act 2003” substitute “section 286(6) of the Sentencing Code”.

Criminal Justice and Police Act 2001 (c. 16)

- 178 In section 3(2A) of the Criminal Justice and Police Act 2001, for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.

International Criminal Court Act 2001 (c. 17)

- 179 In Schedule 7 to the International Criminal Court Act 2001, in paragraph 2(1)(d), after “sections 240ZA and 240A of the Criminal Justice Act 2003” insert “and section 325 of the Sentencing Code”.

Anti-terrorism, Crime and Security Act 2001 (c. 24)

- 180 (1) In Schedule 1 to the Anti-terrorism, Crime and Security Act 2001, paragraph 16 is amended as follows.
- (2) In sub-paragraph (3)(a), for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “Chapter 2 of Part 7 of the Sentencing Code”.
- (3) In sub-paragraph (4)(a), for “or section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “or a restitution order within the meaning given by section 147 of the Sentencing Code”.

Proceeds of Crime Act 2002 (c. 29)

- 181 In section 6(2)(b) of the Proceeds of Crime Act 2002 (“the POCA 2002”), for “section 3, 3A, 3B, 3C, 4, 4A or 6 of the Sentencing Act” substitute “any provision of sections 14 to 20 of the Sentencing Code”.
- 182 (1) Section 13 of the POCA 2002 is amended as follows.
- (2) In subsection (3)—
- (a) in paragraph (a), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”;
- (b) in paragraph (c), for “section 143 of the Sentencing Act” substitute “Chapter 4 of Part 7 of the Sentencing Code”.
- (3) In subsection (3A)—
- (a) in paragraph (a), for “section 130 of the Sentencing Act” substitute “Chapter 2 of Part 7 of the Sentencing Code”;
- (b) in paragraph (b), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- 183 In section 14(12) of the POCA 2002—
- (a) in paragraph (c), for “section 130 of the Sentencing Act” substitute “Chapter 2 of Part 7 of the Sentencing Code”;
- (b) in paragraph (ca), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- 184 In section 15(2) and (3) of the POCA 2002—

Status: This is the original version (as it was originally enacted).

- (a) in paragraph (c), for “section 130 of the Sentencing Act” substitute “Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (ca), for “section 161A of the Criminal Justice Act 2003” substitute “section 42 of the Sentencing Code”.
- 185 (1) Section 19 of the POCA 2002 is amended as follows.
- (2) In subsection (7)—
- (a) in paragraph (d), for “of the Sentencing Act” substitute “of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (da), after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- (3) In subsection (8)—
- (a) for “of the Sentencing Act” substitute “of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 186 (1) Section 20 of the POCA 2002 is amended as follows.
- (2) In subsection (11)—
- (a) in paragraph (d), for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (da), after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of that Code”.
- (3) In subsection (12)—
- (a) for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 187 In section 21(9) of the POCA 2002—
- (a) in paragraph (c), for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (ca), after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 188 In section 22(5) of the POCA 2002—
- (a) in paragraph (c), for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) in paragraph (d), after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 189 In section 27(2)(b) of the POCA 2002, for “section 3, 3A, 3B, 3C, 4, 4A or 6 of the Sentencing Act” substitute “any provision of sections 14 to 20 of the Sentencing Code”.
- 190 In section 32(7) of the POCA 2002—

Status: This is the original version (as it was originally enacted).

- (a) for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 191 In section 33(9) of the POCA 2002—
 - (a) for “section 130 of the Sentencing Act” substitute “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”;
 - (b) after “section 161A of the Criminal Justice Act 2003” insert “or section 42 of the Sentencing Code”.
- 192 (1) Section 35 of the POCA 2002 is amended as follows.
 - (2) In subsection (2), for “Sections 139(2), (3) and (9) and 140(1) to (4) of the Sentencing Act” substitute “Sections 129(1) to (3) and (5) and 132(1) to (4) of the Sentencing Code”.
 - (3) In subsection (2A), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of the Sentencing Code”.
 - (4) In subsection (2B)—
 - (a) for “subsection (9) of section 139 of the Sentencing Act” substitute “subsection (2) of section 129 of the Sentencing Code”;
 - (b) for “subsections (2) to (4)” substitute “subsections (3) to (5)”;
 - (c) in paragraph (a), for “subsections (2) and (3)” substitute “subsections (3) and (5)”.
 - (5) In subsection (2C)(a), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of the Sentencing Code”.
- 193 (1) Section 38 of the POCA 2002 is amended as follows.
 - (2) In subsection (2), for “the Sentencing Act” substitute “the Powers of Criminal Courts (Sentencing) Act 2000”.
 - (3) In subsection (4)—
 - (a) in paragraph (a), for “section 189(1) of the Criminal Justice Act 2003” substitute “section 264 or 277 of the Sentencing Code”;
 - (b) in paragraph (c), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of the Sentencing Code”.
- 194 (1) Section 39 of the POCA 2002 is amended as follows.
 - (2) In subsections (1)(c), (2) and (4), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of the Sentencing Code”.
 - (3) In subsection (5), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of that Code”.
- 195 In section 70(5) of the POCA 2002—
 - (a) for “section 3(2) of the Sentencing Act” substitute “section 14(2) of the Sentencing Code”;
 - (b) for “section 3B(2) of that Act” substitute “section 16(2) of that Code”.

Status: This is the original version (as it was originally enacted).

- 196 In section 82(2)(d) of the POCA 2002, for “the Sentencing Act” substitute “the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 4 of Part 7 of the Sentencing Code”.
- 197 In section 118(2C) and (2D)(b) of the POCA 2002, for “139 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “129 of the Sentencing Code”.
- 198 In section 148(2)(d) of the POCA 2002, after “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or Chapter 4 of Part 7 of the Sentencing Code”.
- 199 In section 230(2)(d) of the POCA 2002, after “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or Chapter 4 of Part 7 of the Sentencing Code”.
- 200 (1) Section 308 of the POCA 2002 is amended as follows.
- (2) In subsection (4)(a), for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”.
- (3) In subsection (5)(a), for “section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 3 of Part 7 of the Sentencing Code”.

Railways and Transport Safety Act 2003 (c. 20)

- 201 In section 11(4)(a) of the Railways and Transport Safety Act 2003, for “section 78 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 224 of the Sentencing Code”.

Crime (International Co-operation) Act 2003 (c. 32)

- 202 In section 54(3A)(c) of the Crime (International Co-operation) Act 2003, after “section 147A of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 166 of the Sentencing Code”.

Courts Act 2003 (c. 39)

- 203 In Schedule 5 to the Courts Act 2003, in paragraph 2(2), in the definition of “a sum required to be paid by a compensation order”, after “section 130(1) of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 7 of the Sentencing Code”.

