

Status: Point in time view as at 24/05/2024.

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SCHEDULES

^{F1}SCHEDULE 1

Section 28.

Textual Amendments

- F1** Sch. 1 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F2}SCHEDULE 2

Section 42.

Textual Amendments

- F2** Sch. 2 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F3}SCHEDULE 3

Sections 39, 43, 48, 51, 56.

Textual Amendments

- F3** Sch. 3 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(u)(xxvi)

^{F4}SCHEDULE 4

Sections 44, 49, 51.

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Textual Amendments

- F4** Sch. 4 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), **Sch. 1 para. 44(4)(r)** (with **Sch. 2**) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by **2008 c. 4**, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by **2012 c. 10**, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1))

[^{F5}SCHEDULE 5

Section 61.

BREACH, REVOCATION AND AMENDMENT OF ATTENDANCE CENTRE ORDERS

Textual Amendments

- F5** Schs. 5-7 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with **Sch. 27 paras. 15**); S.I. 2009/3074, art. 2(u)(xxvi)

Breach of order or attendance centre rules

- 1 (1) Where an attendance centre order is in force and it appears on information to a justice ^{F6}... that the offender—
- (a) has failed to attend in accordance with the order, or
 - (b) while attending has committed a breach of rules made under [^{F7}section 394(1)(d) or (e) of the Sentencing Code] which cannot be adequately dealt with under those rules,
- the justice may issue a summons requiring the offender to appear at the place and time specified in the summons ^{F8}... or, if the information is in writing and on oath, may issue a warrant for the offender's arrest ^{F9}....
- [^{F10}(2) Any summons or warrant issued under this paragraph shall direct the offender to appear or be brought—
- (a) before a magistrates' court acting for the [^{F11}local justice area] in which the offender resides; or
 - (b) if it is not known where the offender resides, before a magistrates' court acting for the [^{F11}local justice area] in which is situated the attendance centre which the offender is required to attend by the order or by virtue of an order under paragraph 5(1)(b) below.]

Textual Amendments

- F6** Words in Sch. 5 para. 1(1) omitted (31.3.2005) by virtue of [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, **Sch. 5 para. 6(2)(a)**; S.I. 2005/579, art. 3(d)
- F7** Words in Sch. 5 para. 1(1)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 170(2)** (with **Sch. 24 para. 447**, **Sch. 27**); S.I. 2020/1236, reg. 2
- F8** Words in Sch. 5 para. 1(1) omitted (31.3.2005) by virtue of [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, **Sch. 5 para. 6(2)(b)**; S.I. 2005/579, art. 3(d)

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- | | |
|------------|---|
| F9 | Words in Sch. 5 para. 1(1) omitted (31.3.2005) by virtue of Domestic Violence, Crime and Victims Act 2004 (c. 28), s. 60, Sch. 5 para. 6(2)(c) ; S.I. 2005/579, art. 3(d) |
| F10 | Sch. 5 para. 1(2) substituted (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), s. 60, Sch. 5 para. 6(3) ; S.I. 2005/579, art. 3(d) |
| F11 | Words in Sch. 5 para. 1(2) substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 1, Sch. para. 83(b) |

