

*Status: Point in time view as at 30/09/1998.*

*Changes to legislation: Criminal Justice Act 1991, SCHEDULE 11 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 11

Section 100.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### Extent Information

**E1** [Schedule 11](#) extends to England and Wales only except as mentioned in s. 102(4)-(6)

##### Commencement Information

**II** [Sch. 11](#) partly in force at 14.10.1991; partly in force at 31.10.1991 see [s. 102\(2\)\(3\)](#) and [S.I. 1991/2208](#), [art. 2\(1\)\(4\)](#) and [Schs.1](#) and [3](#); partly in force at 1.4.1992 and 1.10.1992 see [s. 102\(2\)\(3\)](#) and [S.I. 1992/333](#), [art. 2](#), [Schs.](#); partly in force on the day appointed by the Secretary of State by order under s. 62(1) see [S.I. 1992/333](#), [art. 2\(5\)](#), [Sch. 3](#); [Sch. 11](#) partly in force at 1.6.1999 by [S.I. 1999/1280](#), [art. 3](#), [Sch.](#)

#### *Children and Young Persons Act 1933 (c.12)*

- 1 In section 38(2) of the 1933 Act (false evidence by child) for the words “as aforesaid” there shall be substituted the words “unsworn in any proceedings for an offence by virtue of section 52 of the Criminal Justice Act 1991”.

##### Commencement Information

**I2** [Sch. 11 para. 1](#) wholly in force at 1.10.1992 see [s. 102\(2\)\(3\)](#) and [S.I. 1992/333](#), [art. 2\(2\)](#), [Sch. 2](#).

#### *Criminal Justice Act 1967 (c.80)*

- 2 (1) Section 67 of the 1967 Act (remand time to be taken into account in computing sentences) shall be amended as follows.
- (2) In subsection (1A)(c)—
- (a) after the word “remanded” there shall be inserted the words “or committed”; and
- (b) after the words “section 23 of the <sup>M1</sup>Children and Young Persons Act 1969” there shall be inserted the words “or section 37 of the <sup>M2</sup>Magistrates’ Courts Act 1980”.
- (3) For subsection (5) there shall be substituted the following subsection—
- “(5) This section applies—
- (a) to sentences of detention in a young offender institution; and
- (b) to determinate sentences of detention passed under section 53(2) of the Children and Young Persons Act 1933 (sentences for serious indictable offences),
- as it applies to sentences of imprisonment.”

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(4) In subsection (6)—

- (a) after the word “being”, in the second place where it occurs, there shall be inserted the words “remanded or”;
- (b) for the words “committed to the care of a local authority” there shall be substituted the words “remanded or committed to local authority accommodation”; and
- (c) after the words “the said section 23” there shall be inserted the words “or 37”.

#### Commencement Information

**I3** Sch. 11 para. 2 wholly in force at 1.6.1999; Sch. 11 para 2(1)(2)(a)(3)(4)(a)(b) in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.; Sch. 11 para. 2(2)(b)(4)(c) in force at 1.6.1999 by S.I. 1999/1280, art. 3, Sch. Sch. 11 para. 2(2)(b)(4)(c) shall come into force on the day appointed by the Secretary of State by order under s. 62(1) see S.I. 1992/333, art. 2(5), Sch. 3 (which art. 2(5) is revoked (1.6.1999) by S.I. 1999/1280, art. 2)

#### Marginal Citations

**M1** 1969 c. 54.  
**M2** 1980 c. 43.

### *Criminal Appeal Act 1968 (c.19)*

3 In section 10(2) of the Criminal Appeal Act 1968 (appeal against sentence in other cases dealt with by Crown Court), for paragraph (b) there shall be substituted the following paragraph—

- “(b) having been made the subject of an order for conditional discharge or a community order within the meaning of Part I of the Criminal Justice Act 1991 (other than a supervision order within the meaning of that Part) or given a suspended sentence, appears or is brought before the Crown Court to be further dealt with for his offence.”

#### Commencement Information

**I4** Sch. 11 para. 3 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

4 In section 50(1A) of that Act (right of appeal of probationer etc.), for the words “Section 13” there shall be substituted the words “Section 1C” and the words “a probation order or” shall cease to have effect.

#### Commencement Information

**I5** Sch. 11 para. 4 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

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*Civil Evidence Act 1968 (c.64)*

- 5 In section 11(5)(a) of the Civil Evidence Act 1968 (convictions as evidence in civil proceedings), for the words “section 13” there shall be substituted the words “section 1C” and the words “probation or” shall cease to have effect.

