

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1972. (See end of Document for details)

^{F1F1}SCHEDULE 1

Textual Amendments

F1 S. 66(3)(4) and Schedule 1 repealed by Powers of Criminal Courts Act 1973 (c. 62), **Sch. 6**

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F1

^{F2F2}SCHEDULE 2

Textual Amendments

F2 Schedule 2 repealed by Juries Act 1974 (c. 23), **Sch. 3**

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F2

^{F3F3}SCHEDULE 3

Textual Amendments

F3 Schedule 3 repealed by Costs in Criminal Cases Act 1973 (c. 14), **Sch. 2**

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F3

^{F4F4}SCHEDULE 4

Textual Amendments

F4 Schedule 4 repealed by Criminal Appeal (Northern Ireland) Act 1980 (c. 47, SIF 38), **Sch. 5**

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F4

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SCHEDULE 5

Section 64(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of Schedule 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.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 Petty Sessions (Ireland) Act 1851

In the ^{M1}Petty Sessions (Ireland) Act 1851—

- (a) in sections 27 and 29 for the words “county inspector” (wherever occurring) there shall be substituted the words “chief superintendent of police” ; and
- (b) in section 44, for the words from “ “county inspector” shall” to “rank of county inspector” there shall be substituted the words “ “chief superintendent of police” means an officer of the Royal Ulster Constabulary having the rank of chief superintendent”.

Marginal Citations

- M1** 1851 c. 93.

Marginal Citations

- M1** 1851 c. 93.

F5

Textual Amendments

- F5** Entry relating to Theatrical Employers Registration Act 1925 repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [Sch. 7 Pt. IV](#)

Textual Amendments

- F5** Entry relating to Theatrical Employers Registration Act 1925 repealed by [Local Government \(Miscellaneous Provisions\) Act 1982 \(c. 30, SIF 81:1\)](#), [Sch. 7 Pt. IV](#)

F6

Textual Amendments

- F6** Entry relating to Children and Young Persons Act 1933 repealed by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#)

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Textual Amendments

- F6** Entry relating to Children and Young Persons Act 1933 repealed by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#)

The Incitement to Disaffection Act 1934

In section 2(4) of the ^{M2}Incitement to Disaffection Act 1934 for the words from “and subject as aforesaid” onwards there shall be substituted the words “and, in relation to property which has come into the possession of the police under this section, the ^{M3}Police (Property) Act 1897 (which makes provision with respect to the disposal of property in the possession of the police) shall have effect subject to the foregoing provisions of this subsection and to the provisions of this Act conferring powers on courts dealing with offences”.

Marginal Citations

- M2** 1934 c. 56.
M3 1897 c. 30.

Marginal Citations

- M2** 1934 c. 56.
M3 1897 c. 30.

The Dogs Amendment Act 1938

In section 1(2) of the ^{M4}Dogs Amendment Act 1938 for the words “fourteen days from the date of the order” there shall be substituted the words “the period within which notice of appeal to the Crown Court may be given against the order”.

Marginal Citations

- M4** 1938 c. 21.

Marginal Citations

- M4** 1938 c. 21.

The Criminal Justice Act 1948

F7

Textual Amendments

- F7** Entry relating to Criminal Justice Act 1948 and para. (b) of entry relating to Criminal Justice Act 1967 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), [Sch. 6](#)

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Textual Amendments

F7 Entry relating to Criminal Justice Act 1948 and para. (b) of entry relating to Criminal Justice Act 1967 repealed by [Powers of Criminal Courts Act 1973 \(c. 62\)](#), [Sch. 6](#)

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 F8

Textual Amendments

F8 Entry relating to Reserve and Auxiliary Forces (Training) Act 1951 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. IV](#)

Textual Amendments

F8 Entry relating to Reserve and Auxiliary Forces (Training) Act 1951 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. IV](#)

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 F9

Textual Amendments

F9 Entry relating to Costs in Criminal Cases Act 1952 repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

Textual Amendments

F9 Entry relating to Costs in Criminal Cases Act 1952 repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

.....
 F10

Textual Amendments

F10 Entry relating to Magistrates' Courts Act 1952 repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 9](#)

Textual Amendments

F10 Entry relating to Magistrates' Courts Act 1952 repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 9](#)

.....
 F11

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Textual Amendments

F11 Entry relating to Prevention of Fraud (Investments) Act 1958 repealed by [Financial Services Act 1986](#) (c. 50, SIF 69), s. 212(3), [Sch. 17 Pt. I](#)

Textual Amendments

F11 Entry relating to Prevention of Fraud (Investments) Act 1958 repealed by [Financial Services Act 1986](#) (c. 50, SIF 69), s. 212(3), [Sch. 17 Pt. I](#)