- 2 (1) If it is proved to the satisfaction of the magistrates' court before which an offender appears or is brought under paragraph 1 above that he has failed without reasonable excuse to attend as mentioned in sub-paragraph (1)(a) of that paragraph or has committed such a breach of rules as is mentioned in sub-paragraph (1)(b) of that paragraph, that court may deal with him in any one of the following ways—
- (a) it may impose on him a fine not exceeding £1,000;
 - (b) where the attendance centre order was made by a magistrates' court, it may deal with him, for the offence in respect of which the order was made, in any way in which he could have been dealt with for that offence by the court which made the order if the order had not been made; or
 - (c) where the order was made by the Crown Court, it may commit him to custody or release him on bail until he can be brought or appear before the Crown Court.
- (2) Any exercise by the court of its power under sub-paragraph (1)(a) above shall be without prejudice to the continuation of the order.
- (3) A fine imposed under sub-paragraph (1)(a) above shall be deemed, for the purposes of any enactment, to be a sum adjudged to be paid by a conviction.
- [^{F12}(3A) Where—
- (a) the offender is aged under 18, and
 - (b) but for this sub-paragraph, the court would impose a fine on the offender under sub-paragraph (1)(a) above,
- section 380 of the Sentencing Code (order for payment by parent or guardian) applies to the fine.]
- (4) Where a magistrates' court deals with an offender under sub-paragraph (1)(b) above, it shall revoke the attendance centre order if it is still in force.
- (5) In dealing with an offender under sub-paragraph (1)(b) above, a magistrates' court—
- (a) shall take into account the extent to which the offender has complied with the requirements of the attendance centre order; and
 - (b) in the case of an offender who has wilfully and persistently failed to comply with those requirements, may impose a custodial sentence notwithstanding anything in [^{F13}section 230(2) of the Sentencing Code].
- [^{F14}(5A) Where a magistrates' court dealing with an offender under sub-paragraph (1)(a) above would not otherwise have the power to amend the order under paragraph 5(1) (b) below (substitution of different attendance centre), that paragraph has effect as if references to an appropriate magistrates' court were references to the court dealing with the offender.]
- (6) A person sentenced under sub-paragraph (1)(b) above for an offence may appeal to the Crown Court against the sentence.

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- (7) A magistrates' court which deals with an offender's case under sub-paragraph (1)(c) above shall send to the Crown Court—
- (a) a certificate signed by a justice of the peace giving particulars of the offender's failure to attend or, as the case may be, the breach of the rules which he has committed; and
 - (b) such other particulars of the case as may be desirable;
- and a certificate purporting to be so signed shall be admissible as evidence of the failure or the breach before the Crown Court.

Textual Amendments

- F12** Sch. 5 para. 2(3A) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 170\(3\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F13** Words in Sch. 5 para. 2(5)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 170\(4\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F14** Sch. 5 para. 2(5A) inserted (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, [Sch. 5 para. 6\(4\)](#); S.I. 2005/579, art. 3(d)

- 3 (1) Where by virtue of paragraph 2(1)(c) above the offender is brought or appears before the Crown Court and it is proved to the satisfaction of the court—
- (a) that he has failed without reasonable excuse to attend as mentioned in paragraph 1(1)(a) above, or
 - (b) that he has committed such a breach of rules as is mentioned in paragraph 1(1)(b) above,
- that court may deal with him, for the offence in respect of which the order was made, in any way in which it could have dealt with him for that offence if it had not made the order.
- (2) Where the Crown Court deals with an offender under sub-paragraph (1) above, it shall revoke the attendance centre order if it is still in force.
- (3) In dealing with an offender under sub-paragraph (1) above, the Crown Court—
- (a) shall take into account the extent to which the offender has complied with the requirements of the attendance centre order; and
 - (b) in the case of an offender who has wilfully and persistently failed to comply with those requirements, may impose a custodial sentence notwithstanding anything in ^{F15}section 230(2) of the Sentencing Code].
- (4) In proceedings before the Crown Court under this paragraph any question whether there has been a failure to attend or a breach of the rules shall be determined by the court and not by the verdict of a jury.

Textual Amendments

- F15** Words in Sch. 5 para. 3(3)(b) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 170\(4\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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Revocation of order with or without re-sentencing

- 4 (1) Where an attendance centre order is in force in respect of an offender, an appropriate court may, on an application made by the offender or by the officer in charge of the relevant attendance centre, revoke the order.
- (2) In sub-paragraph (1) above “an appropriate court” means—
- (a) where the court which made the order was the Crown Court and there is included in the order a direction that the power to revoke the order is reserved to that court, the Crown Court;
 - (b) in any other case, either of the following—
 - (i) a magistrates’ court [^{F16}acting in the local justice area] in which the relevant attendance centre is situated;
 - (ii) the court which made the order.
- (3) Any power conferred by this paragraph—
- (a) on a magistrates’ court to revoke an attendance centre order made by such a court, or
 - (b) on the Crown Court to revoke an attendance centre order made by the Crown Court,
- includes power to deal with the offender, for the offence in respect of which the order was made, in any way in which he could have been dealt with for that offence by the court which made the order if the order had not been made.
- (4) A person sentenced by a magistrates’ court under sub-paragraph (3) above for an offence may appeal to the Crown Court against the sentence.
- (5) The proper officer of a court which makes an order under this paragraph revoking an attendance centre order shall—
- (a) deliver a copy of the revoking order to the offender or [^{F17}serve a copy on the offender in accordance with Criminal Procedure Rules]; and
 - (b) deliver or send a copy to the officer in charge of the relevant attendance centre.
- (6) In this paragraph “the relevant attendance centre”, in relation to an attendance centre order, means the attendance centre specified in the order or substituted for the attendance centre so specified by an order made by virtue of paragraph 5(1)(b) below.
- (7) In this paragraph “proper officer” means—
- (a) in relation to a magistrates’ court, the [^{F18}designated officer] for the court; and
 - (b) in relation to the Crown Court, the appropriate officer.

