

SCHEDULES

SCHEDULE 24

CONSEQUENTIAL AMENDMENTS

PART 5

SECONDARY LEGISLATION

Costs in Criminal Cases (General) Regulations 1986 (S.I. 1986/1335)

- 316 (1) Regulation 14 of the Costs in Criminal Cases (General) Regulations 1986 is amended as follows.
- (2) In paragraph (1)(a), for “section 42 of the Powers of Criminal Courts Act 1973” substitute “section 21 of the Sentencing Code as it applies by virtue of subsection (1) (a) or (c) of that section”.
- (3) Omit paragraph (3)(a)(i) to (iv), (vi) and (vii).
- (4) Omit paragraph (3)(b)(i) and (ii).
- (5) After sub-paragraph (b) of paragraph (3) insert—
- “(c) under any of the following provisions of the Sentencing Code—
 - (i) Schedule 2 (commission of further offence by person conditionally discharged);
 - (ii) paragraph 7 of Schedule 4 (power of court on referral back from panel);
 - (iii) Part 1 of Schedule 5 (breach of reparation order);
 - (iv) Part 2 of Schedule 10 (breach of requirement of community order);
 - (v) Part 2 of Schedule 16 (breach of community requirement of suspended sentence order or conviction of further offence).”

Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)

- 317 In regulation 5(1) of the Children (Secure Accommodation) Regulations 1991, after “section 90 or 91 of the Powers of the Criminal Courts (Sentencing) Act 2000” insert or “section 250 or 259 of the Sentencing Code”.

Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207)

- 318 In regulation 13(3A)(a) of the Jobseeker’s Allowance Regulations 1996, after “(“the 2003 Act”)” insert “or Chapter 4 of Part 11 of the Sentencing Code”.

Status: This is the original version (as it was originally enacted).

Police (Property) Regulations 1997 (S.I. 1997/1908)

- 319 In regulation 5(1) of the Police (Property) Regulations 1997, for “section 143 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 153 of the Sentencing Code”.
- 320 In regulation 7(3) of those Regulations, for “section 145 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 159 of the Sentencing Code”.

Merchant Shipping (Oil Pollution) (South Georgia and the South Sandwich Islands) Order 1997 (S.I. 1997/2588)

- 321 In article 3(b) of the Merchant Shipping (Oil Pollution) (South Georgia and the South Sandwich Islands) Order 1997, for “section 37(2) of the Criminal Justice Act 1982” substitute “section 122(1) of the Sentencing Code”.

Prison Rules 1999 (S.I. 1999/728)

- 322 In rule 57(2) of the Prison Rules 1999, after “section 99 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 276 of the Sentencing Code”.

Youth Justice Board for England and Wales Order 2000 (S.I. 2000/1160)

- 323 In article 2 of the Youth Justice Board for England and Wales Order 2000 omit ““the 2000 Act” means the Powers of Criminal Courts (Sentencing) Act 2000;”.
- 324 (1) Article 4(2) of that Order is amended as follows.
- (2) In paragraph (a), for “section 90 or 91 of the 2000 Act” substitute “section 250 or 259 of the Sentencing Code”.
- (3) In paragraph (m)(i), for “section 102(1) of the 2000 Act” substitute “section 241(1) of the Sentencing Code”.
- (4) In paragraph (m)(ii)—
- (a) for “section 92(1) of the 2000 Act” substitute “section 260(1) of the Sentencing Code”;
- (b) for “section 90 or 91 of that Act” substitute “section 250 or 259 of that Code”.
- (5) In paragraph (n)(i), for “section 103(3) of the 2000 Act” substitute “section 242(3) of the Sentencing Code”.
- (6) In paragraph (n)(ii), for “section 103(6) of that Act” substitute “section 242(4) of that Code”.
- (7) In paragraph (n)(iii), for “section 104(3)(a) of that Act” substitute “paragraph 3(8) (b) of Schedule 12 to that Code”.
- (8) In paragraph (n)(iv), for “section 105(2) of that Act” substitute “paragraph 7(5) of that Schedule”.

Magistrates’ Courts Warrants (Specification of Provisions) Order 2000 (S.I. 2000/3278)

- 325 In Article 2 of the Magistrates’ Courts Warrants (Specification of Provisions) Order 2000, after paragraph (g) insert—
- “(ga) in the Sentencing Code—

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

- (i) sections 6(4) and 93(4)(b);
- (ii) paragraph 3(2)(b) of Schedule 4;
- (iii) paragraph 6(3) of Schedule 5;
- (iv) paragraphs 5(2)(b), 12(4)(b), 13(3)(b), 17(2), 18(2)(b), 19(3)(b), 21(4), 22(7) and 23(4) of Schedule 7;
- (v) paragraphs 8(2)(b) and (4), 9(2)(b) and (4), 14(4), 18(5), 20(2), 21(4), 23(4), 24(4) and 25(4) of Schedule 10;
- (vi) paragraph 2(2)(b) of Schedule 12;
- (vii) paragraphs 8(2)(b) and 25(6) of Schedule 16;”.

Young Offender Institution Rules 2000 (S.I. 2000/3371)

- 326 In rule 5(7)(a) of the Young Offender Institution Rules 2000, after “the 2003 Act” insert “or by virtue of section 233 of the Sentencing Code”.
- 327 In rule 5A(2)(b)(iii) of those rules, after “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 233 of the Sentencing Code”.
- 328 In rule 60(1)(f) of those Rules, after “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 233 of the Sentencing Code”.

Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)

- 329 In regulation 31I(3)(c) of the Representation of the People (England and Wales) Regulations 2001, after “section 5(1) of the Protection from Harassment Act 1997” insert “or section 360 of the Sentencing Code”.

Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)

- 330 In regulation 31I(3)(c) of the Representation of the People (Scotland) Regulations 2001, after “section 5(1) of the Protection from Harassment Act 1997” insert “or section 360 of the Sentencing Code”.

Child Tax Credit Regulations 2002 (S.I. 2002/2007)

- 331 In regulation 2(1) of the Child Tax Credit Regulations 2002, in paragraph (a) of the definition of “custodial sentence”, after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 222 of the Sentencing Code”.

Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2002/2051)

- 332 In article 5(3) of the Homelessness (Priority Need for Accommodation) (England) Order 2002—
- (a) in paragraph (a), after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 222 of the Sentencing Code”;
 - (b) in paragraph (c), for “that Act” substitute “the Powers of Criminal Courts (Sentencing) Act 2000”.