F12

Textual Amendments

F12 Entry relating to Criminal Justice Act 1961 repealed by [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), [Sch. 9](#)

Textual Amendments

F12 Entry relating to Criminal Justice Act 1961 repealed by [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), [Sch. 9](#)

The Criminal Justice Act 1967

In the ^{M5}Criminal Justice Act 1967—

- (a) in section 18(7) for the words from “inform him” to the end of the subsection there shall be substituted the words—
 - “(a) in a case of committal, inform him that he may apply to a judge of the High Court, or to the Crown Court, to be admitted to bail, and
 - (b) in any other case, inform him that he may apply to a judge of the High Court for that purpose.”.
- (b) ^{F13}
- (c) in section 60(2) the words “between conviction and sentence” shall be omitted ;
- (d) in section 67(1), after the words “probation order” there shall be inserted the words “a community service order” ;
- (eg) ^{F14}

Textual Amendments

F13 Entry relating to Criminal Justice Act 1948 and para. (b) of entry relating to Criminal Justice Act 1967 repealed by [Powers of Criminal Courts Act 1973](#) (c. 62), [Sch. 6](#)

F14 Paragraphs (e)—(g) of entry relating to Criminal Justice Act 1967 repealed by [Legal Aid Act 1974](#) (c. 4), [Sch. 5 Pt. I](#)

Marginal Citations

M5 1967 c. 80.

F15

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Textual Amendments

- F15** Entry relating to Criminal Appeal Act 1968 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, [Sch. 8 para. 16 Sch. 16](#)

Textual Amendments

- F15** Entry relating to Criminal Appeal Act 1968 repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170, [Sch. 8 para. 16 Sch. 16](#)

The Theft Act 1968

For subsections (1) to (3) of section 28 of the ^{M6}Theft Act 1968 there shall be substituted—

- “(1) Where goods have been stolen, and either a person is convicted of any offence with reference to the theft (whether or not the stealing is the gist of his offence) or a person is convicted of any other offence but such an offence as aforesaid is taken into consideration in determining his sentence, the court by or before which the offender is convicted may on the conviction exercise any of the following powers—
- (a) the court may order anyone having possession or control of the goods to restore them to any person entitled to recover them from him ; or
 - (b) on the application of a person entitled to recover from the person convicted any other goods directly or indirectly representing the first-mentioned goods (as being the proceeds of any disposal or realisation of the whole or part of them or of goods so representing them), the court may order those other goods to be delivered or transferred to the applicant ; or
 - (c) the court may order that a sum not exceeding the value of the first-mentioned goods shall be paid, out of any money of the person convicted which was taken out of his possession on his apprehension, to any person who, if those goods were in the possession of the person convicted, would be entitled to recover them from him.
- (2) Where under subsection (1) above the court has power on a person’s conviction to make an order against him both under paragraph (b) and under paragraph (c) with reference to the stealing of the same goods, the court may make orders under both paragraphs provided that the person in whose favour the orders are made does not thereby recover more than the value of those goods.
- (3) Where under subsection (1) above the court on a person’s conviction makes an order under paragraph (a) for the restoration of any goods, and it appears to the court that the person convicted has sold the goods to a person acting in good faith, or has borrowed money on the security of them from a person so acting. the court may order that there shall be paid to the purchaser or lender, out of any money of the person convicted which was taken out of his possession on his apprehension, a sum not exceeding the amount paid for the purchase by the purchaser or, as the case may be, the amount owed to the lender in respect of the loan.”

Marginal Citations

- M6** [1968 c. 60.](#)

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F16

Textual Amendments

F16 Entry relating to Children and Young Persons Act 1969 repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 9](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#) and by 2000 c. 6, ss. 165, 168, [Sch. 12 Pt. I](#) it is provided that the entry relating to s. 7(8) of the Children and Young Persons Act 1969 is repealed (25.8.2000).

Textual Amendments

F16 Entry relating to Children and Young Persons Act 1969 repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 9](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [Sch. 16](#) and by 2000 c. 6, ss. 165, 168, [Sch. 12 Pt. I](#) it is provided that the entry relating to s. 7(8) of the Children and Young Persons Act 1969 is repealed (25.8.2000).