Textual Amendments

F16 Words in Sch. 5 para. 4(2)(b)(i) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, [Sch. para. 83\(c\)](#)

F17 Words in Sch. 5 para. 4(5)(a) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\)](#), s. 51(3), [Sch. 1 para. 13\(3\)\(a\)](#)

F18 Words in Sch. 5 para. 4(7)(a) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 1, [Sch. para. 83\(d\)](#)

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Amendment of order

- 5 (1) Where an attendance centre order is in force in respect of an offender, an appropriate magistrates' court may, on an application made by the offender or by the officer in charge of the relevant attendance centre, by order—
- (a) vary the day or hour specified in the order for the offender's first attendance at the relevant attendance centre; or
 - (b) substitute for the relevant attendance centre an attendance centre which the court is satisfied is reasonably accessible to the offender, having regard to his age, the means of access available to him and any other circumstances.
- (2) In sub-paragraph (1) above “an appropriate magistrates' court” means—
- (a) a magistrates' court [^{F19}acting in the local justice area] in which the relevant attendance centre is situated; or
 - (b) (except where the attendance centre order was made by the Crown Court) the magistrates' court which made the order.
- (3) The [^{F20}designated officer] for a court which makes an order under this paragraph shall—
- (a) deliver a copy to the offender or [^{F21}serve a copy on the offender in accordance with Criminal Procedure Rules]; and
 - (b) deliver or send a copy—
 - (i) if the order is made by virtue of sub-paragraph (1)(a) above, to the officer in charge of the relevant attendance centre; and
 - (ii) if it is made by virtue of sub-paragraph (1)(b) above, to the officer in charge of the attendance centre which the order as amended will require the offender to attend.
- (4) In this paragraph “the relevant attendance centre” has the meaning given by paragraph 4(6) above.

Textual Amendments

- F19** Words in Sch. 5 para. 5(2)(a) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\), art. 1, Sch. para. 83\(e\)](#)
- F20** Words in Sch. 5 para. 5(3) substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\), art. 1, Sch. para. 83\(f\)](#)
- F21** Words in Sch. 5 para. 5(3)(a) substituted (28.6.2022) by [Judicial Review and Courts Act 2022 \(c. 35\), s. 51\(3\), Sch. 1 para. 13\(3\)\(b\)](#)

Orders made on appeal

- 6 (1) Where an attendance centre order has been made on appeal, for the purposes of this Schedule it shall be deemed—
- (a) if it was made on an appeal brought from a magistrates' court, to have been made by that magistrates' court;
 - (b) if it was made on an appeal brought from the Crown Court or from the criminal division of the Court of Appeal, to have been made by the Crown Court.
- (2) In relation to an attendance centre order made on appeal, paragraphs 2(1)(b) and 4(3) above shall each have effect as if the words “if the order had not been made” were

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omitted and paragraph 3(1) above shall have effect as if the words “if it had not made the order” were omitted.

Orders for defaulters

- 7 (1) References in this Schedule to an “offender” include a person who has been ordered to attend at an attendance centre for such a default or failure as is mentioned in section 60(1)(b) ^{F22} ... of this Act.
- (2) Where a person has been ordered to attend at an attendance centre for such a default or failure—
- (a) paragraphs 2(1)(b), 3(1) and 4(3) above shall each have effect in relation to the order as if the words “, for the offence in respect of which the order was made,” and “for that offence” were omitted; and
 - (b) paragraphs 2(5)(b) and 3(3)(b) above (which relate to custodial sentences for offences) do not apply.]