**Commencement Information**

**I6** Sch. 11 para. 5 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Children and Young Persons Act 1969 (c. 54)*

- 6 (1) In subsection (1) of section 12D of the 1969 Act (duty of court to state in certain cases that requirement is in place of custodial sentence), in paragraph (ii), for sub-paragraphs (a) to (c) there shall be substituted the following sub-paragraphs—
- “(a) the offence of which he has been convicted, or the combination of that offence and one other offence associated with it, was so serious that only a supervision order containing such a requirement or a custodial sentence can be justified for that offence; or
  - (b) that offence was a violent or sexual offence and only a supervision order containing such a requirement or such a sentence would be adequate to protect the public from serious harm from him;”.
- (2) After that subsection there shall be inserted the following subsection—
- “(1A) Sub-paragraphs (a) and (b) of subsection (1)(ii) above shall be construed as if they were contained in Part I of the Criminal Justice Act 1991.”

**Commencement Information**

**I7** Sch. 11 para. 6 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

- 7 (1) In subsection (4) of section 16 of that Act (provisions supplementary to section 15), for the words “a court” there shall be substituted the words “a youth court”.
- (2) In subsection (6)(b) of that section, for the words “subsection (5)” there shall be substituted the words “subsection (10)”.
- (3) In subsection (10) of that section, for the words “paragraph (b) of subsection (2A) and paragraph (a) of subsection (4)” there shall be substituted the words “paragraph (a) of subsection (3)”.

**Commencement Information**

**I8** Sch. 11 para. 7 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

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- 8 (1) In subsection (1) of section 16A of that Act (application of sections 17 to 19 of the 1982 Act), for the words “section 15(2A)(b) and (4)(a)” there shall be substituted the words “section 15(3)(a)”.
- (2) In subsection (2) of that section, for the words “each of those paragraphs” there shall be substituted the words “section 15(3)(a) of this Act”.

.....

**Commencement Information**  
**I9** Sch. 11 para. 8 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

*Vehicles (Excise) Act 1971 (c.10)*

F19 .....

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**Textual Amendments**  
**F1** Sch. 11 para. 9 repealed (1.9.1994) by 1994 c. 22, s. 65, **Sch. 5 Pt.I** (with s. 57(4)).

*Powers of Criminal Courts Act 1973 (c.62)*

F210 .....

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**Textual Amendments**  
**F2** Sch. 11 para. 10 repealed (30.9.1998) by 1998 c. 37, s. 120(2), **Sch.10**; S.I. 1998/2327, **art.2(1)(aa)(3)(t)**

F311 .....

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**Textual Amendments**  
**F3** Sch. 11 para. 11 repealed (30.9.1998) by 1998 c. 37, s. 120(2), **Sch.10**; S.I. 1998/2327, **art.2(1)(aa)(3)(t)**

- 12 In section 14 of that Act (community service orders)—
  - (a) in subsection (4), for the words “section 17(5) of this Act” there shall be substituted the words “Part IV of Schedule 2 to the Criminal Justice Act 1991”;
  - (b) in subsection (5)(b), for the words “section 16” there shall be substituted the words “Part II of Schedule 2 to the Criminal Justice Act 1991”; and
  - (c) in subsection (5)(c), for the words “section 17” there shall be substituted the words “Parts III and IV of that Schedule”.

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**Commencement Information**  
**I10** Sch. 11 para. 12 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

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- 13 In section 15(2) of that Act (obligations of person subject to community service order), for the words “section 17(1) of this Act” there shall be substituted the words “paragraph 15 of Schedule 2 to the Criminal Justice Act 1991”.

**Commencement Information**

**I11** Sch. 11 para. 13 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

<sup>F4</sup>14 .....

**Textual Amendments**

**F4** Sch. 11 para. 14 repealed (30.9.1998) by 1998 c. 37, s. 120(2), Sch.10; S.I. 1998/2327, art.2(1)(aa)(3)(t)

- 15 In section 58 of that Act (application to Scotland), for the words “sections 8(4), 10, 13, 17C, 25(3), 29(7)” there shall be substituted the words “sections 1C, 25(3) and 29(7)”.

**Commencement Information**

**I12** Sch. 11 para. 15 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

- 16 In section 59 of that Act (application to Northern Ireland), for the words “Sections 17C and 29(7)” there shall be substituted the words “Section 29(7)”.