Extradition Act 2003 (c. 41)

- 204 In section 153(4) of the Extradition Act 2000, for paragraph (a) substitute—
“(a) section 79 or 80 of the Sentencing Code;”.

Sexual Offences Act 2003 (c. 42)

- 205 In section 88(4)(c) of the Sexual Offences Act 2003 (“the SOA 2003”), at the end insert “, or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction)”.
- 206 In section 89(1) of the SOA 2003, in the entry in column 1 of the table beginning “A person who is the subject”, at the end insert “, or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction)”.

- 207 In section 91A(2)(b) of the SOA 2003, at the end insert “, or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction)”.
- 208 In section 103C(6) of the SOA 2003, after “another),” insert “or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction),”.
- 209 In section 113(1ZA) of the SOA 2003, at the end of paragraph (a) insert “or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction)”.
- 210 In section 131 of the SOA 2003—
- (a) in paragraph (h), after “section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6),” insert “section 250 or 259 of the Sentencing Code,”;
 - (b) in paragraph (i), after “section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or section 272 or 275 of the Sentencing Code (including one passed as a result of section 210A, 217, 218A or 219 of the Armed Forces Act 2006)”;
 - (c) in paragraph (l), after “section 226B or 228 of the Criminal Justice Act 2003” insert “or section 254 of the Sentencing Code”.
- 211 In section 133(1) of the SOA 2003—
- (a) in the definition of “order for conditional discharge”, for paragraph (a) substitute—
“(a) section 80 of the Sentencing Code;”;
 - (b) in the definition of “the period of conditional discharge”, for paragraph (a) substitute—
“(a) section 80(1) of the Sentencing Code;”.
- 212 In section 134(1)(a) of the SOA 2003, for “section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 82(2) of the Sentencing Code”.
- 213 In section 136ZA(1)(a) of the SOA 2003, after “order” insert “or an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction)”.
- 214 In section 136ZB of the SOA 2003, after subsection (2) insert—
“(2A) References in subsection (2) to a sexual harm prevention order include references to an order under Chapter 2 of Part 11 of the Sentencing Code (sexual harm prevention orders on conviction).”
- 215 (1) Section 137 of the SOA 2003 is amended as follows.
- (2) In subsection (1), after “In this Act” insert “and in sections 343 to 354 of the Sentencing Code (sexual harm prevention orders on conviction)”.
 - (3) In subsection (2), after “103A(1)” insert “of this Act, and section 345 of the Sentencing Code,”.
 - (4) In subsection (3)(a), after “103J” insert “of this Act, and sections 355 to 357 of the Sentencing Code,”.
 - (5) In subsection (3)(b), after “103I” insert “of this Act, and sections 343 to 354 and 358 of the Sentencing Code,”.

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- (6) In subsection (3)(c)—
- (a) after “103E” insert “of this Act, or an application under section 350 of the Sentencing Code,”;
 - (b) in sub-paragraph (ii), after “103E(7)” insert “of this Act, or section 350(7) of the Sentencing Code,”;
 - (c) in sub-paragraph (iii), after “103E” insert “of this Act or section 350 of the Sentencing Code”.
- (7) In subsection (3)(d)—
- (a) after “103E” insert “of this Act, or an application under section 350 of the Sentencing Code,”;
 - (b) in sub-paragraph (ii), after “103E” insert “of this Act or section 350 of the Sentencing Code”.
- 216 In Schedule 3 to the SOA 2003, in paragraph 96(a), for “the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “the Sentencing Code”.

Criminal Justice Act 2003 (c. 44)

- 217 In section 221(2) of the Criminal Justice Act 2003 (“the CJA 2003”)—
- (a) in paragraph (aa), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008” substitute “the meaning given by section 173 of the Sentencing Code”;
 - (b) in paragraph (b), for “the Sentencing Act” substitute “the PCC(S)A 2000”.
- 218 (1) Section 237 of the CJA 2003 is amended as follows.
- (2) In subsection (1)(b)—
- (a) for “the Sentencing Act or under” substitute “the PCC(S)A 2000, under”;
 - (b) after “of this Act” insert “or under section 250, 254, 262, 265, 266, 278 or 279 of the Sentencing Code”.
- (3) In subsection (1B)—
- (a) in paragraph (b), for “section 91 of the Sentencing Act” substitute “section 91 of the PCC(S)A 2000 or section 250 of the Sentencing Code”;
 - (b) in paragraph (ba), after “section 226A of this Act” insert “or section 266 or 279 of the Sentencing Code”;
 - (c) in paragraph (bb), after “section 226B of this Act” insert “or section 254 of the Sentencing Code”;
 - (d) in paragraph (e), after “section 236A of this Act” insert “or section 265 or 278 of the Sentencing Code”.
- (4) In subsection (1C), after “section 240ZA or 265” insert “of this Act or section 225 of the Sentencing Code”.
- (5) In subsection (3)—
- (a) for “the Sentencing Act or” substitute “the PCC(S)A 2000, under”;
 - (b) after “of this Act” insert “or under section 262, 265 or 266 of the Sentencing Code”.
- 219 (1) Section 240ZA of the CJA 2003 is amended as follows.
- (2) After subsection (6) insert—

- “(6A) Where a court has made a declaration under section 327 of the Sentencing Code in relation to the offender in respect of the offence, this section applies to days specified under subsection (3) of that section as if they were days for which the offender was remanded in custody in connection with the offence or a related offence.”
- (3) In subsection (7)(a), for “paragraph 8(2)(a) or (b) of Schedule 12” substitute “paragraph 13(1)(a) or (b) of Schedule 16 to the Sentencing Code”.
- (4) In subsection (11), for “of the Sentencing Act or” substitute “of the PCC(S)A 2000, under section 250, 254, 262, 265 or 266 of the Sentencing Code or under”.
- 220 (1) Section 240A of the CJA 2003 is amended as follows.
- (2) In subsection (1)—
- (a) for “This section applies” substitute “Subsection (2) applies”;
- (b) in paragraph (a), after “in respect of an offence” insert “of which the offender was convicted before the commencement date within the meaning of the Sentencing Act 2020”.
- (3) After subsection (3) insert—
- “(3ZA) Subsection (3ZB) applies where—
- (a) an offender is serving a term of imprisonment in respect of an offence, and
- (b) the court has made a declaration under section 325 of the Sentencing Code specifying a credit period in relation to the sentence.
- (3ZB) Subject to subsections (3A) and (3B), the credit period is to count as time served by the offender as part of the sentence.”
- (4) In subsection (11)(a)(i) and (ii), for “the Sentencing Act” substitute “the PCC(S)A 2000”.
- (5) In subsection (11)(b), for “subsection (2)” substitute “subsections (2) and (3ZB)”.
- 221 (1) Section 241 of the CJA 2003 is amended as follows.
- (2) In the heading, after “section 240A” insert “or under section 325 of the Sentencing Code”.
- (3) In subsection (1)—
- (a) after “a direction under section 240A” insert “or under section 325 of the Sentencing Code”;
- (b) after “the direction under section 240A” insert “or under section 325 of the Sentencing Code”.
- 222 (1) Section 243 of the CJA 2003 is amended as follows.
- (2) At the end of subsection (1) insert “, and
- (c) the court has specified under section 327(3) of the Sentencing Code the number of days for which the prisoner was so kept in custody.”
- (3) Omit subsection (2).
- (4) In subsection (2A), for “subsection (2)” substitute “section 327(3) of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