Textual Amendments

F22 Words in Sch. 5 para. 7(1) omitted (28.6.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(1), [Sch. 13 para. 3](#); S.I. 2022/520, reg. 5(q) (as amended by S.I. 2022/680, reg. 2(c))

^{F23}SCHEDULE 6

Section 63.

Textual Amendments

F23 Schs. 6-8 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F23}SCHEDULE 7

Section 65.

^{F23}SCHEDULE 8

Sections 72 and 75.

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SCHEDULE 9

Section 165.

CONSEQUENTIAL AMENDMENTS

Children and Young Persons Act 1933 (c. 12)

F24¹

Textual Amendments

F24 Sch. 9 para. 1 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); [S.I. 2009/3074, art. 2\(u\)\(xxvii\)](#)

2 (1) Section 49 of the Children and Young Persons Act 1933 (restrictions on reports of proceedings in which children or young persons are concerned) shall be amended as follows.

F25⁽²⁾

(3) In subsection (4A)—

F26^(a)

(b) for “section 76(6)(b) of the Crime and Disorder Act 1998” there shall be substituted “ section 103(6)(b) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F27⁽⁴⁾

(5) In subsection (11), in each of the definitions of “sexual offence” and “violent offence”, for “section 31(1) of the Criminal Justice Act 1991” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

F25 Sch. 9 para. 2(2) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); [S.I. 2009/3074, art. 2\(u\)\(xxvii\)](#)

F26 Sch. 9 para. 2(3)(a) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); [S.I. 2009/3074, art. 2\(u\)\(xxvii\)](#)

F27 Sch. 9 para. 2(4) repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\)](#), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); [S.I. 2009/3074, art. 2\(u\)\(xxvii\)](#)

3 (1) Section 58 of the Children and Young Persons Act 1933 (power of Secretary of State to send certain young offenders to approved schools) shall be amended as follows.

(2) In the first paragraph (b), for the words “with respect to whom he is authorised to give directions under subsection (3) of section fifty-three of this Act” there shall be substituted “ sentenced to be detained under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 with respect to whom he is authorised to give directions under section 92 of that Act ”.

(3) In the second paragraph (a), for “subsection (3)” there shall be substituted “ section 91 ”.

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Prison Act 1952 (c. 52)

4 In section 13(2) of the Prison Act 1952 (legal custody of prisoner), for “or the Criminal Justice Act 1982” there shall be substituted “ or section 95, 98, 99 or 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

5 (1) Section 43 of the Prison Act 1952 (institutions for young offenders) shall be amended as follows.

(2) In subsection (1)(d), for “section 73 of the Crime and Disorder Act 1998” there shall be substituted “ section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

(3) In subsection (7), for “section 12 of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F28 6

Textual Amendments

F28 Sch. 9 para. 6 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F29 7

Textual Amendments

F29 Sch. 9 para. 7 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Army Act 1955 (c. 18)

F30 8

Textual Amendments

F30 Sch. 9 para. 8 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

9 In section 71A(1A) of the Army Act 1955 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

10 In section 71AA(6)(a) of the Army Act 1955 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F31 11

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Textual Amendments

F31 Sch. 9 para. 11 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

12 In Schedule 5A to the Army Act 1955 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Air Force Act 1955 (c. 19)

^{F32}13

Textual Amendments

F32 Sch. 9 para. 13 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

14 In section 71A(1A) of the Air Force Act 1955 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

15 In section 71AA(6)(a) of the Air Force Act 1955 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F33}16

Textual Amendments

F33 Sch. 9 para. 16 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

17 In Schedule 5A to the Air Force Act 1955 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Naval Discipline Act 1957 (c. 53)

^{F34}18

Textual Amendments

F34 Sch. 9 para. 18 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

19 In section 43A(1A) of the Naval Discipline Act 1957 (juveniles), for “section 2 of the Crime (Sentences) Act 1997” there shall be substituted “ section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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20 In section 43AA(6)(a) of the Naval Discipline Act 1957 (young service offenders: custodial orders) for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F35 21

