

Status: Point in time view as at 03/02/1995.

Changes to legislation: *Criminal Justice and Public Order Act 1994, Cross Heading: Competence of children is up to date with all changes known to be in force on or before 24 July 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)*

SCHEDULE 9

MINOR AMENDMENTS

Extent Information

E1 [Sch. 9](#) does not extend to Scotland in so far as it relates to s. 17(1) of the Video Act 1984 see [s. 172\(16\)](#)

Competence of children

33 In section 33A of the Criminal Justice Act 1988 (inserted by section 52(1) of the Criminal Justice Act 1991), after subsection (2) there shall be inserted the following subsection—

“(2A) A child’s evidence shall be received unless it appears to the court that the child is incapable of giving intelligible testimony.”.

Commencement Information

II [Sch. 9 para. 33](#) wholly in force at 3.2.1995; [Sch. 9 para. 33](#) not in force at Royal Assent see [s. 172](#); [Sch. 9 para. 33](#) in force 3.2.1995 by [S.I. 1995/127](#), [art. 2\(1\)\(2\)](#), [Sch. 1](#) APPENDIX A (with transitional provisions in [Sch. 2](#))

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