- 223 (1) Section 244A of the CJA 2003 is amended as follows.
- (2) In the heading, for “section 236A” substitute “section 278 of the Sentencing Code etc”.
- (3) In subsection (1), after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- (4) In subsection (6), in the definition of “the appropriate custodial term”, after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- 224 (1) Section 246 of the CJA 2003 is amended as follows.
- (2) In subsection (4)—
- (a) in paragraph (a), after “under section 226A, 227, 228 or 236A” insert “or under section 265, 266, 278 or 279 of the Sentencing Code”;
- (b) in paragraph (d), after “paragraph 9(1)(b) or (c) or 10(1)(b) or (c) of Schedule 8” insert “, or paragraph 10(5)(c) or (d) or 11(2)(c) or (d) of Schedule 10 to the Sentencing Code,”;
- (c) in paragraph (ha), for “the Sentencing Act” substitute “the PCC(S)A 2000”;
- (d) in paragraph (i), after “section 240A” insert “or under section 325 of the Sentencing Code”.
- (3) In subsection (6), in the definition of “term of imprisonment”, for “the Sentencing Act” substitute “the PCC(S)A 2000, under section 250, 254, 262, 265, 266, 278 or 279 of the Sentencing Code”.
- 225 (1) Section 246A of the CJA 2003 is amended as follows.
- (2) In the heading, for “section 226A or 226B” substitute “section 254, 266 or 279 of the Sentencing Code etc”.
- (3) In subsection (1), after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code”.
- (4) In subsection (8), in the definition of “appropriate custodial term”, after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code”.
- 226 (1) Section 247A of the CJA 2003 (inserted by section 1 of the Terrorist Offenders (Restriction of Early Release) Act 2020) is amended as follows.
- (2) In subsection (2)—
- (a) in paragraph (b)—
- (i) after “section 30” insert “of the Counter-Terrorism Act 2008 or section 69 of the Sentencing Code”;
- (ii) for “the Counter-Terrorism Act 2008” substitute “that Act”;
- (b) in paragraph (c), after “that Act” insert “or section 69 of the Sentencing Code as applied by section 238(6) of the Armed Forces Act 2006”.
- (3) In subsection (6), after “under section 226A, 226B, 227, 228 or 236A” insert “or under section 254, 265, 266, 278 or 279 of the Sentencing Code”.
- (4) In subsection (8), in the definition of “the appropriate custodial term” and in paragraph (a) of the definition of “the requisite custodial period”, after “under section 226A, 226B, 227, 228 or 236A,” insert “or under section 254, 265, 266, 278 or 279 of the Sentencing Code,”.

- 227 (1) Section 250 of the CJA 2003 is amended as follows.
- (2) In subsection (4)—
- (a) after “a sentence imposed under section 226A, 227 or 236A” insert “or under section 278 or 279 of the Sentencing Code”;
- (b) for “the Sentencing Act or” substitute “the PCC(S)A 2000, under section 250, 254, 262, 265 or 266 of the Sentencing Code or under”.
- (3) After that subsection insert—
- “(4A) In exercising any power under subsection (4)(b) in respect of an offender, the Secretary of State must have regard to any recommendation under section 328 of the Sentencing Code (power of court to recommend licence conditions where adult is sentenced to term of 12 months or more).”
- (4) In subsection (5A)—
- (a) in paragraph (a), after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code”;
- (b) in paragraph (b), after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- 228 In section 255A(7) of the CJA 2003—
- (a) omit “or” at the end of paragraph (a);
- (b) after that paragraph insert—
- “(aa) section 254, 266 or 279 of the Sentencing Code, or”;
- (c) for “the Sentencing Act”, in both places, substitute “the PCC(S)A 2000”.
- 229 (1) Section 256AA of the CJA 2003 is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (b), for “section 226A or 226B” substitute “section 254, 266 or 279 of the Sentencing Code”;
- (b) in paragraph (ba), for “section 236A” substitute “section 265 or 278 of that Code”.
- (3) In subsection (9), for “section 91 of the Sentencing Act” substitute “section 250 of the Sentencing Code”.
- (4) In subsection (11)(b), for “section 104(3)(aa) of the Powers of Criminal Courts (Sentencing) Act 2002” substitute “paragraph 3(2)(b) of Schedule 12 to the Sentencing Code”.
- 230 In section 256AB(2) of the CJA 2003, for “section 200A(5) to (10) apply” substitute “paragraph 5(4) to (9) of Schedule 9 to the Sentencing Code applies”.
- 231 (1) Section 256AC of the CJA 2003 is amended as follows.
- (2) In subsection (4)(c)—
- (a) in sub-paragraph (i), for “section 199” substitute “paragraph 1 of Schedule 9 to the Sentencing Code”;
- (b) in sub-paragraph (ii), for “section 204” substitute “paragraph 9 of that Schedule”.
- (3) In subsection (5), for “Section 177(3)” substitute “Paragraph 10(3) of Schedule 9 to the Sentencing Code”.

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- (4) After subsection (10) insert—
- “(10A) Where a court deals with a person under this section, the criminal courts charge duty (see section 46 of the Sentencing Code) applies to the court.”
- (5) In subsection (11)(b), for “section 21A of the Prosecution of Offences Act 1985” substitute “section 46 of the Sentencing Code”.
- 232 (1) Section 256B of the CJA 2003 is amended as follows.
- (2) In subsection (1)(a), for “section 91 of the Sentencing Act” substitute “section 250 of the Sentencing Code”.
- (3) In subsection (1A)(a), for “section 91 or 96 of the Sentencing Act” substitute “section 250 or 262 of the Sentencing Code”.
- 233 In section 258(3A) of the CJA 2003, for “the Sentencing Act” substitute “the PCC(S)A 2000, under section 250, 254, 262, 265 or 266 of the Sentencing Code”.
- 234 In section 260(2A) of the CJA 2003—
- (a) after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code,”;
- (b) after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- 235 In section 263(4) of the CJA 2003, for “the Sentencing Act” substitute “the PCC(S)A 2000, under section 250, 254, 262, 265 or 266 of the Sentencing Code”.
- 236 (1) Section 264 of the CJA 2003 is amended as follows.
- (2) In subsection (6)—
- (a) in paragraph (a), after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code”;
- (b) in paragraph (c), after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- (3) In subsection (6A)(a)—
- (a) for “228,” substitute “228 of this Act or section 254, 266 or 279 of the Sentencing Code,”;
- (b) for “236A,” substitute “236A of this Act or section 265 or 278 of that Code,”.
- (4) In subsection (7), for “the Sentencing Act” substitute “the PCC(S)A 2000, under section 250, 254, 262, 265 or 266 of the Sentencing Code”.
- 237 Before section 264B of the CJA 2003 insert—

