

*Status: Point in time view as at 15/07/2013.*

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

#### [<sup>F2</sup>PERSONS DISQUALIFIED FOR JURY SERVICE]

##### Textual Amendments

- F1** Sch. 1 substituted (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 321, 336, [Sch. 33 para. 15](#); S.I. 2004/829, [art. 2\(1\)\(2\)\(g\)](#)
- F2** Sch. 1 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), [ss. 2\(2\)](#), 4(2); S.I. 2013/1694, [art. 2](#)

### PART 1

#### [<sup>F3</sup>PERSONS SUBJECT TO MENTAL HEALTH ACT 1983 OR MENTAL CAPACITY ACT 2005]

##### Textual Amendments

- F3** Sch. 1 Pt. 1 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), [ss. 2\(2\)](#), 4(2); S.I. 2013/1694, [art. 2](#)

- 1 [<sup>F4</sup>A person for the time being liable to be detained under the Mental Health Act 1983.]

##### Textual Amendments

- F4** Sch. 1 paras. 1, 1A substituted for Sch. 1 para. 1 (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), [ss. 2\(2\)](#), 4(2); S.I. 2013/1694, [art. 2](#)

- 1A A person for the time being resident in a hospital on account of mental disorder as defined by the Mental Health Act 1983.]

##### Textual Amendments

- F4** Sch. 1 paras. 1, 1A substituted for Sch. 1 para. 1 (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), [ss. 2\(2\)](#), 4(2); S.I. 2013/1694, [art. 2](#)

- 2 A person for the time being under guardianship under section 7 of the Mental Health Act 1983 [<sup>F5</sup>or subject to a community treatment order under section 17A of that Act].

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**Textual Amendments**

**F5** Words in Sch. 1 para. 2 inserted (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 32, 56, [Sch. 4 para. 4](#); [S.I. 2008/1900](#), [art. 2\(i\)](#) (with [art. 3](#))

3 <sup>F6</sup>A person who lacks capacity, within the meaning of the Mental Capacity Act 2005, to serve as a juror.]

**Textual Amendments**

**F6** Sch. 1 para. 3 substituted (1.10.2007) by [Mental Capacity Act 2005 \(c. 9\)](#), ss. 67(1), 68(1)-(3), [Sch. 6 para. 20](#) (with ss. 27-29, 62); [S.I. 2007/1897](#), [art. 2\(d\)](#)

4 (1) <sup>F7</sup> .....

(2) <sup>F8</sup> .....

**Textual Amendments**

**F7** Sch. 1 para. 4(1) repealed (3.11.2008) by [Mental Health Act 2007 \(c. 12\)](#), ss. 1, 55, 56, [Sch. 1 para. 18\(2\)](#), [Sch. 11 Pt. 1](#); [S.I. 2008/1900](#), [art. 2\(a\)\(p\)](#) (with [art. 3](#))

**F8** Sch. 1 para. 4(2) repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 58(2), 60, [Sch. 11](#); [S.I. 2005/579](#), [art. 3\(i\)\(iv\)](#)

**PART 2**

<sup>F9</sup>OTHER PERSONS DISQUALIFIED FOR JURY SERVICE]

**Textual Amendments**

**F9** Sch. 1 Pt. 2 title substituted (15.7.2013) by [Mental Health \(Discrimination\) Act 2013 \(c. 8\)](#), ss. 2(2), 4(2); [S.I. 2013/1694](#), [art. 2](#)

5 A person who is on bail in criminal proceedings (within the meaning of the Bail Act 1976).

6 A person who has at any time been sentenced in the United Kingdom, the Channel Islands or the Isle of Man—

- (a) to imprisonment for life, detention for life or custody for life,
- (b) to detention during her Majesty’s pleasure or during the pleasure of the Secretary of State,
- (c) to imprisonment for public protection or detention for public protection,
- (d) to an extended sentence under section <sup>F10</sup>226A, 226B,] 227 or 228 of the Criminal Justice Act 2003 <sup>F11</sup>(including such a sentence imposed as a result of section 219A, 220, 221A or 222 of the Armed Forces Act 2006)] or section 210A of the Criminal Procedure (Scotland) Act 1995, or
- (e) to a term of imprisonment of five years or more or a term of detention of five years or more.