Textual Amendments

F35 Sch. 9 para. 21 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

22 In Schedule 4A to the Naval Discipline Act 1957 (powers of court on trial of civilian), in paragraph 10(6)(a), for “section 1C of the Criminal Justice Act 1982” there shall be substituted “ section 98 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Children and Young Persons Act 1963 (c. 37)

F36 23

Textual Amendments

F36 Sch. 9 para. 23 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 5**; S.I. 2004/3033, art. 3(1)(2)(e)(i)

Criminal Justice Act 1967 (c. 80)

F37 24

Textual Amendments

F37 Sch. 9 para. 24 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F38 25

Textual Amendments

F38 Sch. 9 para. 25 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

26 (1) In section 104 of the Criminal Justice Act 1967 (interpretation), subsection (1) shall continue to have effect with the amendment made by paragraph 26(a) of Schedule 5 to the Powers of Criminal Courts Act 1973, that is to say, with the substitution for the definition of “extended sentence certificate” of the following definition—

““extended sentence certificate” means a certificate issued under section 28 of the Powers of Criminal Courts Act 1973 stating that an extended term of imprisonment was imposed on an offender under that section;”.

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F39(2)

Textual Amendments

F39 Sch. 9 para. 26(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

27 In section 106(2) of the Criminal Justice Act 1967 (extent to Scotland), in paragraph (b), for the words from the beginning to “102” there shall be substituted “section 102”.

Criminal Appeal Act 1968 (c. 19)

F4028

Textual Amendments

F40 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4029

Textual Amendments

F40 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4030

Textual Amendments

F40 Sch. 9 paras. 28-30 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Firearms Act 1968 (c. 27)

31 In section 21 of the Firearms Act 1968 (possession of firearms by persons previously convicted of crime), in subsection (2A)(c), for “section 77 of the Crime and Disorder Act 1998” there shall be substituted “section 104 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Health Services and Public Health Act 1968 (c. 46)

32 In section 64 of the Health Services and Public Health Act 1968 (financial assistance by Secretary of State to certain voluntary organisations), at the end of subsection (3)(a) there shall be inserted the following sub-paragraph—

“(xxi) sections 63 to 66 and 92 of, and Schedules 6 and 7 to, the Powers of Criminal Courts (Sentencing) Act 2000;”.

F4133

Status: Point in time view as at 24/05/2024.

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Textual Amendments

- F41** Sch. 9 para. 33 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\), s. 153\(7\), Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Social Work (Scotland) Act 1968 (c. 49)

F42³⁴

Textual Amendments

- F42** Sch. 9 para. 34 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Theft Act 1968 (c. 60)

35 In section 35(2) of the Theft Act 1968 (application of sections 27 and 28 to proceedings for offences committed before commencement of that Act), for “Sections 27 and 28 of this Act” there shall be substituted “Section 27 of this Act and section 148 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Civil Evidence Act 1968 (c. 64)

F43³⁶

Textual Amendments

- F43** Sch. 9 para. 36 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Law Reform (Miscellaneous Provisions) (Scotland) Act 1968 (c. 70)

F44³⁷

Textual Amendments

- F44** Sch. 9 para. 37 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Children and Young Persons Act 1969 (c. 54)

F45³⁸

Textual Amendments

- F45** Sch. 9 para. 38 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status: Point in time view as at 24/05/2024.

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F46 39

Textual Amendments
F46 Sch. 9 para. 39 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

40 In section 30(1) of the Children and Young Persons Act 1969 (detention of young offenders in community homes), for “section 53 of the Act of 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F47 41

Textual Amendments
F47 Sch. 9 para. 41 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

F48 42

Textual Amendments
F48 Sch. 9 para. 42 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Administration of Justice Act 1970 (c. 31)

43 (1) Part I of Schedule 9 to the Administration of Justice Act 1970 (orders for costs, compensation etc. enforceable as on a summary conviction) shall be amended as follows.

(2) For paragraph 10 there shall be substituted the following paragraph—

“10 Where under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 a court orders the payment of compensation.”

F49 (3)

Textual Amendments
F49 Sch. 9 para. 43(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\)](#), [416\(7\)](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Attachment of Earnings Act 1971 (c. 32)

F50 44

Status: Point in time view as at 24/05/2024.