**Extent Information**

**E2** Sch. 11 para. 16 extends to England and Wales and Northern Ireland as mentioned in s. 102(4)(6)

**Commencement Information**

**I13** Sch. 11 para. 16 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

<sup>F5</sup>17 .....

**Textual Amendments**

**F5** Sch. 11 para. 17 repealed (5.2.1994) by 1993 c. 47, ss. 32, 33(2), Sch.4

*Juries Act 1974 (c.23)*

- 18 (1) In Schedule 1 to the Juries Act 1974, Group B (which disqualifies from jury service persons concerned with the administration of justice) shall be amended as follows.
- (2) After the entry relating to a shorthandwriter in any court, there shall be inserted the following entry— “ A court security officer within the meaning of Part IV of the Criminal Justice Act 1991. ”

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- (3) After the entry relating to governors, chaplains, medical officers and other officers of penal establishments and members of boards of visitors for such establishments, there shall be inserted the following entry— “ Prisoner custody officers within the meaning of Part IV of the Criminal Justice Act 1991. ”

**Commencement Information**

**I14** Sch. 11 para. 18 wholly in force at 1.4.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2, Schs. 1, 2.

*Solicitors Act 1974 (c.47)*

- 19 In section 43(7) of the Solicitors Act 1974 (control of employment of certain clerks), for the words “placing a person on probation or discharging him” there shall be substituted the words “discharging a person” and for the words “section 13” there shall be substituted the words “section 1C”.

**Commencement Information**

**I15** Sch. 11 para. 19 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Rehabilitation of Offenders Act 1974 (c.53)*

- 20 In section 1(4) of the Rehabilitation of Offenders Act 1974 (rehabilitated persons and spent convictions)—
- (a) for the words “section 13” there shall be substituted the words “section 1C”;
  - (b) the words “put on probation or” shall cease to have effect; and
  - (c) for the words “placing the person concerned on probation or discharging him” there shall be substituted the words “discharging the person concerned”.

**Commencement Information**

**I16** Sch. 11 para. 20 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Bail Act 1976 (c.63)*

- 21 In section 4(3) of the Bail Act 1976 (general right to bail of accused persons and others), for the words “section 6 or section 16 of the <sup>M3</sup>Powers of Criminal Courts Act 1973 (breach of requirement of probation or community service order)” there shall be substituted the words “Part II of Schedule 2 to the Criminal Justice Act 1991 (breach of requirement of probation, community service, combination or curfew order)”.

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**Commencement Information**

**I17** Sch. 11 para. 21 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

**Marginal Citations**

**M3** 1973 c. 62.

- 22 (1) Paragraph 8 of Schedule 1 to that Act (restrictions on the imposition of bail conditions) shall be amended as follows.
- (2) In sub-paragraph (1), after the words “(4) to (7)” there shall be inserted the words “(except subsection (6)(d))” and the words from “or, in the case” to the end shall cease to have effect.
- (3) After sub-paragraph (1) there shall be inserted the following sub-paragraph—
- “(1A) No condition shall be imposed under section 3(6)(d) of this Act unless it appears to be necessary to do so for the purpose of enabling inquiries or a report to be made.”
- (4) In sub-paragraph (2) for the words “Sub-paragraph (1) above also applies”, there shall be substituted the words “Sub-paragraphs (1) and (1A) above also apply”.
- (5) In sub-paragraph (3), for the words “sub-paragraph (1)” there shall be substituted the words “sub-paragraph (1A)”.

**Commencement Information**

**I18** Sch. 11 para. 22 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Licensed Premises (Exclusion of Certain Persons) Act 1980 (c.32)*

- 23 In section 1(2) of the Licensed Premises (Exclusion of Certain Persons) Act 1980 (exclusion orders), for paragraph (b) there shall be substituted the following paragraph—
- “(b) where the offence was committed in England and Wales, notwithstanding the provisions of sections 1A and 1C of the Power of Criminal Courts Act 1973 (cases in which absolute and conditional discharges may be made, and their effect), in addition to an order discharging him absolutely or conditionally;”.