“264AA Consecutive terms: detention and training orders

- (1) This section applies where, by virtue of section 237(4) of the Sentencing Code or section 106A(3)(b) of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order made in the case of a person (“the offender”) who is subject to a relevant sentence of detention is to take effect at the time when the offender would otherwise be released under this Chapter.
- (2) Any direction in respect of the offender by the Parole Board under—
- (a) subsection (5)(b) of section 246A,

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- (b) subsection (4)(b) of section 247A, or
 - (c) sub-paragraph (3) of paragraph 15 of Schedule 20B,is to be expressed as a direction that the Board would, but for the detention and training order, have directed the offender’s release under that section.
- (3) In this section—
 - (a) references to a detention and training order include an order made under section 211 of the Armed Forces Act 2006, and
 - (b) “relevant sentence of detention” has the meaning given by section 248(4) of the Sentencing Code.”
- 238 In section 268(1A) of the CJA 2003—
 - (a) in paragraph (a), after “under section 226A or 226B” insert “or under section 254, 266 or 279 of the Sentencing Code”;
 - (b) in paragraph (c), after “under section 236A” insert “or under section 265 or 278 of the Sentencing Code”.
- 239 In section 273(3) of the CJA 2003, for paragraphs (a) and (b) substitute “a minimum term order or a whole life order under section 321 of the Sentencing Code”.
- 240 In section 274(2) of the CJA 2003, for the words from “in subsections” to “the Sentencing Act” substitute “in sections 321 to 323 of the Sentencing Code”.
- 241 (1) Section 300 of the CJA 2003 is amended as follows.
 - (2) In subsection (1)(b), for “section 89 of the Sentencing Act” substitute “section 227 of the Sentencing Code”.
 - (3) In subsection (2)—
 - (a) in paragraph (a), for “section 199” substitute “paragraph 1 of Schedule 9 to the Sentencing Code”;
 - (b) in paragraph (b), for “section 204” substitute “paragraph 9 of that Schedule”;
 - (c) in paragraph (c), for “section 214” substitute “paragraph 27 of that Schedule”.
 - (4) In subsection (4), for “Subsections (3) and (4) of section 177” substitute “Section 207(5) and (6) of the Sentencing Code and paragraph 10(3) of Schedule 9 to that Code”.
 - (5) For subsection (6) substitute—
 - “(6) The following provisions of the Sentencing Code have effect in relation to default orders as they have effect in relation to community orders, but subject to the modifications contained in Schedule 31 to this Act—
 - sections 208(13), 210, 212 to 216, 394 and 395 (further provisions about community orders);
 - Schedule 9 (community orders and suspended sentence orders: requirements);
 - Schedule 10 (breach, revocation or amendment of community order);
 - Schedule 11 (transfer of community orders to Scotland or Northern Ireland).”
- 242 In section 301(1)(b) of the CJA 2003, for “section 89 of the Sentencing Act” substitute “section 227 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

- 243 (1) Section 305(1) of the CJA 2003 is amended as follows.
- (2) Omit the definitions of the following expressions—
- “accredited programme”;
 - “alcohol abstinence and monitoring requirement”;
 - “alcohol treatment requirement”;
 - “the appropriate officer of the court”;
 - “attendance centre requirement”;
 - “community requirement”
 - “community sentence”;
 - “compensation order”;
 - “drug rehabilitation requirement”;
 - “electronic monitoring requirement”;
 - “exclusion requirement”;
 - “foreign travel prohibition requirement”;
 - “guardian”;
 - “local probation board”;
 - “mental health treatment requirement”;
 - “pre-sentence report”;
 - “programme requirement”;
 - “prohibited activity requirement”;
 - “rehabilitation activity requirement”;
 - “residence requirement”;
 - “responsible officer”;
 - “unpaid work requirement”.
- (3) In the definition of “associated”, for “section 161(1) of the Sentencing Act” substitute “section 400 of the Sentencing Code”.
- (4) In the definition of “community order”, for “section 177(1)” substitute “section 200 of the Sentencing Code”.
- (5) In the definition of “curfew requirement”, for “section 204” substitute “paragraph 9(1) of Schedule 9 to the Sentencing Code”.
- (6) In the definition of “custodial sentence”, for “section 76 of the Sentencing Act” substitute “section 222 of the Sentencing Code”.
- (7) In the definition of “suspended sentence” and “suspended sentence order”, for “section 189(7)” substitute “section 286 of the Sentencing Code”.
- (8) Insert at the appropriate place—
- ““the PCC(S)A 2000” means the Powers of Criminal Courts (Sentencing) Act 2000;”.
- 244 In section 327(3)(b) of the CJA 2003—
- (a) in sub-paragraph (v), for “the Sentencing Act” substitute “the Powers of Criminal Courts (Sentencing) Act 2000 or under section 250 of the Sentencing Code”;
 - (b) in sub-paragraph (vi), after “section 226B or 228” insert “or under section 254 of the Sentencing Code”.

- 245 (1) Schedule 15 to the CJA 2003 is amended as follows.
- (2) In the section reference, for “Section 224” substitute “Section 327(3)(a)”.
- (3) In the Schedule heading, for “Chapter 5 of Part 12” substitute “section 325”.
- 246 (1) Schedule 15B to the CJA 2003 is amended as follows.
- (2) In the section reference, for “Sections 224A, 226A and 246A” substitute “Section 246A”.
- (3) In the Schedule heading, for “sections 224A, 226A and 246A” substitute “section 246A”.
- (4) In the heading of Part 1, for “sections 224A(1), 224A(4), 226A and 246A” substitute “section 246A”.
- (5) In the heading of Part 2, for “sections 224A(4), 226A and 246A” substitute “section 246A”.
- (6) In the heading of Part 3, for “sections 224A(4), 226A and 246A” substitute “section 246A”.
- 247 In Schedule 19ZA to the CJA 2003, in the heading of Part 2, after “Counter-Terrorism Act 2008” insert “or Sentencing Code”.
- 248 (1) Schedule 19A to the CJA 2003 is amended as follows.
- (2) For Part 1 substitute—