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Textual Amendments

F50 Sch. 9 para. 44 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\)](#), [416\(7\)](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Consumer Credit Act 1974 (c. 39)

45 In section 119(2) of the Consumer Credit Act 1974 (unreasonable refusal to deliver pawn), for the words from “section 28” to “that section,” there shall be substituted “ section 148 of the Powers of Criminal Courts (Sentencing) Act 2000 (restitution orders) ”.

Solicitors Act 1974 (c. 47)

46 In section 43 of the Solicitors Act 1974 (control of employment of certain persons), in subsection (7), for the words from “under Part I” to “that Act,” there shall be substituted “ discharging a person absolutely or conditionally in respect of an offence shall, notwithstanding anything in section 14 of the Powers of Criminal Courts (Sentencing) Act 2000, ”.

Rehabilitation of Offenders Act 1974 (c. 53)

^{F51}47

Textual Amendments

F51 Sch. 9 para. 47 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [s. 413\(4\)\(5\)](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

48 (1) Section 5 of the Rehabilitation of Offenders Act 1974 (rehabilitation periods for particular sentences) shall be amended as follows.

(2) In subsection (1)(d)—

- (a) after “life” there shall be inserted “ under section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “or for a term exceeding thirty months, passed under section 53 of the Children and Young Persons Act 1933” there shall be substituted “ or a sentence of detention for a term exceeding thirty months passed under section 91 of the said Act of 2000 ”.

[^{F52}(3) In subsection (2), in Table B, for “section 53 of the said Act of 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F52}(4) In subsection (4B), as inserted by paragraph 6(3) of Schedule 4 to the ^{M1}Youth Justice and Criminal Evidence Act 1999—

- (a) for “Part I of the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”;
- (b) for “section 8” there shall be substituted “ section 23 ”; and
- (c) for “section 9” there shall be substituted “ section 24 ”.]

[^{F52}(5) In subsection (4C) as so inserted—

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- (a) for “the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”;
- (b) for “section 8” there shall be substituted “ section 23 ”; and
- (c) for “section 9” there shall be substituted “ section 24 ”.]

[^{F52}(6) In subsection (5)(e), for “any provision of the Children and Young Persons Act 1969” there shall be substituted “ section 63(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F52}(7) In subsection (6)(c), for “section 19 of the Criminal Justice Act 1948” there shall be substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F52}(8) In subsection (6A), for “section 73 of the Crime and Disorder Act 1998” there shall be substituted “ section 100 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F52}(9) In subsection (9)(b), for “section 53 of the said Act of 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.]

[^{F52}(10) In subsection (10)—

- (a) for “the Children and Young Persons Act 1969” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “the said Act of 1969” there shall be substituted “ the Children and Young Persons Act 1969 ”.]

Textual Amendments

F52 Sch. 9 para. 48(3)-(10) repealed (E.W.) (10.3.2014) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 25 Pt. 2** (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)

Marginal Citations

M1 1999 c. 23.

^{F53}49

Textual Amendments

F53 Sch. 9 para. 49 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(u)(xxvii)

Bail Act 1976 (c. 63)

- 50 (1) Section 2 of the Bail Act 1976 (definitions) shall be amended as follows.
- (2) In subsection (1)(c), for “section 30(1) of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- (3) In subsection (2)—
- (a) for the definition of “bail hostel” and “probation hostel” there shall be substituted the following definition—

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““bail hostel” means premises for the accommodation of persons remanded on bail.”;

and

(b) after the definition of “offence” there shall be inserted the following definition—

““probation hostel” means premises for the accommodation of persons who may be required to reside there by a probation order.”.

51 In section 3 of the Bail Act 1976 (general provisions), in subsection (9), for “subsection (2) of section 30 of the Magistrates’ Courts Act 1980” there shall be substituted “ subsection (3) of section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F54 52

Textual Amendments

F54 Sch. 9 para. 52 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

53 In section 5 of the Bail Act 1976 (supplementary provisions about decisions on bail), in subsection (6A)(a)—

- (a) after the words “in custody under” there shall be inserted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 (remand for medical examination) or ”;
- (b) at the end of sub-paragraph (ii) there shall be inserted “ or ”; and
- (c) for sub-paragraphs (iii) and (iv) there shall be substituted the following sub-paragraph—

“(iii) section 18 (initial procedure on information against adult for offence triable either way),”.