**Commencement Information**

**I19** Sch. 11 para. 23 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Magistrates’ Courts Act 1980 (c.43)*

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#### Textual Amendments

**F6** Sch. 11 para. 24 repealed (20.9.1993) by 1993 c. 36, s. 79(14), **Sch. 6 Pt.I**; S.I. 1993/1968, art. 2(2), **Sch.2**, Appendix

- 25 In section 20(2)(b) of that Act (procedure where summary trial appears more suitable), for the words from “on obtaining information” to the end there shall be substituted the words “is of such opinion as is mentioned in subsection (2) of that section”.

#### Commencement Information

**I20** Sch. 11 para. 25 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

- 26 In section 81(3)(a) of that Act (enforcement of fines imposed on young offenders), for the words “section 19(1) of the <sup>M4</sup>Criminal Justice Act 1948” there shall be substituted the words “section 17(1) of the <sup>M5</sup>Criminal Justice Act 1982”.

#### Commencement Information

**I21** Sch. 11 para. 26 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

#### Marginal Citations

**M4** 1948 c. 58.  
**M5** 1982 c. 48.

- 27 (1) In subsection (2) of section 143 of that Act (power to alter sums specified in certain provisions), paragraph (i) shall cease to have effect and after paragraph (o) there shall be inserted the following paragraph—
- “(p) section 58(2) and (3) of the Criminal Justice Act 1991 (recognisance from parents or guardians);”.
- (2) For subsection (3) of that section there shall be inserted the following subsection—
- “(3) In subsection (1) above the “relevant date” means—
- (a) the date of the coming into force of section 17 of the Criminal Justice Act 1991 (increase of certain maxima); or
- (b) where the sums specified in a provision mentioned in subsection (2) above have been substituted by an order under subsection (1) above, the date of that order.”

#### Commencement Information

**I22** Sch. 11 para. 27 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

- 28 In paragraph 2(2) of Schedule 4 to that Act (maximum periods of imprisonment in default of payment of magistrates’ court fine), for the words “five days” there shall be substituted the words “seven days”.



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#### Commencement Information

**I23** Sch. 11 para. 28 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

#### *Contempt of Court Act 1981 (c.49)*

- 29 (1) Section 12(2) of the <sup>M6</sup>Contempt of Court Act 1981 (offences of contempt of magistrates' court) shall have effect as if the reference to any officer of the court included a reference to any court security officer assigned to the court-house in which the court is sitting.
- (2) In this paragraph “court security officer” and “court-house” have the meanings given by section 92(1) of this Act.

#### Commencement Information

**I24** Sch. 11 para. 29 wholly in force at 1.4.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2, Schs. 1, 2.

#### Marginal Citations

**M6** 1981 c. 49.

#### *Criminal Justice Act 1982 (c.48)*

- 30 For subsection (5) of section 1 of the 1982 Act (general restrictions on custodial sentences) there shall be substituted the following subsections—
- “(5) No court shall commit a person under 21 years of age to be detained under section 9 below unless it is of the opinion that no other method of dealing with him is appropriate; and in forming any such opinion, the court—
- (a) shall take into account all such information about the circumstances of the default or contempt (including any aggravating or mitigating factors) as is available to it; and
  - (b) may take into account any information about that person which is before it.
- (5A) Where a magistrates' court commits a person under 21 years of age to be detained under section 9 below, it shall—
- (a) state in open court the reason for its opinion that no other method of dealing with him is appropriate; and
  - (b) cause that reason to be specified in the warrant of commitment and to be entered in the register.”

#### Commencement Information

**I25** Sch. 11 para. 30 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

- 31 (1) In subsection (1) of section 1A of that Act (detention in a young offender institution), for paragraph (b) there shall be substituted the following paragraph—

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“(b) the court is of the opinion that either or both of paragraphs (a) and (b) of subsection (2) of section 1 of the Criminal Justice Act 1991 apply or the case falls within subsection (3) of that section.”.

(2) In subsection (4) of that section, for the words “section 15(11) below” there shall be substituted the words “section 65(6) of the Criminal Justice Act 1991”.

**Commencement Information**

**I26** Sch. 11 para. 31 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

32 In section 3(1) of that Act (restrictions on imposing custodial sentences on persons under 21 not legally represented), for paragraphs (a) and (b) there shall be substituted the following paragraph—

“(a) pass a sentence of detention in a young offender institution under section 1A above;”.

**Commencement Information**

**I27** Sch. 11 para. 32 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

33 In section 13 of that Act (conversion of sentence of detention in a young offender institution to imprisonment), after subsection (5) there shall be inserted the following subsection—

“(6) This section applies to a person who is serving a sentence of custody for life under section 8(2) above, or is detained under section 53 of the Children and Young Persons Act 1933, as it applies to a person serving a sentence of detention in a young offender institution.”