“PART 1

REQUIREMENTS ETC

Application of provisions of the Sentencing Code

- 1 The provisions of the Sentencing Code listed in paragraph 2 apply in relation to a supervision default order as they apply in relation to a community order but with the modifications listed in paragraph 3.
- 2 Those provisions are—
- (a) sections 208(13) and 214(4) (requirement to avoid conflict with religious beliefs);
 - (b) section 210 (local justice area to be specified in order);
 - (c) section 212(2)(a) and (b) and (3) (provision of copies);
 - (d) section 220(1)(b), (2) and (3) (completion of unpaid work requirement);
 - (e) section 395 (data from electronic monitoring: code of practice);
 - (f) paragraphs 1(1), 2(1) and 3 of Schedule 9 (unpaid work requirement);
 - (g) paragraph 34(1) and (2) of that Schedule (availability of arrangements in local area);
 - (h) paragraphs 9(1) to (4) and 10(1) and (2) of that Schedule (curfew requirement);

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- (i) paragraphs 29(1) and 31 to 33 of that Schedule (electronic monitoring requirement).
- 3 (1) The modifications mentioned in paragraph 1 are as follows.
 - (2) Section 212(2)(b) applies as if the reference to the responsible officer were to the supervisor.
 - (3) Section 214(4) applies as if the reference to the responsible officer were to the supervisor.
 - (4) Paragraph 1(1) of Schedule 9 applies—
 - (a) as if the reference to the responsible officer were to the supervisor, and
 - (b) as if, in paragraph (b), for “during a period of 12 months” there were substituted “before the end of the supervision period.”
 - (5) Paragraph 2(1) of that Schedule applies as if for sub-paragraphs (i) and (ii) of paragraph (b) (limit on number of hours of unpaid work) there were substituted—
 - “(i) not less than 20 hours, and
 - (ii) not more than 60 hours.”
 - (6) Paragraph 9 of that Schedule applies as if for sub-paragraph (4) there were substituted—
 - “(4) The order—
 - (a) may not specify periods which amount to less than 2 hours or more than 16 hours in any day,
 - (b) may not specify periods which fall outside the supervision period, and
 - (c) must require the person to remain at the specified place or places on at least 20 days.”
 - (7) Paragraph 29(1) of that Schedule applies as if paragraph (b) were omitted.
 - (8) Paragraph 32 of that Schedule applies as if the references to the responsible officer were to the supervisor.

Powers of Secretary of State in relation to provisions of the Sentencing Code

- 4 The Secretary of State’s power to make regulations under subsection (4) of section 214 of the Sentencing Code (requirement to avoid conflict with religious beliefs etc) includes power to provide for that subsection, as applied by this Schedule, to have effect with additional restrictions specified in the regulations.
- 5 (1) The Secretary of State’s power to make rules under section 394 of the Sentencing Code (rules regulating the supervision of persons subject to community orders etc) may be exercised in relation to persons subject to supervision default orders.
 - (2) For the purpose of sub-paragraph (1), section 394(1)(b) of the Sentencing Code has effect as if the reference to responsible officers were to supervisors.

Status: This is the original version (as it was originally enacted).

- 6 The Secretary of State may by regulations amend paragraph 3(5) or (6) by changing the number of hours or days for the time being specified there.”
- (3) In paragraph 10(2)(b), for “section 199(2) or 204(2)” substitute “paragraph 2(1) or 9(4) of Schedule 9 to the Sentencing Code”.
- 249 (1) Schedule 31 to the CJA 2003 is amended as follows.
- (2) In paragraph 2—
- (a) in sub-paragraph (1), for “section 199” substitute “paragraph 2 of Schedule 9 to the Sentencing Code”;
- (b) in sub-paragraph (2), for the words from the beginning to “in the case” substitute—
- “In sub-paragraph (1)(b), for sub-paragraphs (i) and (ii) there is substituted—
- “(i) not less than 20 hours, and
“(ii) in the case””
- (c) for sub-paragraph (3) substitute—
- “(3) Sub-paragraphs (3) and (4) are omitted.”
- (3) In paragraph 3—
- (a) in sub-paragraph (1), for “section 204” substitute “paragraph 9 of Schedule 9 to the Sentencing Code”;
- (b) in sub-paragraph (2)—
- (i) for “subsection (2)” substitute “sub-paragraph (4)”;
- (ii) for “(2A)” substitute “(4A)”.
- (4) In paragraph 3A, for the words from the beginning to “be—” substitute “In its application to a default order, paragraph 27(3) of Schedule 9 to the Sentencing Code (attendance centre requirement) is modified by the substitution for the words after “must” of “be—”.
- (5) In paragraph 3B—
- (a) in sub-paragraph (1), for “section 220(1)” substitute “section 215 of the Sentencing Code”;
- (b) for sub-paragraph (2) substitute—
- “(2) At the end of subsection (2) there is inserted “, and must notify the responsible officer of any change of address.””
- (6) In paragraph 3C, for “Section 220A” substitute “Section 216 of the Sentencing Code”.
- (7) In paragraph 4—
- (a) in sub-paragraph (1), for “Schedule 8 (breach, revocation or amendment of community orders)” substitute “Schedule 10 to the Sentencing Code (breach, revocation or amendment of community order)”;
- (b) in sub-paragraph (3), for “and deal with the offender” substitute “and re-sentence the offender”;
- (c) in sub-paragraph (4), for “paragraph 4” substitute “paragraph 5”;

Status: This is the original version (as it was originally enacted).

(d) in sub-paragraph (4A), for “paragraphs 16 and 16A” substitute “paragraphs 16 and 17”.

(e) for sub-paragraph (5) substitute—

“(5) The following provisions are omitted—

(a) paragraph 10(5)(d) (in relation to any time after the coming into force of paragraph 21(2) of Schedule 22 to the Sentencing Act 2020);

(b) paragraph 10(11);

(c) paragraph 14(8);

(d) paragraph 16(3) (in relation to any time after the coming into force of paragraph 23 of Schedule 22 to that Act);

(e) paragraph 23(6);

(f) paragraph 25(2)(b).”

(8) In paragraph 6, for “Schedule 9” substitute “Schedule 11 to the Sentencing Code”.

(9) For paragraph 7 substitute—

“7 After paragraph 20 there is inserted—

“20A Nothing in paragraph 20 affects the application of section 300(7) of the Criminal Justice Act 2003 to a default order made or amended in accordance with Part 1 or 2.””

(10) For paragraph 8 substitute—

“8 In paragraph 21, after sub-paragraph (5) there is inserted—

“(5A) The home court may not impose a fine on the offender.””

Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

250 In Schedule 10 to the Health and Social Care (Community Health and Standards) Act 2003, in paragraph 1(a), for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “Chapter 2 of Part 7 of the Sentencing Code”.

Domestic Violence, Crime and Victims Act 2004 (c. 28)

251 In section 6(5) of the Domestic Violence, Crime and Victims Act 2004, for “section 8 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 25 of the Sentencing Code”.

252 (1) Section 45 of that Act is amended as follows.