54 (1) Schedule 1 to the Bail Act 1976 (persons entitled to bail: supplementary provisions) shall be amended as follows.

(2) In Part I, in paragraph 8(3)—

- (a) for “section 30(2) of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11(3) of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “the said section 30(2)” there shall be substituted “ the said section 11(3) ”.

F55 (3)

Textual Amendments

F55 Sch. 9 para. 54(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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Criminal Law Act 1977 (c. 45)

^{F56}55

Textual Amendments

F56 Sch. 9 para. 55 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

56 In section 38A of the Criminal Law Act 1977 (execution in different parts of United Kingdom of warrants for imprisonment for non-payment of fine), in subsection (5), in the definition of “prison”, for “section 12(10) of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

57 In section 38B of the Criminal Law Act 1977 (further provision for execution of certain warrants of commitment), in subsection (5), in the definition of “prison”, for “section 12(10) of the Criminal Justice Act 1982” there shall be substituted “ section 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Ancient Monuments and Archaeological Areas Act 1979 (c. 46)

58 In section 5(2) of the Ancient Monuments and Archaeological Areas Act 1979 (execution of works for preservation of a scheduled monument by Secretary of State), for “section 35 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F57}59

Textual Amendments

F57 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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

^{F57}60

Textual Amendments

F57 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Magistrates’ Courts Act 1980 (c. 43)

^{F57}61

Textual Amendments

F57 Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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^{F57}62

Textual Amendments

^{F57} Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F57}63

Textual Amendments

^{F57} Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F57}64 (1)
(2)
(3)

Textual Amendments

^{F57} Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F57}65

Textual Amendments

^{F57} Sch. 9 paras. 59-65 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

66 In section 77(2) of the Magistrates’ Courts Act 1980 (postponement of issue of warrant of commitment)—
(a) for “section 9 of the Criminal Justice Act 1982” there shall be substituted “section 108 of the Powers of Criminal Courts (Sentencing) Act 2000”; and
(b) for “17” there shall be substituted “ 18 ”.

67 (1) Section 81 of the Magistrates’ Courts Act 1980 (enforcement of fines imposed on young offenders) shall be amended as follows.

^{F58}(2)

(3) In subsection (3), for “section 17(1) of the Criminal Justice Act 1982” there shall be substituted “ section 60(1) of the said Act of 2000 ”.

^{F58}(4)

Textual Amendments

^{F58} Sch. 9 para. 67(2)(4) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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68 In section 88(4) of the Magistrates’ Courts Act 1980 (supervision pending payment), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F59 69

Textual Amendments
F59 Sch. 9 para. 69 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

70 In section 96A of the Magistrates’ Courts Act 1980 (application of Part III to persons aged 18 to 20), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F60 71

Textual Amendments
F60 Sch. 9 para. 71 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

72 In section 113 of the Magistrates’ Courts Act 1980 (bail on appeal or case stated), in subsection (3), for “or 38 above” there shall be substituted “ above or section 3 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F61 73

Textual Amendments
F61 Sch. 9 para. 73 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F62 74

Textual Amendments
F62 Sch. 9 para. 74 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

75 In section 128(6) of the Magistrates’ Courts Act 1980 (remand in custody or on bail), for “or 30 above” there shall be substituted “ above or section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F63 76

Textual Amendments
F63 Sch. 9 para. 76 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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- 77 In section 135(3) of the Magistrates’ Courts Act 1980 (detention of offender for one day in court-house or police station), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 78 In section 136(4) of the Magistrates’ Courts Act 1980 (committal to custody overnight at police station), for “section 9 of the Criminal Justice Act 1982” there shall be substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 79 In section 143(2) of the Magistrates’ Courts Act 1980 (power to alter sums specified in certain provisions)—
- ^{F64}(a)
- (b) in paragraph (j), for “section 31(3A) of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 139(4) of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- ^{F64}(c)

Textual Amendments

F64 Sch. 9 para. 79(a)(c) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

^{F65}^{F66}(1)