**Commencement Information**

**I28** Sch. 11 para. 33 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

34 In section 17(1) of that Act (attendance centre orders), for the words “section 6 of the <sup>M7</sup>Powers of Criminal Courts Act 1973” there shall be substituted the words “Part II of Schedule 2 to the Criminal Justice Act 1991”.

**Commencement Information**

**I29** Sch. 11 para. 34 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

**Marginal Citations**

**M7** 1973 c. 62.

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*Repatriation of Prisoners Act 1984 (c.47)*

- 35 (1) In section 2 of the Repatriation of Prisoners Act 1984 (transfer of prisoners out of United Kingdom), in subsection (4)(b), for sub-paragraph (i) there shall be substituted the following sub-paragraph—

“(i) released on licence under section 33(1)(b) or (2), 34(3) or 35(1) or (2) of the Criminal Justice Act 1991;”.

<sup>F7</sup>(2) . . . . .

- (3) In paragraph 2 of the Schedule to that Act (operation of certain enactments in relation to prisoners transferred into United Kingdom)—

<sup>F7</sup>(a) . . . . .

- (b) in sub-paragraph (2), for the words “one third” there shall be substituted the words “any particular proportion or part”.

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

**Textual Amendments**

**F7** Sch. 11 para. 35(2)(3)(a)(4) repealed (1.10.1993) by 1993 c. 9, s. 47(3), **Sch. 7 Pt.I**; S.I. 1993/2050, **art. 3(4)**

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

**C1** Sch. 11 para. 35(3)(b) extended (S.) (1.10.1993) by 1993 c. 9, s. 47(1), **Sch. 5 para 3(4)**; S.I. 1993/2050, **art. 3(4)**

**Commencement Information**

**I30** Sch. 11 para. 35 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

*Prosecution of Offences Act 1985 (c.23)*

- 36 In section 22(11) of the Prosecution of Offences Act 1985 (time limits in relation to preliminary stages of criminal proceedings), after the definition of “appropriate court” there shall be inserted the following definition—

““custody” includes local authority accommodation to which a person is remanded or committed by virtue of section 23 of the Children and Young Persons Act 1969, and references to a person being committed to custody shall be construed accordingly;”.

**Commencement Information**

**I31** Sch. 11 para. 36 wholly in force at 14.10.1991 see s. 102(2)(3) and S.I. 1991/2208, **art. 2(1)** and Sch. 1

*Criminal Justice Act 1988 (c.33)*

- 37 In section 34 of the Criminal Justice Act 1988 (abolition of requirement of corroboration for unsworn evidence of children), subsection (1) shall cease to have effect and, in subsection (3), for the words “section 38 of the <sup>M8</sup>Children and Young Persons Act 1933” there shall be substituted the words “section 52 of the Criminal Justice Act 1991”.

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**Commencement Information**

**I32** Sch. 11 para. 37 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

**Marginal Citations**

**M8** 1933 c. 12.

*Road Traffic Offenders Act 1988 (c.53)*

- 38 (1) In subsection (1) of section 46 of the Road Traffic Offenders Act 1988 (combination of disqualification and endorsement with probation orders and orders for discharge), for the words “section 13(3)” there shall be substituted the words “section 1C(3)” and the words “placed on probation or” shall cease to have effect.
- (2) In subsection (2) of that section, for the words “section 13(1)” there shall be substituted the words “section 1C(1)” and the words “placed on probation or” shall cease to have effect.

**Commencement Information**

**I33** Sch. 11 para. 38 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*Extradition Act 1989 (c.33)*

- 39 In section 20(2)(b)(i) of the Extradition Act 1989 (restoration of persons not tried or acquitted), for the words “section 7(1)” there shall be substituted the words “section 1A(1)”.

