

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1967, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 103.

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of Sch. 6 and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Vagrancy Act 1824 (c. 83)

- 1 In section 5 (committal of incorrigible rogues to quarter sessions) for the words from “to the house of correction” onwards there shall be substituted the words “to quarter sessions, either in custody or on bail”.

2 **F1**

Textual Amendments

- F1** Sch. 6 para. 2 repealed by [Prosecution of Offences Act 1979 \(c. 31\)](#), [Sch. 2 Pt. II](#)

3 **F2**

Textual Amendments

- F2** Sch. 6 para. 3 repealed by [Coroners Act 1988 \(c. 13, SIF 33\)](#), s. 36(2), [Sch. 4](#)

4 **F3**

Textual Amendments

- F3** Sch. 6 para. 4 repealed by [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#)

The Children and Young Persons Act 1933 (c. 12)

- 5 In section 55(4) (manner in which fine, etc., ordered to be paid by parent or guardian of young offender may be recovered) the words “by distress or imprisonment” shall be omitted.

6 **F4**

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Textual Amendments

F4 Sch. 6 para. 6 repealed by Powers of Criminal Courts Act 1973 (c. 62), Sch. 6

7 F5

Textual Amendments

F5 Sch. 6 para. 7 repealed by Legal Aid Act 1974 (c. 4), Sch. 5 Pt. I

The Prison Act 1952 (c. 52)

8 In section 43(4)(a) (application of provisions of that Act) for the words from “subsections”, where it first occurs to “thirty” there shall be substituted the words “section twenty-eight”.

9—13. F6

Textual Amendments

F6 Sch. 6 paras. 9–13, 17–20 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 9

The Magistrates' Courts Act 1952 (c. 55)

14 In section 72A(2) (court of summary jurisdiction in Scotland to be specified in a transfer of fine order) for the words “twenty Pounds or more” there shall be substituted the words “more than fifty pounds or is a fine originally imposed by a court of assize or quarter sessions”.

15 In section 72A(3) (termination of functions of convicting court) for the words “convicting court” there shall be substituted the words “court which made the order”.

16 In section 72B (powers of magistrates' court under transfer of fine order from Scotland) there shall be added the following subsection:—

“(3) Where a transfer of fine order under section 44 of the Summary Jurisdiction (Scotland) Act 1954 provides for the enforcement in a petty sessions area in England and Wales of a fine originally imposed by a court of assize or quarter sessions, a magistrates' court acting for that area shall have all the like functions under this Part of this Act, exercisable subject to the like restrictions, as if it were the magistrates' court by which payment of the fine fell to be enforced by virtue of section 44(3) of the Criminal Justice Act 1967 and as if any order made under the said Act of 1954 in respect of the fine before the making of the transfer of fine order had been made by that court.”

17—20 F7

Textual Amendments

F7 Sch. 6 paras. 9–13, 17–20 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), Sch. 9

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The Summary Jurisdiction (Scotland) Act 1954 (c. 48)

[^{F8}21 Section 44 (transfer of fine orders within and from Scotland) shall be amended as follows, that is to say—

- (a) in subsection (2) for the words “fine was imposed” there shall be substituted the words “order is made”;
- (b) in (3) for the words “imposing the fine” there shall be substituted the words “which made the order”; and
- (c) at the end there shall be added the following subsection—

“(5) Where a transfer of fine order under section 72A of the Magistrates’ Courts Act 1952 or this section provides for the enforcement by a sheriff court in Scotland of a fine imposed by court of assize or quarter sessions, the proviso to the last foregoing subsection shall not apply, but the term imprisonment which may be imposed under this Act shall be the term fixed in pursuance of section 47 of the Criminal Justice Act 1967 by that court of assize or quarter sessions or a term which bears the same proportion to the term so fixed as the amount of fine remaining due bears to the amount of the fine imposed by that court, notwithstanding that the term exceeds the period applicable to the case under section 49(1) of this Act.”]

Textual Amendments

F8 Sch. 6 para. 21 repealed (S.) by Criminal Procedure (Scotland) Act 1975 (c. 21), Sch. 10 Pt. I; amends (E.W.) Summary Jurisdiction (Scotland) Act 1954 (c. 48), s. 44

22 ^{F9}

Textual Amendments

F9 Sch. 6 para. 22 repealed by Criminal Appeal Act 1968 (c. 19), Sch. 7

23 ^{F10}

Textual Amendments

F10 Sch. 6 para. 23 repealed by Road Traffic Act 1972 (c. 20), Sch. 9, Pt. I

The Criminal Justice Act 1961 (c. 39)

24 For section 32(2) (enactments about supervision and recall of persons released from prison which are to apply throughout the United Kingdom, etc.), there shall be substituted the following subsection:—

- “(2) The following are the enactments extended by this section, that is to say :—
- (a) section 45 of the Prison Act 1952 ;
 - (b) sections 19 and 33 of the Prisons (Scotland) Act 1952 ;
 - (c) section 55(4) of the Children and Young Persons Act (Northern Ireland) 1950 ;

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- (d) sections 20, 21, 22 and 23 of the Prison Act (Northern Ireland) 1953, and Schedules 1, 2 and 3 to that Act ;
- (e) section 13 of and Schedule I to this Act ;
- (f) sections 11, 12 and 14 of the Criminal Justice (Scotland) Act 1963 and Schedule 1 to that Act ; and
- (g) sections 60 to 63 of the Criminal Justice Act 1967.”

25 In section 40 (Northern Ireland) at the end there shall be added the following subsection—

“(2) Any reference in this Act to an enactment of the Parliament of Northern Ireland, or to an enactment which that Parliament has power to amend, shall be construed, in relation to Northern Ireland as a reference to that enactment as amended by any Act that Parliament, whether passed before or after this Act, and to any enactment of that Parliament passed after this Act re-enacting the said enactment with or without modifications.”

The Criminal Justice (Scotland) Act 1963 (c. 39)

26 In section 12(1) (supervision of persons released from young offenders institutions), after the word “more” there shall be inserted the words “but less than eighteen months”.

27 F11

Textual Amendments
 F11 Sch. 6 para. 27 repealed by [Criminal Appeal Act 1968 \(c. 19\)](#), [Sch. 7](#)

The Forestry Act 1967 (c. 10)

28 In section 46(5)(c) (penalty for contravention of byelaws by the Forestry Commissioners) for the words “either case” there shall be substituted the words “the case of a continuing offence falling within either of the foregoing paragraphs”.

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