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

Proceeds of Crime Act 2002 (Exemptions from Civil Recovery) Order 2003 (S.I. 2003/336)

- 333 In the Schedule to the Proceeds of Crime Act 2002 (Exemptions from Civil Recovery) Order 2003, in Part 2, after the entry referring to the Powers of Criminal Courts (Sentencing) Act 2000 insert—
- “Section 153 of the Sentencing Code (powers to deprive offender of property used etc for purposes of crime), in the circumstances where no order is made under the Police (Property) Act 1987, as applied by section 158 of the Sentencing Code, for the delivery of the property to a person appearing to be the owner of the property.”

Guardian’s Allowance (General) Regulations 2003 (S.I. 2003/495)

- 334 In regulation 7(1)(a) of the Guardian’s Allowance (General) Regulations 2003, after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000,” insert “section 222 of the Sentencing Code or”.

Magistrates’ Courts (Parenting Orders) Rules 2004 (S.I. 2004/247)

- 335 In rule 7 of the Magistrates’ Courts (Parenting Orders) Rules 2004, after “section 8 of the Crime and Disorder Act 1998” insert “or section 366 or 369 of the Sentencing Code”.
- 336 In rule 8 of those Rules, for “paragraph 9D of Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 368 of the Sentencing Code”.
- 337 In rule 9 of those Rules, for “paragraph 9D of Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 368 of the Sentencing Code”.

Criminal Justice Act 2003 (Commencement No.8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950)

- 338 In Schedule 2 to the Criminal Justice Act 2003 (Commencement No.8 and Transitional and Saving Provisions) Order 2005, in paragraph 5, at the end of subparagraph (1) insert—
- “This is subject to section 1 of the Sentencing (Pre-consolidation) Amendments Act 2020 (and see also the exceptions in Schedule 1 to that Act).”

Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (S.I. 2005/3181)

- 339 (1) Article 141F of the Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 is amended as follows.
- (2) In paragraph (4)(a), after “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 7 of the Sentencing Code”.
- (3) In paragraph (5)(a), after “section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 3 of Part 7 of the Sentencing Code”.
- 340 (1) Article 141ZE of that Order is amended as follows.
- (2) In paragraph (4)(a), after “section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 7 of the Sentencing Code”.

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

- (3) In paragraph (5)(a), after “section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 3 of Part 7 of the Sentencing Code”.
- 341 (1) Article 205 of that Order is amended as follows.
- (2) In paragraph (4)(a), for “or section 130 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “, section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 7 of the Sentencing Code”.
- (3) In paragraph (5)(a), for “or section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “, section 148(2) of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 3 of Part 7 of the Sentencing Code”.
- 342 In Schedule 5 to that Order, after the entry referring to the Powers of Criminal Courts (Sentencing) Act 2000 insert—
- “Section 153 of the Sentencing Code (powers to deprive offender of property used etc for purposes of crime), in the circumstances where no order is made under the Police (Property) Act 1897, as applied by section 158 of the Sentencing Code, for the delivery of the property to a person appearing to be the owner of the property.”

National Health Service (General Dental Services Contracts) Regulations 2005 (S.I. 2005/3361)

- 343 In regulation 2(1) of the National Health Service (General Dental Services Contracts) Regulations 2005, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

National Health Service (Personal Dental Services Agreements) Regulations 2005 (S.I. 2005/3373)

- 344 In regulation 2(1) of the National Health Service (Personal Dental Services Agreements) Regulations 2005, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

National Health Service (Dental Charges) Regulations 2005 (S.I. 2005/3477)

- 345 In regulation 2(1) of the National Health Service (Dental Charges) Regulations 2005, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

Child Benefit (General) Regulations 2006 (S.I. 2006/223)

- 346 In regulation 1(3) of the Child Benefit (General) Regulations 2006, in paragraph (a) of the definition of “penalty”—
- (a) after “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or Chapter 2 of Part 10 of the Sentencing Code”;

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

- (b) after “sections 90, 91, 92 and 93 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or sections 250, 259 and 260 of the Sentencing Code”.

National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 (S.I. 2006/489 (W.58))

- 347 In regulation 2(1) of the National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 (S.I. 2006/490 (W.59))

- 348 In regulation 2(1) of the National Health Service (General Dental Services Contracts) (Wales) Regulations 2006, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

National Health Service (Dental Charges) (Wales) Regulations 2006 (S.I. 2006/491 (W.60))

- 349 In regulation 2(1) of the National Health Service (Dental Charges) (Wales) Regulations 2006, in paragraph (a) of the definition of “prison”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006 (S.I. 2006/1116)

- 350 In Schedule 1 to the Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006, in paragraph 3A(3), for “section 30 of the Counter-Terrorism Act 2008” substitute “section 69 of the Sentencing Code”.

Serious Organised Crime and Police Act 2005 (Appeals under Section 74) Order 2006 (S.I. 2006/2135)

- 351 In article 2(b) of the Serious Organised Crime and Police Act 2005 (Appeals under Section 74) Order 2006, for “section 74(3) of the Act” substitute “section 387(2) of the Sentencing Code”.
- 352 In article 3(4) of that Order, for “section 74(8) of the Act” substitute “section 389(1) of the Sentencing Code”.
- 353 (1) Article 4 of that Order is amended as follows.
- (2) In paragraph (1)—
- (a) for “section 74(8) of the Act” substitute “section 389(1) of the Sentencing Code”;
- (b) in paragraph (a), for “section 74(5) or (6) of the Act” substitute “section 387(4) or 388(5) of that Code”;

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- (c) in paragraph (b), for “section 74(3) of the Act” substitute “section 387(2) of that Code”.
- (3) In paragraph (3)—
- (a) for “the offender falls within section 74(2)(c) of the Act and” substitute “on a referral under section 388 of the Sentencing Code”;
 - (b) for “section 74(6)” substitute “subsection (5) of that section”;
 - (c) for “the referral under section 74(3) of the Act” substitute “the referral”.
- 354 In article 5(2) of that Order, for “section 74 of the Act” substitute “section 387 or 388 of the Sentencing Code”.
- 355 In article 9 of that Order—
- (a) in paragraph (1)(b), for “section 74 of the Act” substitute “section 387 or 388 of the Sentencing Code”;
 - (b) in paragraph (1)(c), for “section 74 of the Act” substitute “section 387 or 388 of that Code”;
 - (c) in paragraph (2)(c), for “section 74 of the Act” substitute “section 387 or 388 of the Sentencing Code”.
- 356 In article 11(1)(b) of that Order, for “section 74(8) of the Act” substitute “section 389(1) of the Sentencing Code”.
- 357 In article 15(1) of that Order, for “section 74(8) of the Act” substitute “section 389(1) of the Sentencing Code”.