F17

Textual Amendments

F17 Entry relating to Administration of Justice Act 1970 repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

Textual Amendments

F17 Entry relating to Administration of Justice Act 1970 repealed by Costs in [Criminal Cases Act 1973 \(c. 14\)](#), [Sch. 2](#)

F18

Textual Amendments

F18 Entry relating to Courts Act 1971 repealed by [Juries Act 1974 \(c. 23\)](#), [Sch. 3](#)

Textual Amendments

F18 Entry relating to Courts Act 1971 repealed by [Juries Act 1974 \(c. 23\)](#), [Sch. 3](#)

The Immigration Act 1971

In section 6(3)(b) of the ^{M7}Immigration Act 1971 for the words “first offenders” there shall be substituted the words “persons who have not previously been sentenced to imprisonment”.

Marginal Citations

M7 1971 c. 77.

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Marginal Citations

M7 1971 c. 77.

The Road Traffic Act 1972

In section 105(2) of the ^{M8}Road Traffic Act 1972 after the words “for the purpose of endorsement” there shall be inserted the words “(or its production to comply with section 24(3) of the Criminal Justice Act 1972 in the disqualification under that section)”.

Marginal Citations

M8 1972 c. 20.

SCHEDULE 6

Section 64(2).

REPEALS

Modifications etc. (not altering text)

C2 The text of Schedule 6 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

PART I

JURIES

Chapter	Short Title	Extent of Repeal
31 Geo. 3. c. 32.	The Roman Catholic Relief Act 1791	In section 8 the words “from serving upon any jury or”.
6 Geo. 4. c. 50.	The Juries Act 1825.	Sections 1, 27 and 50.
33 & 34 Vict. c. 77.	The Juries Act 1870.	Sections 4, 5, 7 to 10, 25 and the Schedule.
53 & 54 Vict. c. 21.	The Inland Revenue Regulation Act 1890	In section 8, the words “or on any jury or inquest whatsoever”.
53 & 54 Vict. c. cexliiii.	The London Council (General Powers) Act 1890.	Section 26.
7 Edw. 7. c. cxl.	The City of London (Union of Parishes) Act 1907.	Section 26.
9 & 10 Geo. 5. c. 71.	The Sex Disqualification (Removal) Act 1919.	In section 1 the words “and a person shall not be exempted

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		by sex or marriage from the liability to serve as a juror”.
		In section 4(2) the words from “and any enactment relating to juries” onwards.
9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act 1919.	Section 8.
12 & 13 Geo. 5. c. 11.	The Juries Act 1922.	The whole Act.
19 & 20 Geo. 5. c. 17.	The Local Government Act 1929.	Section 79(1).
11 & 12 Geo. 6. c. 65.	The Representation of the People Act 1948.	In Schedule 10, Part II, paragraph 7(2).
12, 13 & 14 Geo. 6. c. 86.	The Electoral Registers Act 1949.	Section 3(1).
		Schedule 2.
14 & 15 Geo. 6. c. 53.	The Midwives Act 1951.	Section 22.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.	The Customs and Excise Act 1952.	In section 2(1) the words “or on any jury whatsoever”.
1 & 2 Eliz. 2. c. 50.	The Auxiliary Forces Act 1953.	In section 39(3) the words “and shall be exempt from serving on any jury”; and the proviso.
2 & 3 Eliz. 2. c. 70.	The Mines and Quarries Act 1954.	Section 144(5).
3 & 4 Eliz. 2. c. 18.	The Army Act 1955.	Section 183.
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	Section 183.
5 & 6 Eliz. 2. c. 28.	The Dentists Act 1957.	In section 32, in subsection (1), the words “serving on all juries and inquests whatsoever and from” ; subsection (2).
9 & 10 Eliz. 2. c. 34.	The Factories Act 1961.	Section 145(5).
10 & 11 Eliz. 2. c. xlii.	The British Transport Commission Act 1962.	Section 43(2).
1964 c. 42.	The Administration of Justice Act 1964.	Section 21.
		Schedule 3 paragraph 13.
1964 c. 48.	The Police Act 1964.	In Schedule 9 the entry relating to the Juries Act 1870.
1965 c. 16.	The Airports Authority Act 1965.	Section 10(5).

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1966 c. 36.	The Veterinary Surgeons Act 1966.	Section 24(1).
1967 c. 80.	The Criminal Justice Act 1967.	Sections 14 to 16.
1968 c. xxxii.	The Port of London Act 1968.	Section 154(4). In Schedule 2, Part I, paragraph 14.
1970 c. 9.	The Taxes Management Act 1970.	Section 5(2).
1971 c. 23.	The Courts Act 1971.	In section 31, in subsection (3), the words from “and in section 1” onwards; and subsection (7). Section 33(3). In Schedule 4, paragraphs 1 and 2. In Schedule 8, paragraphs 11 and 50.

