

Status: Point in time view as at 13/04/2015.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000, Cross Heading: Sections 37, 41, 46 and 79 and Schedules 2, 3 and 6: consent requirements is up to date with all changes known to be in force on or before 29 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)

SCHEDULES

SCHEDULE 11

TRANSITIONAL PROVISIONS

PART II

SPECIFIC PROVISIONS: REPLICATION OF OLD TRANSITIONAL PROVISIONS

Sections 37, 41, 46 and 79 and Schedules 2, 3 and 6: consent requirements

- 4 (1) In relation to an offence committed before 1st October 1997—
- ^{F1}(a)
 - (b) section 41 of this Act shall have effect as if at the end of subsection (7) (but not as part of paragraph (c)) there were added the words “ and the court shall not make the order unless he expresses his willingness to comply with its requirements ”;
 - (c) section 46(4) of this Act shall have effect as if after the word “unless” there were inserted “ the offender consents and ”;
 - (d) section 79(3) of this Act shall have effect as if for the words from “he fails to” onwards there were substituted “ he refuses to give his consent to a community sentence which is proposed by the court and requires that consent ”; and
 - (e) Schedule 2 to this Act shall have effect as if there were omitted from each of paragraphs 5(4) and 6(5) paragraph (b) and the word “and” immediately preceding it.
- ^{F2}(2)
- ^{F3}(3)

Textual Amendments

- F1** Sch. 11 para. 4(1)(a) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 64\(a\)\(i\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(p)(u)(xiii)
- F2** Sch. 11 para. 4(2) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 64\(a\)\(ii\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(p)(u)(xiii)
- F3** Sch. 11 para. 4(3) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 4 para. 64\(a\)\(iii\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(p)(u)(xiii)

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