National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 (S.I. 2007/121 (W.11))

- 358 (1) In regulation 2(1) of the English language text of the National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007, in the definition of “secure training centre” (“canolfan hyfforddi diogel”), for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.
- (2) In regulation 2(1) of the Welsh language text of those Regulations, in the definition of “canolfan hyfforddi ddiogel” (“secure training centre”), for “o dan adran 100 o Ddeddf Pwerau'r Llysoedd Troseddol (Dedfrydu) 2000 (tramgwyddwyr o dan 18 oed: gorchmynion dal gafael a hyfforddi)” substitute “o fewn yr ystyr a roddir gan adran 233 o'r Cod Dedfrydu”.

Criminal Defence Service (Funding) Order 2007 (S.I. 2007/1174)

- 359 In Schedule 1 to the Criminal Defence Service (Funding) Order 2007, in paragraph 12(1), for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.
- 360 (1) Schedule 2 to that Order is amended as follows.
- (2) In paragraph 2(1)(d), for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.
- (3) In paragraph 12A(2)—

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

- (a) in paragraph (b), for “section 155 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 385 of the Sentencing Code”;
- (b) in paragraph (c), for “section 74 of the Serious Organised Crime and Police Act 2005” substitute “section 387 or 388 of the Sentencing Code”.

361 In Schedule 5 to that Order, in paragraph 1(4)(e), for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.

Community Order (Review by Specified Courts) Order 2007 (S.I. 2007/2162)

362 In article 1 of the Community Order (Review by Specified Courts) Order 2007 omit paragraph (2).

363 In article 3(2) of that Order—

- (a) for “under section 177(1)(i) of the 2003 Act,” substitute “, within the meaning given by paragraph 19(1) of Schedule 9 to the Sentencing Code,”;
- (b) for “section 210 of that Act” substitute “paragraph 21 of that Schedule”.

364 (1) Article 4 of that Order is amended as follows.

(2) In paragraph (2)(d)—

- (a) for “Chapter 4 of Part 12 of the 2003 Act” substitute “Schedule 9 to the Sentencing Code”;
- (b) for “section 177(5) of the 2003 Act” substitute “section 209(1) of the Sentencing Code”.

(3) For paragraph (3) substitute—

“(3) For the purposes of paragraph (2)(a) a requirement falling within any Part of Schedule 9 to the Sentencing Code is of the same kind as any other requirement falling within that Schedule.”

(4) In paragraph (6), for “paragraph 9 or 10 of Schedule 8 to the 2003 Act” substitute “paragraph 10 or 11 of Schedule 10 to the Sentencing Code”.

Immigration (Disposal of Property) Regulations 2008 (S.I. 2008/786)

365 In regulation 4(1)(a) and (b) of the Immigration (Disposal of Property) Regulations 2008, before “or section 25 of the 2007 Act” insert “, section 156 of the Sentencing Code”.

Employment and Support Allowance Regulations 2008 (S.I. 2008/794)

366 In regulation 160(5) of the Employment and Support Allowance Regulations 2008, in the definition of “penalty”—

- (a) after “section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 or 259 of the Sentencing Code”;
- (b) for “section 100 of that Act” substitute “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 10 of the Sentencing Code”.

Primary Ophthalmic Services Regulations 2008 (S.I. 2008/1186)

- 367 In regulation 2(1) of the Primary Ophthalmic Services Regulations 2008, in the definition of “secure training centre”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741)

- 368 In regulation 38C(3)(c) of the Representation of the People (Northern Ireland) Regulations 2008, after “section 5(1) of the Protection from Harassment Act 1997” insert “or section 360 of the Sentencing Code”.

Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059)

- 369 In the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009, after article 102 insert—

Seriousness of offence with terrorist connection

“102A In section 238(6) of AFA 2006 (seriousness of offence with terrorist connection) the references—

- (a) to an offence under section 42 of that Act include an SDA civil offence, and
 - (b) to the corresponding offence under the law of England and Wales include the corresponding civil offence.”
- 370 In Schedule 1 to that Order, in paragraph 45—
- (a) in sub-paragraph (2), after “2000” insert “and section 245 of the Sentencing Code”;
 - (b) omit sub-paragraph (3);
 - (c) in sub-paragraph (4), for “section 134(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 177A of the Armed Forces Act 2006”;
 - (d) in the heading to the paragraph, at the end insert “and related provisions”.
- 371 In Schedule 2 to that Order, in paragraph 8(2), for “section 94 of PCC(S)A 2000” substitute “section 272(2)(a) of the Sentencing Code, as applied by section 210A of AFA 2006”.

Armed Forces (Service Civilian Court) Rules 2009 (S.I. 2009/1209)

- 372 In rule 31(3) of the Armed Forces (Service Civilian Court) Rules 2009, for “paragraph 21 of Schedule 8 to the 2003 Act” substitute “paragraph 23(2) of Schedule 10 to the Sentencing Code”.
- 373 In rule 96(3)(b) of those Rules, for “paragraph 21 of Schedule 8 to the 2003 Act” substitute “under paragraph 23(2) of Schedule 10 to the Sentencing Code”.
- 374 (1) Rule 101 of those Rules is amended as follows.
- (2) In paragraph (1)—