(2) In subsection (1)—

(a) in paragraph (c) of the definition of “relevant sentence”, for “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 250 of the Sentencing Code”;

(b) in the definition of “supervision requirements”, for “section 103(6) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 242(4) of the Sentencing Code”.

(3) In subsection (2)(a), for “Schedule 15 to the Criminal Justice Act 2003 (c. 44)” substitute “Schedule 18 to the Sentencing Code”.

Constitutional Reform Act 2005 (c. 4)

- 253 In Schedule 7 to the Constitutional Reform Act 2005, in paragraph 4, under the heading “A: GENERAL”—
- (a) omit the entry for the Criminal Justice Act 2003;
 - (b) at the appropriate place insert—
“*Sentencing Act 2020 (c. 17)*
Schedule 23, paragraph 19”

Serious Organised Crime and Police Act 2005 (c. 15)

- 254 In section 73(1) of the Serious Organised Crime and Police Act 2005, after “This section applies if” insert “in Northern Ireland”.
- 255 In section 74(1) of that Act, after “This section applies if” insert “in Northern Ireland”.

Government of Wales Act 2006 (c. 32)

- 256 In Schedule 1A to the Government of Wales Act 2006, in paragraph 7—
- (a) the words following “subject to” become paragraph (a);
 - (b) at the end insert “or
(b) an order under Chapter 2 of Part 11 of the Sentencing Code”.

Wireless Telegraphy Act 2006 (c. 36)

- 257 In Schedule 5 to the Wireless Telegraphy Act 2006, in paragraph 7, for paragraph (a) substitute—
- “(a) section 153 of the Sentencing Code;”.

Violent Crime Reduction Act 2006 (c. 38)

- 258 (1) Section 29 of the Violent Crime Reduction Act 2006 is amended as follows.
- (2) After subsection (3) insert—
“(3A) For the minimum sentence which applies where a person is convicted in England and Wales of an offence under section 28, see section 311 of the Sentencing Code.”
 - (3) In subsection (11)(a), after “court” insert “in Scotland”.
 - (4) After subsection (12) insert—
“(12A) For the requirement for a court in England and Wales considering for the purposes of sentencing the seriousness of an offence under section 28 to treat certain matters as aggravating factors, see section 70 of the Sentencing Code.”
- 259 In section 47(11) of that Act, in the definition of “relevant person”—
- (a) in paragraph (a), for “the meaning of section 196 of the Criminal Justice Act 2003 (c. 44)” substitute “the meaning given by section 397(1) of the Sentencing Code”;

Status: This is the original version (as it was originally enacted).

- (b) in paragraph (b), for “Part 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of that Code”.

Safeguarding Vulnerable Groups Act 2006 (c. 47)

- 260 In Schedule 3 to the Safeguarding Vulnerable Groups Act 2006, in paragraph 18(6) (c), after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or section 222 of the Sentencing Code”.

Offender Management Act 2007 (c. 21)

- 261 (1) Section 1(4) of the Offender Management Act 2007 is amended as follows.
- (2) For the definition of “community order” substitute—
- ““community order” means—
- (a) a community order within the meaning given by section 200 of the Sentencing Code;
- (b) a youth rehabilitation order within the meaning given by section 173 of the Sentencing Code;”.
- (3) For the definition of “suspended sentence order” substitute—
- ““suspended sentence order” has the meaning given by section 286 of the Sentencing Code;”.
- 262 In section 4(3) of that Act—
- (a) in paragraph (a), for “paragraph 13, 14, 17, 19A or 20 of Schedule 8 to the Criminal Justice Act 2003” substitute “paragraph 14, 15, 18, 20 or 21 of Schedule 10 to the Sentencing Code”;
- (b) in paragraph (b), for “paragraph 13, 15, 17 or 18 of Schedule 12 to that Act” substitute “paragraph 22, 25 or 27 of Schedule 16 to that Code”;
- (c) in paragraph (c), for “that Act” substitute “the Criminal Justice Act 2003”.
- 263 In section 28(3) of that Act—
- (a) in paragraph (a), after “section 226A or 227 of the Criminal Justice Act 2003 (c. 44)” insert “or under section 279 of the Sentencing Code”;
- (b) in paragraph (c), after “under section 90 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or under section 259 of the Sentencing Code”;
- (c) in paragraph (d), after “under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “, or under section 250 of the Sentencing Code,”;
- (d) in paragraph (e), after “under section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or under section 272 or 275 of the Sentencing Code”;
- (e) in paragraph (f), after “section 226, 226B or 228 of the Criminal Justice Act 2003 (c. 44)” insert “or under section 254 or 258 of the Sentencing Code”.

Serious Crime Act 2007 (c. 27)

- 264 In section 36(5) of the Serious Crime Act 2007, for “sections 12 and 14 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “sections 79, 80 and 82 of the Sentencing Code”.

London Local Authorities Act 2007 (c. ii)

- 265 In section 8 of the London Local Authorities Act 2007, for subsection (8) substitute—
- “(8) Section 316 of the Sentencing Code (appeals where previous convictions set aside) shall apply in Greater London as if the following words were inserted in subsection (1) at the end of paragraph (a)—
- “or under section 8(1) of the [London Local Authorities Act 2007 \(c. ii\)](#) (automatic minimum fine on third conviction for fly posting or shroud advertisement offence),”

Criminal Justice and Immigration Act 2008 (c. 4)

- 266 (1) Section 39 of the Criminal Justice and Immigration Act 2008 is amended as follows.
- (2) In subsection (1), for “section 89 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 227 of the Sentencing Code”.
- (3) In subsection (2)—
- (a) in paragraph (a), for “paragraph 10 of Schedule 1” substitute “Part 3 of Schedule 6 to the Sentencing Code”;
- (b) in paragraph (b), for “paragraph 12” substitute “Part 5”;
- (c) in paragraph (c), for “paragraph 14” substitute “Part 7”.
- (4) For subsection (4) substitute—
- “(4) A youth default order—
- (a) may, in addition to any other requirement that it imposes, impose an electronic monitoring requirement (see sections 173 and 174 of the Sentencing Code), and
- (b) must do so where, in the case of a youth rehabilitation order, such a requirement would be required by paragraph 19(3) of Schedule 6 to the Sentencing Code.”
- (5) For subsection (6) substitute—
- “(6) The following provisions of the Sentencing Code have effect in relation to youth default orders as they have effect in relation to youth rehabilitation orders, but subject to the modifications contained in Schedule 7 to this Act—
- (a) sections 186(2), (10) and (11), 188, 190 to 192, 197, 198(3) to (5), 397(1), 400 and 403 to 405 (youth rehabilitation orders: responsible officer, interpretation and further provisions),
- (b) Parts 3, 5, 7 and 17 of Schedule 6 (youth rehabilitation orders: requirements),
- (c) Schedule 7 (breach, revocation or amendment of youth rehabilitation order),
- (d) Schedule 8 (transfer of youth rehabilitation orders to Northern Ireland), and
- (e) paragraph 9 of Schedule 23 (power to amend limits).”
- 267 In section 46 of that Act, for subsection (2) substitute—

Status: This is the original version (as it was originally enacted).