**Commencement Information**

**I34** Sch. 11 para. 39 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

*References to juvenile courts*

- 40 (1) Without prejudice to the generality of section 70(2) of this Act, in the enactments specified in sub-paragraph (2) below, for the words “juvenile court” or “juvenile courts”, in each place where they occur, there shall be substituted the words “youth court” or, as the case may require, “youth courts”.
- (2) The enactments referred to in sub-paragraph (1) above are as follows—
- (a) in the 1933 Act, sections 45 to 49<sup>F8</sup> . . . and 108(4)<sup>F9</sup> . . . ;
  - (b) in the<sup>M9</sup> Education Act 1944, section 40;
  - (c) in the<sup>M10</sup> Children Act 1948, section 4B;
  - (d) in the<sup>M11</sup> Adoption Act 1958, sections 43, 47 and 48;

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- (e) in the <sup>M12</sup>Children and Young Persons Act 1963, sections 3, 18, 23, 26, 28, 29 and 57;
- [<sup>F10</sup>(f) in the <sup>M13</sup>Administration of Justice Act 1964, section 12;]
- (g) in the 1969 Act, sections 1 to 3, <sup>F11</sup> . . . 10, <sup>F11</sup> . . . 20A to 22 and 70(1) and Schedule 4;
- (h) in the <sup>M14</sup>Criminal Justice Act 1972, section 51(1);
- <sup>F12</sup>(i) . . . . .
- (j) in the <sup>M15</sup>Adoption Act 1976, sections 34 and 37;
- <sup>F13</sup>(k) in the 1979 Act, sections <sup>F14</sup> . . . 38(2) and 58(1) and (5);]
- (l) in the <sup>M16</sup>Child Care Act 1980, sections 5 to 7, 12C to 12E, 21A, 67 and 79(2);
- (m) in the <sup>M17</sup>Foster Children Act 1980, sections 11(1), 12(1) and 14;
- (n) in the 1980 Act, sections 12(1), 29, 104 and 146;
- (o) in the 1982 Act, <sup>F15</sup> . . . in Schedule 3, the entry relating to section 49(2) of the 1933 Act;
- [<sup>F16</sup>(p) in the <sup>M18</sup>Administration of Justice Act 1985, section 61;]
- <sup>F17</sup>(q) . . . . .
- (r) in the <sup>M19</sup>Children Act 1989, section 90(1) and Schedule 14.

#### Textual Amendments

- F8** Word in Sch. 11 para. 40(2)(a) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)
- F9** Words in Sch. 11 para. 40(2)(a) repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, **Sch. 10**; S.I. 2005/910 {art. 3(aa)}
- F10** Sch. 11 para. 40(2)(f) repealed (*prosp.*) by 1999 c. 22, ss. 106, 108(1), Sch. 15 Pt. V(2) (with s. 107, Sch. 14 paras. 7(2), **36(9)**)
- F11** Words in Sch. 11 para. 40(2)(g) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)
- F12** Sch. 11 para. 40(2)(i) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)
- F13** Sch. 11 para. 40(2)(k) repealed (19.6.1997) by 1997 c. 25, ss. 73(1)(3), 74(1)(b), **Sch. 6 Pt. I** (with Sch. 4 para. 7(2)(f)).
- F14** Words in Sch. 11 para. 40(2)(k) repealed (1.4.1995) by 1994 c. 29, s. 93, **Sch. 9 Pt. II**; S.I. 1995/685, **arts. 4(n)**, 8(x)
- F15** Words in Sch. 11 para. 40(2)(o) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)
- F16** Sch. 11 para. 40(2)(p) repealed (*prosp.*) by 1999 c. 22, ss. 106, 108(1), Sch. 15 Pt. V(2) (with s. 107, Sch. 14 paras. 7(2), **36(9)**)
- F17** Sch. 11 para. 40(2)(q) repealed (2.4.2001) by 1999 c. 22, s. 106, **Sch. 15 Pt. I** (with s. 107, Sch. 14 paras. 7(2), 36(9)); S.I. 2001/916, **art. 3(b)** (with transitional provisions and savings in Sch. 2 para. 2)

#### Commencement Information

- I35** Sch. 11 para. 40 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), **Sch. 2**.

#### Marginal Citations

- M9** 1944 c. 31.
- M10** 1948 c. 43.
- M11** 1958 c. 5.

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*Changes to legislation: Criminal Justice Act 1991, SCHEDULE 11 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- M12** 1963 c. 37.
- M13** 1964 c. 42.
- M14** 1972 c. 71.
- M15** 1976 c. 36.
- M16** 1980 c. 5.
- M17** 1980 c. 6.
- M18** 1985 c. 61.
- M19** 1989 c. 41.