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

- (a) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the Act)”;
 - (b) in sub-paragraph (c) for “paragraph 5 of Schedule 8 to the 2003 Act” substitute “paragraph 6 of Schedule 10 to the Sentencing Code”.
- (3) In paragraph (3)(a)—
 - (a) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code”;
 - (b) for “paragraph 10” substitute “paragraph 11”.
- (4) In paragraph (3)(b), for “paragraph 8” substitute “paragraph 8A”.
- 375 (1) Rule 102 of those Rules is amended as follows.
 - (2) In paragraph (1), for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the Act)”.
 - (3) In paragraph (7)(a), for “paragraph 10 of Schedule 8 to the 2003 Act” substitute “paragraph 11 of Schedule 10 to the Sentencing Code”.
- 376 (1) Rule 104 of those Rules is amended as follows.
 - (2) In paragraph (1), for “paragraph 14 of Schedule 8 to the 2003 Act” substitute “paragraph 15 of Schedule 10 to the Sentencing Code”.
 - (3) In paragraph (4)(b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “paragraph 15(3)(a) of Schedule 10 to the Sentencing Code”.
 - (4) In paragraph (6)—
 - (a) for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “paragraph 15(3)(b) of Schedule 10 to the Sentencing Code”;
 - (b) in sub-paragraph (b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “paragraph 15(3)(a) of Schedule 10 to the Sentencing Code”.
- 377 (1) Rule 105 of those Rules is amended as follows.
 - (2) In paragraph (1), for “paragraph 17 of Schedule 8 to the 2003 Act” substitute “paragraph 18 of Schedule 10 to the Sentencing Code”.
 - (3) In paragraph (3)(a), for “paragraph 17(2) of Schedule 8 to the 2003 Act” substitute “paragraph 18(7) of Schedule 10 to the Sentencing Code”.
- 378 (1) Rule 106 of those Rules is amended as follows.
 - (2) In paragraph (1)—
 - (a) for “paragraph 20 of Schedule 8 to the 2003 Act” substitute “paragraph 21 of Schedule 10 to the Sentencing Code”;
 - (b) in sub-paragraph (a), for “section 200(2) of that Act” substitute “paragraph 1(1)(b) of Schedule 9 to that Code”.
 - (3) In paragraph (3)(b), for “section 200(2) of the 2003 Act” substitute “paragraph 1(1)(b) of Schedule 9 to the Sentencing Code”.
- 379 In Schedule 2 to those Rules, in paragraph 15(2), for “paragraph 21 of Schedule 8 to the 2003 Act” substitute “paragraph 23(2) of Schedule 10 to the Sentencing Code”.

Armed Forces (Financial Penalty Enforcement Orders) Regulations 2009 (S.I. 2009/1212)

- 380 In regulation 3A of the Armed Forces (Financial Penalty Enforcement Orders) Regulations 2009, in paragraphs (2)(b) and (3)(b), for “section 139(2) of the Sentencing Act” substitute “section 129(3) of the Sentencing Code”.

Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009 (S.I. 2009/1887)

- 381 (1) Schedule 1 to the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2009 is amended as follows.

(2) In paragraph (a)—

- (a) after “section 209 of the Criminal Justice Act 2003” insert “or paragraph 19 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

(3) In paragraph (b)—

- (a) after “section 212 of the Criminal Justice Act 2003” insert “or paragraph 23 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

- 382 In Schedule 2 to those Regulations, in paragraph (e)—

- (a) for “section 177 or 189 of the Criminal Justice Act 2003 insofar as those sections” substitute “Chapter 2 of Part 9 of the Sentencing Code or Chapter 5 of Part 10 of that Code insofar as those Chapters”;
- (b) for “section 207 of that Act” substitute “paragraph 16 of Schedule 9 to that Code”.

Police and Criminal Evidence Act 1984 (Armed Forces) Order 2009 (S.I. 2009/1922)

- 383 In article 15F(6)(a) of the Police and Criminal Evidence Act 1984 (Armed Forces) Order 2009, for “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 222 of the Sentencing Code”.

Armed Forces (Court Martial) Rules 2009 (S.I. 2009/2041)

- 384 In rule 2(2) of the Armed Forces (Court Martial) Rules 2009, in paragraph (a) of the definition of “activation order”, for “paragraph 8(2)(a) or (b) of Schedule 12 to the 2003 Act” substitute “paragraph 13(1)(a) or (b) of Schedule 16 to the Sentencing Code”.

- 385 (1) Rule 3 of those Rules is amended as follows.

(2) In paragraph (2), in the definition of “suspended sentence order”—

- (a) after “means an order under” insert “section 264 or 277 of the Sentencing Code or”;
- (b) for “section 196(2)” substitute “section 207”.

(3) For paragraph (3) substitute—

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

- “(3) Any reference in these Rules to Schedule 10 to the Sentencing Code is to that Schedule as modified by section 181 of the 2006 Act and Schedule 6A to that Act.”
- 386 In rule 44(3) of those Rules, for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “paragraph 25 of Schedule 10 to the Sentencing Code”.
- 387 In rule 114(5)(b) of those Rules, for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “paragraph 25 of Schedule 10 to the Sentencing Code”.
- 388 (1) Rule 131 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 12(2A)(a) and (b) of Schedule 12 to the 2003 Act, as substituted by paragraph 8(1)” substitute “paragraph 19(1)(a) and (b) of Schedule 16 to the Sentencing Code, as modified by paragraph 12”.
- (3) In sub-paragraph (2)—
- (a) in the definition of “the relevant facts”, for “mentioned in those paragraphs, as so substituted” substitute “referred to in paragraph (1) above”;
 - (b) in the definition of “the original sentence”, after “means” insert “the suspended sentence order mentioned in paragraph 19(1)(a) of Schedule 16 to the Sentencing Code, as modified by paragraph 12 of Schedule 7 to the 2006 Act, or”;
 - (c) in the definition of “the new offence”, for “in that sub-paragraph, as so substituted” substitute “paragraph 19(1)(a) of Schedule 16 to the Sentencing Code, as modified by paragraph 12 of Schedule 7 to the 2006 Act”;
 - (d) in the definition of “summons”, for “in that sub-paragraph, as so substituted” substitute “paragraph 19(2)(a) of Schedule 16 to the Sentencing Code, as so modified”;
 - (e) in the definition of “warrant”, for “in that sub-paragraph, as so substituted” substitute “paragraph 19(2)(b) of Schedule 16 to the Sentencing Code, as so modified”;
 - (f) in the definition of “relevant order”, for “paragraph 8(2) of Schedule 12 to the 2003 Act” substitute “paragraph 13(1) of Schedule 16 to the Sentencing Code”.
- 389 In rule 134(2)(c)(ii) of those Rules, for “section 105(2) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “paragraph 7(2) of Schedule 12 to the Sentencing Code”.
- 390 (1) Rule 140 of those Rules is amended as follows.
- (2) In paragraph (1)—
- (a) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the 2006 Act)”;
 - (b) in sub-paragraph (c) for “paragraph 5 of Schedule 8 to the 2003 Act” substitute “paragraph 6 of Schedule 10 to the Sentencing Code”.
- (3) In paragraph (3)—
- (a) in sub-paragraph (a)—
 - (i) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code”;
 - (ii) for “paragraph 10” substitute “paragraph 11”;