- “(2) In subsection (3A) (as amended by paragraph 89(3) of Schedule 24 to the Sentencing Act 2020) omit “in respect of an offence the sentence for which is fixed by law”.
- 268 In section 80(5) of that Act—
- (a) in paragraph (b), for “(within the meaning of section 130(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6))” substitute “made under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code (compensation orders)”;
 - (b) in paragraph (c), at the end insert “or section 42 of the Sentencing Code”;
 - (c) for paragraph (e) substitute—
 - “(e) any sum payable under an order made under section 137(1) or (1A) of the Powers of Criminal Courts (Sentencing) Act 2000 or section 380(1) of the Sentencing Code;”.
- 269 In section 117(1) of that Act, in paragraph (a) of the definition of “custodial sentence”—
- (a) for “section 76(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 222(1) of the Sentencing Code”;
 - (b) for “any earlier enactment” substitute “any enactment passed before that section came into force”.
- 270 (1) Schedule 7 to that Act is amended as follows.
- (2) In paragraph 2—
- (a) omit sub-paragraph (1);
 - (b) in sub-paragraph (2), for “Sub-paragraph (2) has effect as if for paragraphs (a) and (b)” substitute “In its application to a youth default order, paragraph 10 (unpaid work requirement) of Schedule 6 to the Sentencing Code has effect as if for paragraphs (a) and (b) of sub-paragraph (3)”;
 - (c) for sub-paragraph (3) substitute—
 - “(3) In its application to a youth default order, subsection (3) of section 198 of the Sentencing Code (when a youth rehabilitation order is in force) has effect subject to section 39(7)(a) of the Criminal Justice and Immigration Act 2008.”
- (3) In paragraph 3—
- (a) in sub-paragraph (1), for “paragraph 12 of Schedule 1” substitute “paragraph 14 of Schedule 6 to the Sentencing Code”;
 - (b) in sub-paragraph (2)—
 - (i) for “Sub-paragraph (2)” substitute “Sub-paragraph (3)”;
 - (ii) in paragraphs (a), (b) and (c) omit “must be,”.
- (4) In paragraph 4—
- (a) in sub-paragraph (1), for “paragraph 14 of Schedule 1” substitute “paragraph 18 of Schedule 6 to the Sentencing Code”;
 - (b) in sub-paragraph (2)—
 - (i) for “sub-paragraph (2)” substitute “sub-paragraph (4)”;
 - (ii) for “(2A)” substitute “(4A)”.
- (5) In paragraph 5—

Status: This is the original version (as it was originally enacted).

- (a) in sub-paragraph (1), for “Schedule 2 (breach, revocation or amendment of youth rehabilitation orders)” substitute “Schedule 7 to the Sentencing Code (breach, revocation or amendment of youth rehabilitation order)”;
- (b) in sub-paragraph (4), for “Paragraph 2” substitute “Paragraph 3”;
- (c) for sub-paragraph (5) substitute—

“(5) The following provisions are omitted—

- (a) in paragraph 6—
 - (i) sub-paragraph (5)(a),
 - (ii) the words “add or” in sub-paragraph (5)(b), and
 - (iii) sub-paragraph (11);
- (b) paragraph 9;
- (c) paragraph 11;
- (d) paragraph 12(8);
- (e) paragraph 21(6);
- (f) paragraph 23(2)(b).”

(6) In paragraph 7—

- (a) in sub-paragraph (1), for “Schedule 3” substitute “Schedule 8 to the Sentencing Code (transfer of youth rehabilitation orders to Northern Ireland)”;
- (b) in sub-paragraph (2)—
 - (i) for “Paragraph 9” substitute “Paragraph 15”;
 - (ii) after “section 39(7)” insert “of the Criminal Justice and Immigration Act 2008”;
 - (iii) for “paragraphs 1 or 2” substitute “Part 1 of this Schedule”;
- (c) for sub-paragraph (3) substitute—

“(3) Paragraph 16 has effect as if after sub-paragraph (5) there were inserted—

“(5A) The home court may not impose a fine on the offender.””

Education and Skills Act 2008 (c. 25)

- 271 In section 55(1) of the Education and Skills Act 2008, in paragraph (b) of the definition of “the relevant sum”, for “section 161A of the Criminal Justice Act 2003 (c. 44)” substitute “section 42 of the Sentencing Code”.
- 272 In section 56(7)(b)(ii) of that Act, for “section 137(1) or (1A) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 380(1) of the Sentencing Code”.

Counter-Terrorism Act 2008 (c. 28)

- 273 (1) Section 30 of the Counter-Terrorism Act 2008 is amended as follows.
- (2) In the heading omit “England and Wales and”.
- (3) In subsection (1), for “in England and Wales, or in Northern Ireland,” substitute “in Northern Ireland”.

Status: This is the original version (as it was originally enacted).

- 274 (1) Section 42 of that Act is amended as follows.
- (2) In subsection (1)—
- (a) before paragraph (a) insert—
- “(za) an offence as to which a court has determined under section 69 of the Sentencing Code (sentences for offences with a terrorist connection: England and Wales) that the offence has a terrorist connection.”;
- (b) in paragraph (a) omit “England and Wales and”.
- (3) In subsection (2), for “(1)(a)” substitute “(1)(za) or (a)”.
- (4) In subsection (4)—
- (a) after “Schedule 2,” insert “or regulations are made under paragraph 1 of Schedule 23 to the Sentencing Act 2020 removing an offence from the list in Schedule 1 to the Sentencing Code.”;
- (b) after “comes” insert “, or the regulations come.”.
- 275 In section 45(1)(a) of that Act—
- (a) in sub-paragraph (iv), after “under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or section 250 of the Sentencing Code”;
- (b) in sub-paragraph (v), for “of that Act” substitute “of the Powers of Criminal Courts (Sentencing) Act 2000 or under Chapter 2 of Part 10 of the Sentencing Code”;
- (c) in sub-paragraph (via), after “section 226B of that Act” insert “or under section 254 of the Sentencing Code”.
- 276 In Schedule 6 to that Act—
- (a) in paragraph 2(1), for “section 32” substitute “section 69 of the Sentencing Code (as applied by section 238(6) of the Armed Forces Act 2006)”;
- (b) in paragraph 5(1)(a)(via), after “section 226B of that Act” insert “or section 254 of the Sentencing Code”.