- 40 (1) Without prejudice to the generality of section 70(2) of this Act, in the enactments specified in sub-paragraph (2) below, for the words “juvenile court” or “juvenile courts”, in each place where they occur, there shall be substituted the words “youth court” or, as the case may require, “youth courts”.
- (2) The enactments referred to in sub-paragraph (1) above are as follows—
- (a) in the 1933 Act, sections 45 to 49, 56 and 108(4) and Schedule 2;
  - (b) in the <sup>M21</sup>Education Act 1944, section 40;
  - (c) in the <sup>M22</sup>Children Act 1948, section 4B;
  - (d) in the <sup>M23</sup>Adoption Act 1958, sections 43, 47 and 48;
  - (e) in the <sup>M24</sup>Children and Young Persons Act 1963, sections 3, 18, 23, 26, 28, 29 and 57;
  - (f) in the <sup>M25</sup>Administration of Justice Act 1964, section 12;
  - (g) in the 1969 Act, sections 1 to 3, 7, 10, 15, 16, 20A to 22 and 70(1) and Schedule 4;
  - (h) in the <sup>M26</sup>Criminal Justice Act 1972, section 51(1);
  - (i) in the 1973 Act, section 46;
  - (j) in the <sup>M27</sup>Adoption Act 1976, sections 34 and 37;
  - (k) in the 1979 Act, sections <sup>F19</sup> . . . 38(2) and 58(1) and (5);
  - (l) in the <sup>M28</sup>Child Care Act 1980, sections 5 to 7, 12C to 12E, 21A, 67 and 79(2);
  - (m) in the <sup>M29</sup>Foster Children Act 1980, sections 11(1), 12(1) and 14;
  - (n) in the 1980 Act, sections 12(1), 29, 104 and 146;
  - (o) in the 1982 Act, section 16(2) and in Schedule 3, the entry relating to section 49(2) of the 1933 Act;
  - (p) in the <sup>M30</sup>Administration of Justice Act 1985, section 61;
  - (q) in the <sup>M31</sup>Legal Aid Act 1988, sections 3(4), 19(3) and (5), 27(3) and (4) 28(3) and (7), 30(2) and in Schedule 3, paragraphs 9 and 10; and
  - (r) in the <sup>M32</sup>Children Act 1989, section 90(1) and Schedule 14.

#### Textual Amendments

- F19** Words in [Sch. 11 para. 40\(2\)\(k\)](#) repealed (1.4.1995) by [1994 c. 29, s. 93, Sch. 9 Pt.II](#); S.I. 1995/685, [arts. 4\(n\), 8\(x\)](#).

#### Commencement Information

- I37** [Sch. 11 para. 40](#) wholly in force at 1.10.1992 see [s. 102\(2\)\(3\)](#) and [S.I. 1992/333, art. 2\(2\)](#), [Sch. 2](#).

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#### Marginal Citations

- M21 1944 c. 31.
- M22 1948 c. 43.
- M23 1958 c. 5.
- M24 1963 c. 37.
- M25 1964 c. 42.
- M26 1972 c. 71.
- M27 1976 c. 36.
- M28 1980 c. 5.
- M29 1980 c. 6.
- M30 1985 c. 61.
- M31 1988 c. 34.
- M32 1989 c. 41.

#### *References to juvenile court panels*

- 41 (1) Without prejudice to the generality of section 70(2) of this Act, in the enactments specified in sub-paragraph (2) below, for the words “juvenile court panel” or “juvenile court panels”, in each place where they occur, there shall be substituted the words “youth court panel” or, as the case may require, “youth court panels”.
- (2) The enactments referred to in sub-paragraph (1) above are as follows—
- (a) in the 1933 Act, Schedule 2;
  - (b) in the 1973 Act, in Schedule 3, paragraph 2(3);
  - <sup>F18</sup>(c) .....
  - (d) in the <sup>M20</sup>Child Care Act 1980, section 12E(5); and
  - (e) in the 1980 Act, section 146.

#### Textual Amendments

- F18** Sch. 11 para. 41(2)(c) repealed (1.4.1995) by 1994 c. 29, s. 93, Sch. 9 Pt. II; S.I. 1995/685, art. 4(n), 8(x).

#### Commencement Information

- I36** Sch. 11 para. 41 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2), Sch. 2.

#### Marginal Citations

- M20 1980 c. 5.

**Status:**

Point in time view as at 30/09/1998.

**Changes to legislation:**

Criminal Justice Act 1991, SCHEDULE 11 is up to date with all changes known to be in force on or before 04 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.