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- (b) in sub-paragraph (b), for “paragraph 8” substitute “paragraph 8A”.
- 391 (1) Rule 141 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the 2006 Act)”.
- (3) In paragraph (8)(a), for “paragraph 10 of Schedule 8 to the 2003 Act” substitute “paragraph 11 of Schedule 10 to the Sentencing Code”.
- 392 (1) Rule 142 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 14 of Schedule 8 to the 2003 Act” substitute “paragraph 15 of Schedule 10 to the Sentencing Code”.
- (3) In paragraph (4)(b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “paragraph 15(3) of Schedule 10 to the Sentencing Code”.
- (4) In paragraph (6), in the opening words and in sub-paragraph (b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “paragraph 15(3) of Schedule 10 to the Sentencing Code”.
- 393 (1) Rule 143 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 17 of Schedule 8 to the 2003 Act” substitute “paragraph 18 of Schedule 10 to the Sentencing Code”.
- (3) In paragraph (3)(a), for “paragraph 17(2) of Schedule 8 to the 2003 Act” substitute “paragraph 18(7) of Schedule 10 to the Sentencing Code”.
- 394 (1) Rule 144 of those Rules is amended as follows.
- (2) In paragraph (1)—
- (a) for “paragraph 20 of Schedule 8 to the 2003 Act” substitute “paragraph 21 of Schedule 10 to the Sentencing Code”;
- (b) in sub-paragraph (a), for “section 200(2) of that Act” substitute “paragraph 1(1)(b) of Schedule 9 to that Code”.
- (3) In paragraph (3)(b), for “section 200(2) of the 2003 Act” substitute “paragraph 1(1)(b) of Schedule 9 to the Sentencing Code”.
- 395 In Schedule 2 to those Rules, in paragraph 17(2), for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “paragraph 25 of Schedule 10 to the Sentencing Code”.

Armed Forces (Civilian Courts Dealing with Service Offences) (Modification of the Criminal Justice Act 2003) Regulations 2009 (S.I. 2009/2042)

- 396 In regulation 3 of the Armed Forces (Civilian Courts Dealing with Service Offences) (Modification of the Criminal Justice Act 2003) Regulations 2009, for “as follows” substitute “as set out in regulations 5 to 9”.
- 397 Omit regulation 4 of those Regulations.
- 398 After regulation 9 insert—

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“Modification of section 64 of the Sentencing Code (seriousness of offence: aggravating factor)”

9A In its application to a civilian court dealing with an offender for a service offence, section 64 of the Sentencing Code (aggravating factor: offence committed on bail) is modified as if after the words “on bail” there were inserted “or charged with a service offence and released from service custody”.

- 399 (1) Regulation 10 is amended as follows.
- (2) In paragraph (1)—
- (a) after “Part 12 of CJA 2003” insert “and section 64 of the Sentencing Code”;
- (b) for “regulations 4 to 9” substitute “regulations 5 to 9A”.
- (3) In paragraph (2), for “regulation 4” substitute “regulation 9A”.
- (4) In paragraph (3), for “regulations 4 to 9” substitute “regulations 5 to 9A”.

Criminal Justice and Immigration Act 2008 (Commencement No.13 and Transitory Provision) Order 2009 (S.I. 2009/3074)

400 In article 4 of the Criminal Justice and Immigration Act 2008 (Commencement No.13 and Transitory Provision) Order 2009, for “Part 1 of the Criminal Justice and Immigration Act 2008 (c.4)” substitute “Chapter 1 of Part 9 of the Sentencing Code”.

Child Minding and Day Care (Disqualification) (Wales) Regulations 2010 (S.I. 2010/1703 (W.163))

- 401 (1) In regulation 3(9)(d) of the English language text of the Child Minding and Day Care (Disqualification) (Wales) Regulations 2010, after “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 79 or 80 of the Sentencing Code”.
- (2) In regulation 3(9)(ch) of the Welsh language text of those Regulations, after “adran 12 o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000” insert “neu adran 79 neu 80 o’r Cod Dedfrydu”.

Visits to Former Looked After Children in Detention (England) Regulations 2010 (S.I. 2010/2797)

402 In regulation 3(d) of the Visits to Former Looked After Children in Detention (England) Regulations 2010, 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”.

Disabled People’s Right to Control (Pilot Scheme) (England) Regulations 2010 (S.I. 2010/2862)

- 403 (1) Schedule 1 to the Disabled People’s Right to Control (Pilot Scheme) (England) Regulations 2010 is amended as follows.
- (2) In paragraph (a)—

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- (a) after “section 209 of the Criminal Justice Act 2003” insert “or paragraph 19 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

(3) In paragraph (b)—

- (a) after “section 212 of the Criminal Justice Act 2003” insert “or paragraph 23 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

Criminal Justice Act 2003 (Surcharge) Order 2012 (S.I. 2012/1696)

404 In article 1 of the Criminal Justice Act 2003 (Surcharge) Order 2012 omit paragraph (2).

405 In article 2 of that Order, for “Section 161A(1) of the 2003 Act” substitute “Section 42(1) of the Sentencing Code”.

406 In the following provisions of that Order, for “section 161A of the 2003 Act” substitute “section 42 of the Sentencing Code”—

- (a) article 3(1) and (2);
- (b) article 4(1) and (2);
- (c) article 5(1) and (2);
- (d) article 6(1) and (2).

407 (1) The Schedule to that Order is amended as follows.

(2) In Table 1—

- (a) for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”;
- (b) for “section 1 of the Criminal Justice and Immigration Act 2008” substitute “Chapter 1 of Part 9 of the Sentencing Code”;
- (c) for “section 16(2) or 16(3) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 85(1)(a) or (b) of the Sentencing Code”;
- (d) for “section 177(1) of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
- (e) for “section 189(1) of the Criminal Justice Act 2003” substitute “section 264 or 277 of the Sentencing Code”;
- (f) for “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 222(1) of the Sentencing Code”.

(3) In Table 2—

- (a) for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”;
- (b) for “section 177(1) of the Criminal Justice Act 2003” substitute “Chapter 2 of Part 9 of the Sentencing Code”;
- (c) for “section 189(1) of the Criminal Justice Act 2003” (in both places) substitute “section 264 or 277 of the Sentencing Code”.