Coroners and Justice Act 2009 (c. 25)

- 277 In section 120(3)(a) of the Coroners and Justice Act 2009, for “section 144 of the Criminal Justice Act 2003 (c. 44)” substitute “section 73 of the Sentencing Code”.
- 278 In section 121(7) of that Act—
- (a) in paragraph (a), for “section 144 of the Criminal Justice Act 2003 (c. 44)” substitute “section 73 of the Sentencing Code”;
- (b) in paragraph (b), for “sections 73 and 74 of the Serious Organised Crime and Police Act 2005” substitute “sections 74, 387 and 388 of the Sentencing Code”.
- 279 In section 131(5) of that Act—
- (a) in paragraph (a), for “the meaning of section 177 of the Criminal Justice Act 2003 (c. 44)” substitute “the meaning given by section 200 of the Sentencing Code”;
- (b) in paragraph (b), for “the meaning of section 189(7) of that Act” substitute “the meaning given by section 286 of that Code”;

Status: This is the original version (as it was originally enacted).

- (c) in paragraph (c), for “the meaning of Part 1 of the Criminal Justice and Immigration Act 2008 (c. 4)” substitute “the meaning given by section 173 of that Code”.
- 280 In section 136 of that Act, in the definition of “prison”, for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 248(1) of the Sentencing Code”.
- 281 In section 158(3)(a) of that Act, for “section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” substitute “section 82(2) of the Sentencing Code”.
- 282 In section 164(3)(d) of that Act, after “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)” insert “or Chapter 4 of Part 7 of the Sentencing Code”.

Localism Act 2011 (c. 20)

- 283 In Schedule 14 to the Localism Act 2011, in paragraph 6(4), for paragraph (g) substitute—
 - “(g) a criminal behaviour order within the meaning given by section 330 of the Sentencing Code;”.

Terrorism Prevention and Investigation Measures Act 2011 (c. 23)

- 284 In section 23(5)(a) of the Terrorism Prevention and Investigation Measures Act 2011, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

- 285 In section 94(8) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012—
 - (a) in the definition of “sexual offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (b) in the definition of “terrorism offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”;
 - (c) in the definition of “violent offence”, for “Schedule 15 to the Criminal Justice Act 2003” substitute “Schedule 18 to the Sentencing Code”.
- 286 In section 99(10) of that Act, for “section 76(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 222(1) of the Sentencing Code”.
- 287 In section 102(2)(d) of that Act, for “order under section 107(1)(e) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “regulations under section 248(1) (f) of the Sentencing Code”.
- 288 (1) Section 128(6) of that Act is amended as follows.
 - (2) In the definition of “extended sentence prisoner”, after “under section 226A or 226B of the Criminal Justice Act 2003” insert “or section 254, 266 or 279 of the Sentencing Code”.
 - (3) In the definition of “section 236A prisoner”, after “under section 236A of the Criminal Justice Act 2003” insert “or section 265 or 278 of the Sentencing Code”.
- 289 (1) Schedule 1 to that Act is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In Part 1, in paragraph 1(1), at the end of paragraph (e) insert “or section 366 or 369 of the Sentencing Code”.
- (3) In Part 3, in paragraphs 6(a) and 8(c), for “section 5 or” substitute “section 360 of the Sentencing Code or section”.

Prevention of Social Housing Fraud Act 2013 (c. 3)

- 290 In section 4(12) of the Prevention of Social Housing Fraud Act 2013—
- (a) for “Sections 131 to 133 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Sections 141 to 143 of the Sentencing Code”;
- (b) for paragraphs (c) and (d) substitute—
- “(c) section 143(3)(a) and (b) were omitted, and
- (d) the reference in section 143(5)(b)(ii) to an unlawful profit order under section 4 were to a compensation order under Chapter 2 of Part 7 of the Sentencing Code.”

Counter-Terrorism and Security Act 2015 (c. 6)

- 291 In section 10(6)(a) of the Counter-Terrorism and Security Act 2015, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.
- 292 In section 44(2) of that Act, at the end insert—
- “(e) section 69 of the Sentencing Code (including as it is applied by section 238(6) of the Armed Forces Act 2006), and Schedule 1 to that Code (terrorist connection).”

Modern Slavery Act 2015 (c. 30)

- 293 (1) Section 10 of the Modern Slavery Act 2015 is amended as follows.
- (2) In subsection (1), for “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 2 of Part 7 of the Sentencing Code”.
- (3) In subsection (3)—
- (a) for “Sections 132 to 134 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Sections 141, 143 and 144 of the Sentencing Code”;
- (b) for paragraph (d) substitute—
- “(d) the reference in section 143(5)(b)(iii) to a slavery and trafficking reparation order under section 8 above were to a compensation order under Chapter 2 of Part 7 of the Sentencing Code.”;
- (c) omit paragraph (e).
- 294 In section 34(3)(a) of that Act, for “section 14(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 82(2) of the Sentencing Code”.

Psychoactive Substances Act 2016 (c. 2)

- 295 (1) Section 6 of the Psychoactive Substances Act 2016 is amended as follows.
- (2) In subsection (1)—

Status: This is the original version (as it was originally enacted).

- (a) for “This section applies” substitute “Subsections (2) to (10) apply”;
- (b) in paragraph (a), after “court” insert “in Scotland or Northern Ireland”.

(3) After subsection (10) insert—

“(11) For the requirement for a court in England and Wales considering the seriousness of an offence under section 5 to treat certain matters as aggravating factors, see section 72 of the Sentencing Code.”

- 296 In section 32(6)(a) of that Act, for paragraph (a) substitute—
“(a) sections 79, 80 and 82 of the Sentencing Code.”.

Data Protection Act 2018 (c. 12)

- 297 In Schedule 18 to the Data Protection Act 2018, in paragraph 4(3)(a), after sub-paragraph (i) insert—
“(ia) section 260 of the Sentencing Code.”.

Stalking Protection Act 2019 (c. 9)

- 298 In section 8(4) of the Stalking Protection Act 2019, for “subsection (1)(b) of section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.

Offensive Weapons Act 2019 (c. 17)

- 299 In section 8(9) of the Offensive Weapons Act 2019, for “paragraph 180 of Schedule 7 to the Criminal Justice and Court Services Act 2000” substitute “paragraph 40 of Schedule 22 to the Sentencing Act 2020”.
- 300 In section 23(10) of that Act, for “2003” substitute “2000 or section 222 of the Sentencing Code”.

Coronavirus Act 2020 (c. 7)

- 301 (1) Schedule 23 to the Coronavirus Act 2020 is amended as follows.
- (2) In paragraph 2(3)(i), after “section 155 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 385 of the Sentencing Code”.
 - (3) In paragraph 8, in paragraph 2(9) of the Schedule 3A treated as inserted into the Criminal Justice Act 2003, after “section 155 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 385 of the Sentencing Code”.
- 302 In Schedule 24 to that Act, after paragraph 13 insert—

“Sentencing Code

- 14 The Sentencing Code has effect as if section 391 were omitted.”