

Status: Point in time view as at 18/06/2012.

Changes to legislation: Criminal Justice Act 1991, SCHEDULE 11 is up to date with all changes known to be in force on or before 14 June 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 ^{M1}Children and Young Persons Act 1969” there shall be inserted the words “or section 37 of the ^{M2}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 ^{F1}

Textual Amendments

F1 Sch. 11 para. 3 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 149, 153, **Sch. 28 Pt. 1** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(u)(xii)

^{F24}

Textual Amendments

F2 Sch. 11 para. 4 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Civil Evidence Act 1968 (c.64)

^{F35}

Textual Amendments

F3 Sch. 11 para. 5 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Children and Young Persons Act 1969 (c. 54)

^{F46}

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Textual Amendments

F4 Sch. 11 para. 6 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

F57

Textual Amendments

F5 Sch. 11 para. 7 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

F68

Textual Amendments

F6 Sch. 11 para. 8 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

Vehicles (Excise) Act 1971 (c.10)

F79

Textual Amendments

F7 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)

F810

Textual Amendments

F8 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)**

F911

Textual Amendments

F9 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)**

F1012

Textual Amendments

F10 Sch. 11 para. 12 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

F1113

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Textual Amendments

F11 Sch. 11 para. 13 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F12}14

Textual Amendments

F12 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)**

^{F13}15

Textual Amendments

F13 Sch. 11 para. 15 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F14}16

Textual Amendments

F14 Sch. 11 para. 16 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F15}17

Textual Amendments

F15 Sch. 11 para. 17 repealed (5.2.1994) by 1993 c. 47, ss. 32, 33(2), **Sch.4**

Juries Act 1974 (c.23)

18 ^{F16}

Textual Amendments

F16 Sch. 11 para. 18 repealed (5.4.2004) by Criminal Justice Act 2003 (c. 44), **Sch. 37 Pt. 10**; S.I. 2004/829, **art. 2(2)(l)(iv)**

Solicitors Act 1974 (c.47)

^{F17}19

Textual Amendments

F17 Sch. 11 para. 19 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

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Rehabilitation of Offenders Act 1974 (c.53)

20 In section 1(4) of the Rehabilitation of Offenders Act 1974 (rehabilitated persons and spent convictions)—

- ^{F18}(a)
- (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”.

Textual Amendments

F18 Sch. 11 para. 20(a) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

Commencement Information

I4 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)

^{F19}21

Textual Amendments

F19 Sch. 11 para. 21 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

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))”^{F20}

(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)”.

Textual Amendments

F20 Words in Sch. 11 para. 22(2) repealed (5.4.2004) by Criminal Justice Act 2003 (c. 44), Sch. 37 Pt. 2; S.I. 2004/829, art. 2(2)(i)(ii)

Commencement Information

I5 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.

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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

I6 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)

^{F21}24

Textual Amendments

F21 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 [^{F22}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”.]

Textual Amendments

F22 Sch. 11 para. 25 repealed (18.6.2012 for specified purposes) by *Criminal Justice Act 2003 (c. 44)*, s. 336(3)(4), **Sch. 37 Pt. 4**; S.I. 2012/1320, art. 4(1)(d)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4)

Commencement Information

I7 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**.

^{F23}26

Textual Amendments

F23 Sch. 11 para. 26 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

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—

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“(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

I8 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”.

Commencement Information

I9 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 ^{M3}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

I10 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

M3 1981 c. 49.

Criminal Justice Act 1982 (c.48)

^{F24}30

Textual Amendments

F24 Sch. 11 para. 30 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

^{F25}31

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Textual Amendments

F25 Sch. 11 para. 31 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F26}32

Textual Amendments

F26 Sch. 11 para. 32 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F27}33

Textual Amendments

F27 Sch. 11 para. 33 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

^{F28}34

Textual Amendments

F28 Sch. 11 para. 34 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

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;”.

^{F29}(2)

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

^{F29}(a)

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

^{F29}(4)

Textual Amendments

F29 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)**

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Commencement Information

I11 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

I12 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^{M4}Children and Young Persons Act 1933” there shall be substituted the words “section 52 of the Criminal Justice Act 1991”.

Commencement Information

I13 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

M4 1933 c. 12.

Road Traffic Offenders Act 1988 (c.53)

^{F30}38

Textual Amendments

F30 Sch. 11 para. 38 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

Extradition Act 1989 (c.33)

^{F31}39

Textual Amendments

F31 Sch. 11 para. 39 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

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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^{F32} . . . and 108(4)^{F33} . . . ;
 - (b) in the^{M5} Education Act 1944, section 40;
 - (c) in the^{M6} Children Act 1948, section 4B;
 - (d) in the^{M7} Adoption Act 1958, sections 43, 47 and 48;
 - (e) in the^{M8} Children and Young Persons Act 1963, sections 3, 18, 23, 26, 28, 29 and 57;
 - (f) in the^{M9} Administration of Justice Act 1964, section 12;
 - (g) in the 1969 Act, sections 1 to 3,^{F34} . . . 10,^{F34} . . . 20A to 22 and 70(1) and Schedule 4;
 - (h) in the^{M10} Criminal Justice Act 1972, section 51(1);
 - ^{F35}(i)
 - (j) in the^{M11} Adoption Act 1976, sections 34 and 37;
 - (k) in the 1979 Act, sections^{F36} . . . 38(2) and 58(1) and (5);
 - (l) in the^{M12} Child Care Act 1980, sections 5 to 7, 12C to 12E, 21A, 67 and 79(2);
 - (m) in the^{M13} 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,^{F37} . . . in Schedule 3, the entry relating to section 49(2) of the 1933 Act;
 - (p) in the^{M14} Administration of Justice Act 1985, section 61;
 - ^{F38}(q)
 - (r) in the^{M15} Children Act 1989, section 90(1) and Schedule 14.

Textual Amendments

- F32** 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)
- F33** 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)}
- F34** 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)
- F35** 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)
- F36** 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)
- F37** 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)
- F38** 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)

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Commencement Information

I14 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

M5 1944 c. 31.
M6 1948 c. 43.
M7 1958 c. 5.
M8 1963 c. 37.
M9 1964 c. 42.
M10 1972 c. 71.
M11 1976 c. 36.
M12 1980 c. 5.
M13 1980 c. 6.
M14 1985 c. 61.
M15 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) ^{F39}
 - (b) in the 1973 Act, in Schedule 3, paragraph 2(3);
 - ^{F40}(c)
 - (d) in the ^{M16}Child Care Act 1980, section 12E(5); and
 - (e) ^{F41}

Textual Amendments

F39 Sch. 11 para. 41(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)}

F40 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).

F41 Sch. 11 para. 41(2)(e) repealed (1.4.2005) by Courts Act 2003 (c. 39), ss. 109(3), 110, Sch. 10; S.I. 2005/910 {art. 3(aa)}

Commencement Information

I15 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

M16 1980 c. 5.

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