(4) In Table 3, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 80 of the Sentencing Code”.

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

Child Support Maintenance Calculation Regulations 2012 (S.I. 2012/2677)

- 408 In regulation 64(4)(a) of the Child Support Maintenance Calculation Regulations 2012—
- (a) after “section 163 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 397 of the Sentencing Code”;
 - (b) for “section 96 of that Act” substitute “section 96 of the Powers of Criminal Courts (Sentencing) Act 2000 or section 262 of the Sentencing Code”.

National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996)

- 409 In regulation 2(1) of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012, in the definition of “secure training centre”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

Criminal Legal Aid (General) Regulations 2013 (S.I. 2013/9)

- 410 (1) Regulation 9 of the Criminal Legal Aid (General) Regulations 2013 is amended as follows.
- (2) In paragraph (f)—
 - (a) for “section 22 of the Anti-social Behaviour, Crime and Policing Act 2014” substitute “section 330 of the Sentencing Code”;
 - (b) after “section 103A of the Sexual Offences Act 2003” insert “or Chapter 2 of Part 11 of the Sentencing Code”.
 - (3) In paragraph (g), for “section 8(1)(c) of the Crime and Disorder Act 1998” substitute “section 366 of the Sentencing Code”.
 - (4) In paragraph (h), after “section 9(5) of the Crime and Disorder Act 1998” insert “or section 374 of the Sentencing Code”.
 - (5) In paragraph (i), for “section 10 of the Crime and Disorder Act 1998” substitute “section 366(10) of the Sentencing Code”.
 - (6) In paragraph (j)—
 - (a) for “Part 1A of Schedule 1 to the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 368 of the Sentencing Code”;
 - (b) for “section 20 of that Act” substitute “section 90 of that Code”.
 - (7) In paragraph (n), after “sections 103A, 103E, 103F and 103H of the Sexual Offences Act 2003” insert “or sections 345, 350 and 353 of the Sentencing Code”.
- 411 In regulation 12(2)(d)(ii) of those Regulations, after “Chapter 2 of Part 5 of the Powers of Criminal Courts (Sentencing) Act 2000,” insert “or in section 241 of the Sentencing Code,”.

National Health Service (Clinical Commissioning Groups—Disapplication of Responsibility) Regulations 2013 (S.I. 2013/350)

- 412 In regulation 1(2) of the National Health Service (Clinical Commissioning Groups—Disapplication of Responsibility) Regulations 2013, in the definition of “secure training centre”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

Employment and Support Allowance Regulations 2013 (S.I. 2013/379)

- 413 In regulation 96(6)(c) of the Employment and Support Allowance Regulations 2013—
- (a) after “section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 250 or 259 of the Sentencing Code”;
 - (b) for “section 100 of that Act” substitute “section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 or Chapter 2 of Part 10 of the Sentencing Code”.

Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435)

- 414 In Schedule 1 to the Criminal Legal Aid (Remuneration) Regulations 2013, in paragraph 15(2), for “section 1 (deferment of sentence) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code (deferment of sentence)”.
- 415 (1) Schedule 2 to those Regulations is amended as follows.
- (2) In paragraph 2(1)(c), for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.
- (3) In paragraph 16(2)—
- (a) in paragraph (b), for “section 155 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 385 of the Sentencing Code”;
 - (b) in paragraph (c), for “section 74 of the Serious Organised Crime and Police Act 2005” substitute “section 387 or 388 of the Sentencing Code”.
- (4) In the table in Part 7, under Class H—
- (a) in the entry for Breach of a sexual harm prevention order or interim sexual harm prevention order, in the second column, after “Sexual Offences Act 2003, s.103I” insert “or Sentencing Code, s.354”;
 - (b) in the entry for Breach of restraining order, in the second column, for “Protection from Harassment Act 1997, s.5(5)” substitute “Sentencing Code, s.363(1)”.
- 416 In Schedule 4 to those Regulations, in paragraph 5(3)(b)(v), for “section 1 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “Chapter 1 of Part 2 of the Sentencing Code”.

National Health Service (Optical Charges and Payments) Regulations 2013 (S.I. 2013/461)

- 417 In regulation 1(2) of the National Health Service (Optical Charges and Payments) Regulations 2013, in paragraph (a) of the definition of “prisoner”, for “under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders

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under 18: detention and training orders)” substitute “within the meaning given by section 233 of the Sentencing Code”.

National Health Service (Direct Payments) Regulations 2013 (S.I. 2013/1617)

418 (1) The Schedule to the National Health Service (Direct Payments) Regulations 2013 is amended as follows.

(2) In paragraph (a)—

- (a) after “section 209 of the Criminal Justice Act 2003” insert “or paragraph 19 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

(3) In paragraph (b)—

- (a) after “section 212 of the Criminal Justice Act 2003” insert “or paragraph 23 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

(4) In paragraph (f), for “paragraph 22 (drug treatment requirement) of Schedule 1 to the Criminal Justice and Immigration Act 2008 (“the Criminal Justice Act 2008”)” substitute “paragraph 22 of Schedule 1 to the Criminal Justice and Immigration Act 2008 (“the Criminal Justice Act 2008”) or Part 13 of Schedule 6 to the Sentencing Code (drug treatment requirement)”.

(5) In paragraph (g), after “paragraph 23 of Schedule 1 to the Criminal Justice Act 2008” insert “or Part 14 of Schedule 6 to the Sentencing Code”.

(6) In paragraph (h), after “paragraph 24 of Schedule 1 to the Criminal Justice Act 2008” insert “or Part 15 of Schedule 6 to the Sentencing Code”.

Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014 (S.I. 2014/669)

419 In article 3 of the Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014, for “section 215(3) of the 2003 Act” substitute “paragraph 31(2) of Schedule 9 to the Sentencing Code”.

420 In article 5 of that Order, for “paragraph 26(5) of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 42(2) of Schedule 6 to the Sentencing Code”.

Offender Management Act 2007 (Approved Premises) Regulations 2014 (S.I. 2014/1198)

421 In regulation 4 of the Offender Management Act 2007 (Approved Premises) Regulations 2014—

- (a) in the definition of “community sentence”, for “section 147 of the Criminal Justice Act 2003” substitute “section 397(1) of the Sentencing Code”;
- (b) in the definition of “suspended sentence order”, for “section 189 of the Criminal Justice Act 2003” substitute “section 286(6) of the Sentencing Code”.