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#### Textual Amendments

- F10** Words in Sch. 1 para. 6(d) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 21 para. 1](#); S.I. 2012/2906, art. 2(s)
- F11** Words in Sch. 1 para. 6(d) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 22 para. 11](#); S.I. 2012/2906, art. 2(t)

- 7 A person who at any time in the last ten years has—
- (a) in the United Kingdom, the Channel Islands or the Isle of Man—
    - (i) served any part of a sentence of imprisonment or a sentence of detention, or
    - (ii) had passed on him a suspended sentence of imprisonment or had made in respect of him a suspended order for detention,
  - (b) in England and Wales, had made in respect of him a community order under section 177 of the Criminal Justice Act 2003, a community rehabilitation order, a community punishment order, a community punishment and rehabilitation order, a drug treatment and testing order or a drug abstinence order, or
  - (c) had made in respect of him any corresponding order under the law of Scotland, Northern Ireland, the Isle of Man or any of the Channel Islands [<sup>F12</sup>or a service community order or overseas community order under the Armed Forces Act 2006].

#### Textual Amendments

- F12** Words in Sch. 1 para. 7(c) inserted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 62\(a\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

- 8 For the purposes of this Part of this Schedule—
- (a) a sentence passed [<sup>F13</sup>(anywhere) in respect of a service offence within the meaning of the Armed Forces Act 2006] is to be treated as having been passed in the United Kingdom, and
  - (b) a person is sentenced to a term of detention if, but only if—
    - (i) a court passes on him, or makes in respect of him on conviction, any sentence or order which requires him to be detained in custody for any period, and
    - (ii) the sentence or order is available only in respect of offenders below a certain age,and any reference to serving a sentence of detention is to be construed accordingly.]

#### Textual Amendments

- F13** Words in Sch. 1 para. 8(a) substituted (28.3.2009 for certain purposes and otherwise 31.10.2009) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 16 para. 62\(b\)](#); S.I. 2009/812, [art. 3](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)

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**Modifications etc. (not altering text)**

- C1** Sch. 1 para. 8(a) modified (24.4.2009 for certain purposes and otherwise 31.10.2009) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), 205, **Sch. 1 para. 13**

## SCHEDULE 2

F14

**Textual Amendments**

- F14** Sch. 2 repealed by [Coroners Act 1988 \(c. 13, SIF 33\)](#), ss. 33, 36(2), **Sch. 4**

**Textual Amendments**

- F14** Sch. 2 repealed by [Coroners Act 1988 \(c. 13, SIF 33\)](#), ss. 33, 36(2), **Sch. 4**

## SCHEDULE 3

Section 22(4)

### REPEALS

**Modifications etc. (not altering text)**

- C2** The text of s. 22(1)(4) and Sch. 3 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.

Chapter	Short Title	Extent of Repeal
33 & 34 Vict. c. 71.	The Juries Act 1870.	The whole Act.
11 & 12 Geo. 6. c. 38.	The Criminal Justice Act 1948.	Section 35.
12 & 13 Geo. 6. c. 27.	The Juries Act 1949.	Part I. Section 3(2).
7 & 8 Eliz. 2. c. 22.	The County Courts Act 1959.	Section 96(3).
1965 c. 26.	The Criminal Justice Act 1965.	The whole Act.
1967 c. 80.	The Criminal Justice Act 1967.	Section 13.
1971 c. 27.	The Courts Act 1971.	Part V. Schedule 4.
1972 c. 71.	The Criminal Justice Act 1972.	Part II. Schedule 2. In Schedule 5, the entries relating to the Courts Act 1971.
1973 c. 62.	The Powers of Criminal Courts Act 1973.	In Schedule 5, paragraph 48.

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