



Powers of Criminal Courts Act 1973

1973 CHAPTER 62

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Probation and discharge

13 Effects of probation and discharge

- (1) Subject to subsection (2) below, a conviction of an offence for which an order is made under this Part of this Act placing the offender on probation or discharging him absolutely or conditionally shall be deemed not to be a conviction for any purpose other than the purposes of the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under the preceding provisions of this Act.
- (2) Where the offender was of or over seventeen years of age at the time of his conviction of the offence in question and is subsequently sentenced under this Part of this Act for that offence, subsection (1) above shall cease to apply to the conviction.
- (3) Without prejudice to the preceding provisions of this section, the conviction of an offender who is placed on probation or discharged absolutely or conditionally under this Part of this Act shall in any event be disregarded for the purposes of any enactment or instrument which imposes any disqualification or disability upon convicted persons, or authorises or requires the imposition of any such disqualification or disability.
- (4) The preceding provisions of this section shall not affect—
 - (a) any right of any offender placed on probation or discharged absolutely or conditionally under this Part of this Act to appeal against his conviction, or to rely on it in bar of any subsequent proceedings for the same offence;
 - (b) the restoration of any property in consequence of the conviction of any such offender; or
 - (c) the operation, in relation to any such offender, of any enactment or instrument in force at the commencement of this Act which is expressed to extend to

Status: This is the original version (as it was originally enacted).

persons dealt with under section 1(1) of the Probation of Offenders Act 1907 as well as to convicted persons.

- (5) In this section "enactment" includes an enactment contained in a local Act and "instrument" means an instrument having effect by virtue of an Act.