Special Educational Needs (Personal Budgets) Regulations 2014 (S.I. 2014/1652)

- 422 (1) The Schedule to the Special Educational Needs (Personal Budgets) Regulations 2014 is amended as follows.
- (2) In paragraph (a)—
- (a) after “section 209 of the Criminal Justice Act 2003” insert “or paragraph 19 of Schedule 9 to the Sentencing Code”;
 - (b) after “section 177 of that Act” insert “or section 200 of that Code”;
 - (c) after “section 189 of that Act” insert “or section 286 of that Code”.
- (3) In paragraph (b)—
- (a) after “section 212 of the Criminal Justice Act 2003” insert “or paragraph 23 of Schedule 9 to the Sentencing Code”;
 - (b) after “section 177 of that Act” insert “or section 200 of that Code”;
 - (c) after “section 189 of that Act” insert “or section 286 of that Code”.
- (4) In paragraph (f), for “paragraph 22 (drug treatment requirement) of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 22 of Schedule 1 to the Criminal Justice and Immigration Act 2008 or Part 13 of Schedule 6 to the Sentencing Code (drug treatment requirement)”.
- (5) In paragraph (g), after “paragraph 23 of Schedule 1 to the Criminal Justice and Immigration Act 2008” insert “or Part 14 of Schedule 6 to the Sentencing Code”.
- (6) In paragraph (h), for “paragraph 24 (intoxicating substance treatment requirement) of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “paragraph 24 of Schedule 1 to the Criminal Justice and Immigration Act 2008 or Part 15 of Schedule 6 to the Sentencing Code (intoxicating substance treatment requirement)”.

Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014 (S.I. 2014/1977)

- 423 In regulation 2(3)(a) of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014, for the words following “a conviction of an offence” substitute “falling within section 308(3)(a) of the Sentencing Code”.

Care and Support (Direct Payments) Regulations 2014 (S.I. 2014/2871)

- 424 (1) Schedule 1 to the Care and Support (Direct Payments) Regulations 2014 is amended as follows.
- (2) In paragraph (a)—
- (a) for “section 209 (drug rehabilitation requirement) of the Criminal Justice Act 2003 (“the 2003 Act”)” substitute “section 209 of the Criminal Justice Act 2003 (“the 2003 Act”) or paragraph 19 of Schedule 9 to the Sentencing Code (drug rehabilitation requirement)”;
 - (b) for “section 177 (community orders) of that Act” substitute “section 177 of the 2003 Act or section 200 of the Sentencing Code (community order)”;
 - (c) after “section 189 of that Act” insert “or section 286 of that Code”.
- (3) In paragraph (b)—

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

- (a) for “section 212 of the Criminal Justice Act 2003” substitute “section 212 of the 2003 Act or paragraph 23 of Schedule 9 to the Sentencing Code”;
- (b) after “section 177 of that Act” insert “or section 200 of that Code”;
- (c) after “section 189 of that Act” insert “or section 286 of that Code”.

Criminal Justice (European Protection Order) (England and Wales) Regulations 2014 (S.I. 2014/3300)

425 In regulation 13(2) of the Criminal Justice (European Protection Order) (England and Wales) Regulations 2014, for paragraph (2) substitute—

“(2) The magistrates’ court must give effect to the order by making a restraining order under section 360 of the Sentencing Code; and Chapter 3 of Part 11 of that Code has effect for the purposes of this regulation as if—

(a) for subsection (2) of that section there were substituted—

“(2) The court may, subject to subsection (2A), make a restraining order under this section against a person causing danger for the purpose of protecting a protected person under the Criminal Justice (European Protection Order) (England and Wales) Regulations 2014 (“the 2014 Regulations”).

(2A) The prohibitions or restrictions imposed on a person under subsection (2) must correspond as far as possible to those contained in the European protection order made by the competent authority of the issuing State.”;

(b) after subsection (3) of that section there were inserted—

“(4) In this section—

“European protection order”, “person causing danger” and “protected person” have the meaning given by regulation 11(1) of the 2014 Regulations;

“issuing State” is to be construed in accordance with regulation 12(1) of those Regulations.”;

(c) sections 361 and 362 of the Sentencing Code were omitted.”

426 (1) Regulation 17 of those regulations is amended as follows.

(2) In paragraph (6), for “section 5 of the Protection from Harassment Act 1997” substitute “section 360 of the Sentencing Code”.

(3) In paragraph (7), for “section 5 of the Protection from Harassment Act 1997” substitute “section 361 of the Sentencing Code”.

State Pension Regulations 2015 (S.I. 2015/173)

427 In regulation 3(2)(c) of the State Pension Regulations 2015, for “section 189 of the Criminal Justice Act 2003” substitute “section 286 of the Sentencing Code”.

National Health Service (Charges for Drugs and Appliances) Regulations 2015 (S.I. 2015/570)

- 428 In regulation 11(3) of the National Health Service (Charges for Drugs and Appliances) Regulations 2015, in paragraph (b) of the definition of “other secure accommodation”, for “detention and training orders have been made under section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 (offenders under 18: detentions and training orders)” substitute “detention and training orders (within the meaning given by section 233 of the Sentencing Code) have been made”.

Prosecution of Offences Act 1985 (Criminal Courts Charge) Regulations 2015 (S.I. 2015/796)

- 429 In regulation 1(2) of the Prosecution of Offences Act 1985 (Criminal Courts Charge) Regulations 2015 omit the definition of “the POA 1985”.
- 430 (1) Regulation 2 of those regulations is amended as follows.
- (2) In paragraph (1)—
- (a) for “section 21A(1) of the POA 1985” substitute “section 46(1) of the Sentencing Code”;
- (b) in sub-paragraph (a), for “section 12 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “section 79 of the Sentencing Code”.
- (3) In paragraph (2), for sub-paragraph (b) substitute—
- “(b) for a relevant failure.”
- (4) After paragraph (2) insert—
- “(2A) In this regulation “relevant failure” means a failure to comply with—
- (a) a requirement of a community order (within the meaning given by section 200 of the Sentencing Code),
- (b) a community requirement of a suspended sentence order (within the meaning given by section 286 of the Sentencing Code), or
- (c) a supervision requirement imposed under section 256AA of the Criminal Justice Act 2003.”
- (5) In paragraph (3)—
- (a) for “section 21A(1) of the POA 1985” substitute “section 46(1) of the Sentencing Code”;
- (b) for the words after “in respect of” substitute “the relevant failure”.
- (6) In paragraph (4), for the words after “in the same proceedings” substitute “two or more different kinds of relevant failure”.
- (7) In paragraph (5)(a)—
- (a) for “section 21B(1)(b), (c) and (d) of the POA 1985” substitute “paragraph (2A)(a), (b) and (c)”;
- (b) for “section 21B(1)(c) or (d)” substitute “paragraph (2A)(b) or (c)”.
- (8) In paragraph (5)(b)—
- (a) for “section 21B(1)(b) and (c) of the POA 1985” substitute “paragraph (2A)(a) and (b)”;
- (b) for “section 21B(1)(c)” substitute “paragraph (2A)(b)”.
- (9) In paragraph (5)(c)—