PART II

OTHER REPEALS

Chapter	Short Title	Extent of Repeal
33 & 34 Vict. c. 23.	The Forfeiture Act 1870.	Section 4.
8 Edw. 7. c. 65.	The Summary Jurisdiction (Scotland) Act 1908.	In section 77(4) the words “forty-four”.
1 & 2 Geo. 5. c. 27.	The Protection of Animals Act 1911.	Section 4.
16 & 17 Geo. 5. c. 60.	The Legitimacy Act 1926.	In the Schedule, in paragraph 6, the words from “and any sum” onwards.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	Section 11(2). Section 14(2). In section 77(3), the proviso. In section 80(6) the word “damages”. In Schedule 1, in paragraph (b) of the proviso to paragraph 3 the words “or

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		to submit to treatment for his mental condition”.
		In Schedule 5, in paragraph 2(1)(a), the words from “and, if the order so provides” onwards ; paragraph 3(4) and on paragraph 3(6) the words “in individual cases”.
12, 13 & 14 Geo. 6. c. 101.	The Justices of the Peace Act 1949.	In section 27, in subsection (5) the words “and any question whether expenditure was properly incurred shall also be so determined”; and subsections (10)(a) and (11). Section 28.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 48.	The Costs in Criminal Cases Act 1952.	In section 17, in subsection (1) the definition of “prosecutor” and subsection (4).
16 & 17 Geo. 6. & 1 Eliz. 2. c. 55.	The Prison Act 1952.	Section 38 except as provided in section 59 of this Act.
15 & 16 Geo. 6. c. 55.	The Magistrates’ Courts Act 1952.	Section 34.
1 & 2 Eliz. 2. c. 20.	The Births and Deaths Registration Act 1953.	Section 38(2).
2 & 3 Eliz. 2. c. 70.	The Mines and Quarries Act 1954.	Section 167.
3 & 4 Eliz. 2. c. 18.	The Army Act 1955.	Section 221.
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	Section 219.
5 & 6 Eliz. 2. c. 53.	The Naval Discipline Act 1957.	Section 100(3).
6 & 7 Eliz. 2. c. 31.	The First Offenders Act 1958.	The whole Act.
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	Section 181.
8 & 9 Eliz. 2. c. 16.	The Road Traffic Act 1960.	Section 147(1).
9 & 10 Eliz. 2. c. 15.	The Post Office Act 1961.	Section 24(2).
9 & 10 Eliz. 2. c. 34.	The Factories Act 1961.	In section 164(6) the words from the beginning to “Exchequer ; and”.
9 & 10 Eliz. 2. c. 39.	The Criminal Justice Act 1961.	Section 8(4).

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1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	In Schedule 5 the amendment of the First Offenders Act 1958.
1964 c. 42.	The Administration of Justice Act 1964.	Section 22(2)(a). In Schedule 3, paragraph 19(4) and in paragraph 20(7) the words from “and in section 27(2)” onwards.
1965 c. 24.	The Severn Bridges Tolls Act 1965.	Section 20(4).
1967 c. 10.	The Forestry Act 1967.	Section 46(6).
1967 c. 58.	The Criminal Law Act 1967.	In Schedule 2, paragraph 9.
1967 c. 76.	The Road Traffic Regulation Act 1967.	Section 94(1).
1967 c. 80.	The Criminal Justice Act 1967.	Section 39(3) to (6). In section 47(10) the words “and as being Exchequer moneys”. In section 54(5) the words from “and the maximum fine” onwards. In section 60(2), the words “between conviction and sentence”.
1967 c. 83.	The Sea Fisheries (Shellfish) Act 1967.	Section 19(3).
1968 c. 27.	The Firearms Act 1968.	In Schedule 6, in column 4 of Part I, in the entries relating to sections 16, 17(1) and (2) and 18(1), the words “in England or Wales”.
1968 c. 60.	The Theft Act 1968.	Section 26(4).
1969 c. 54.	The Children and Young Persons Act 1969.	In Schedule 5, paragraph 1.
1970 c. 31.	The Administration of Justice Act 1970.	Section 50(a). In Schedule 9, in paragraph 12, the word “damages”.
1971 c. 10.	The Vehicles (Excise) Act 1971.	Section 35(1).
1971 c. 23.	The Courts Act 1971.	Section 53(2)(b).

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1971 c. 48.	The Criminal Damage Act 1971.	In Schedule 8 paragraph 43(2) and, in paragraph 48(a), the reference to section 73(5). Section 791).
1971 c. 77.	The Immigration Act 1971.	Section 8. In Schedule 2, in paragraph 23(3) the words “and as being Exchequer moneys”, and the same words in paragraph 31(4).
1972 c. 20.	The Road Traffic Act 1972.	Section 185(1).

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