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- (a) for “section 21B(1)(b) and (d) of the POA 1985” substitute “paragraph (2A)(a) and (c)”;
 - (b) for “section 21B(1)(d)” substitute “paragraph (2A)(c)”.
- (10) In paragraph (5)(d)—
- (a) for “section 21B(1)(c) and (d) of the POA 1985” substitute “paragraph (2A)(b) and (c)”;
 - (b) for “section 21B(1)(d)” substitute “paragraph (2A)(c)”.
- (11) Omit sub-paragraph (e) of paragraph (5).
- 431 In regulation 4 of those Regulations, for “section 21E(4) of the POA 1985” substitute “section 50(4) of the Sentencing Code”.

Homelessness (Intentionality) (Specified Categories) (Wales) Regulations 2015 (S.I. 2015/1265 (W.85))

- 432 (1) In regulation 2(j)(i) of the English language text of the Homelessness (Intentionality) (Specified Categories) (Wales) Regulations 2015, after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 222 of the Sentencing Code”.
- (2) In regulation 2(j)(i) of the Welsh language text of those Regulations, after “adran 76 o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000” insert “neu adran 222 o’r Cod Dedfrydu”.

Care and Support (Direct Payments) (Wales) Regulations 2015 (S.I. 2015/1815 (W.260))

- 433 (1) The Schedule to the Care and Support (Direct Payments) (Wales) Regulations 2015 is amended as follows.
- (2) In paragraph (a) of the English language text—
- (a) after “section 209 of the Criminal Justice Act 2003 insert “or paragraph 19 of Schedule 9 to the Sentencing Code”;
 - (b) after “section 177 of that Act” insert “or section 200 of that Code”;
 - (c) after “section 189 of that Act” insert “or section 286 of that Code”.
- (3) In paragraph (a) of the Welsh language text—
- (a) after “adran 209 o Ddeddf Cyfiawnder Troseddol 2003” insert “neu baragraff 19 o Atodlen 9 i’r Cod Dedfrydu”;
 - (b) after “adran 177 o’r Ddeddf honno” insert “neu adran 200 o’r Cod hwnnw”;
 - (c) after “adran 189 o’r Ddeddf honno” insert “neu adran 286 o’r Cod hwnnw”.
- (4) In paragraph (b) of the English language text—
- (a) after “section 212 of the Criminal Justice Act 2003” insert “or paragraph 23 of Schedule 9 to the Sentencing Code”;
 - (b) after “section 177 of that Act” insert “or section 200 of that Code”;
 - (c) after “section 189 of that Act” insert “or section 286 of that Code”.
- (5) In paragraph (b) of the Welsh language text—
- (a) after “adran 212 o Ddeddf Cyfiawnder Troseddol 2003” insert “neu baragraff 23 o Atodlen 9 i’r Cod Dedfrydu”;
 - (b) after “adran 177 o’r Ddeddf honno” insert “neu adran 200 o’r Cod hwnnw”;

(c) after “adran 189 o’r Ddeddf honno” insert “neu adran 286 o’r Cod hwnnw”.

Children (Secure Accommodation) (Wales) Regulations 2015 (S.I. 2015/1988 (W.298))

434 (1) In regulation 14(a) of the English language text of the Children (Secure Accommodation) (Wales) Regulations 2015, after “section 90 or 91 of the Powers of the Criminal Courts (Sentencing) Act 2000” insert “or section 250 or 259 of the Sentencing Code”.

(2) In regulation 14(a) of the Welsh language text of those Regulations, after “adran 90 neu 91 o Ddeddf Pwerau’r Llysoedd Troseddol (Dedfrydu) 2000” insert “neu adran 250 neu 259 o’r Cod Dedfrydu”.

Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2016 (S.I. 2016/961)

435 In article 3 of the Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2016, for “section 215(3) of the Criminal Justice Act 2003” substitute “paragraph 31(2) of Schedule 9 to the Sentencing Code”.

Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2017 (S.I. 2017/235)

436 In article 3 of the Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2017, for “section 215(3) of the Criminal Justice Act 2003” substitute “paragraph 31(2) of Schedule 9 to the Sentencing Code”.

Bereavement Support Payment Regulations 2017 (S.I. 2017/410)

437 In regulation 7(2)(c) of the Bereavement Support Payment Regulations 2017, after “section 189 of the Criminal Justice Act 2003” insert “or section 286 of the Sentencing Code”.

Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2018 (S.I. 2018/210)

438 In article 3 of the Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement) (Prescription of Arrangement for Monitoring) Order 2018, for “section 212A(6) of the Criminal Justice Act 2003” substitute “paragraph 25(7)(c) of Schedule 9 to the Sentencing Code”.

Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (S.I. 2018/794)

439 In Schedule 1 to the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, in paragraph 8, for “or paragraph 17 of Schedule 1 to the Criminal Justice and Immigration Act 2008” substitute “, paragraph 17 of Schedule 1 to the Criminal Justice and Immigration Act 2008 or paragraph 24 of Schedule 6 to the Sentencing Code”.

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

Social Workers Regulations 2018 (S.I. 2018/893)

- 440 In regulation 2(1) of the Social Workers Regulations 2018, in the definition of “custodial sentence”, after “section 76 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “or section 222 of the Sentencing Code”.

Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2020 (S.I. 2020/158)

- 441 In article 5(c) of the Release of Prisoners (Alteration of Relevant Proportion of Sentence) Order 2020, after “section 236A of the 2003 Act” insert “or section 265 or 278 of the Sentencing Code”.