(2) At the end of that Schedule there shall be inserted the following entry—

“POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000

Section 123(3) (failure to comply with suspended sentence supervision order)	£1,000
In Schedule 3, paragraphs 4(1) and 5(1) (failure to comply with certain community orders)	£1,000
In Schedule 5, paragraph 2(1) (failure to comply with attendance centre order or attendance centre rules)	£1,000
In Schedule 7, paragraph 2(2) (failure to comply with supervision order)	£1,000”]

Textual Amendments

F65 Sch. 9 para. 80(1) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

F66 Sch. 9 para. 80 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with **Sch. 27 paras. 15**); S.I. 2009/3074, art. 2(u)(xxvii)

Public Passenger Vehicles Act 1981 (c. 14)

^{F67}81

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Textual Amendments

F67 Sch. 9 para. 81 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Attempts Act 1981 (c. 47)

F6882

Textual Amendments

F68 Sch. 9 para. 82 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Contempt of Court Act 1981 (c. 49)

- 83 In section 12(5) of the Contempt of Court Act 1981 (application of certain provisions in case of contempt of magistrates’ court)—
 - (a) at the beginning there shall be inserted “ Section 135 of the Powers of Criminal Courts (Sentencing) Act 2000 (limit on fines in respect of young persons) and ”; and
 - (b) for the words “, namely: section 36 (restriction on fines in respect of young persons);” there shall be substituted “ ; and those provisions of the Magistrates’ Courts Act 1980 are ”.
- 84 In section 14 of the Contempt of Court Act 1981 (proceedings in England and Wales), in the subsection (2A) inserted by the ^{M2}Criminal Justice Act 1982, for “section 17 of the Criminal Justice Act 1982” there shall be substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Marginal Citations

M2 1982 c. 48.

F6985

Textual Amendments

F69 Sch. 9 para. 85 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F7086

Textual Amendments

F70 Sch. 9 para. 86 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

[^{F71}Senior Courts Act 1981] (c. 54)

Textual Amendments

F71 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), s. 148\(1\), Sch. 11 para. 1\(2\); S.I. 2009/1604, art. 2\(d\)](#)

- 87 In section 81(1) of the [^{F71}Senior Courts Act 1981] (bail), in paragraph (g)—
- (a) after the word “under” there shall be inserted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 (remand for medical examination) or ”;
 - (b) at the end of sub-paragraph (ii) there shall be inserted “ or ”; and
 - (c) sub-paragraph (iv) and the word “or” immediately preceding it shall be omitted.

^{F72}88

Textual Amendments

F72 Sch. 9 para. 88 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28 \(with Sch. 27\); S.I. 2020/1236, reg. 2](#)

Criminal Justice Act 1982 (c. 48)

- 89 (1) Part III of Schedule 13 to the Criminal Justice Act 1982 (reciprocal arrangements (Northern Ireland): persons residing in England and Wales or Scotland) shall be amended as follows.

^{F73}(2)

- (3) In paragraph 9(6)(b), for “relevant officer under the Powers of Criminal Courts Act 1973” there shall be substituted “ responsible officer under the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

F73 Sch. 9 para. 89(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28 \(with ss. 413\(4\)\(5\), 416\(7\), Sch. 27\); S.I. 2020/1236, reg. 2](#)

Mental Health Act 1983 (c. 20)

- 90 (1) Section 37 of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship) shall be amended as follows.

- (2) In subsection (1), for “section 2(2) of the Crime (Sentences) Act 1997” there shall be substituted “ section 109(2) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F74}(3)

- (4) After subsection (1A) there shall be inserted the following subsection—

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“(1B) For the purposes of subsections (1) and (1A) above, a sentence falls to be imposed under section 109(2), 110(2) or 111(2) of the Powers of Criminal Courts (Sentencing) Act 2000 if it is required by that provision and the court is not of the opinion there mentioned.”

F74(5)

(6) In subsection (8) as amended by paragraph 11 of Schedule 4 to the ^{M3}Youth Justice and Criminal Evidence Act 1999—

- (a) for “Part I of the Youth Justice and Criminal Evidence Act 1999” there shall be substituted “ the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “any such order as is mentioned in section 7(7)(b) of the Children and Young Persons Act 1969 or section 58 of the Criminal Justice Act 1991” there shall be substituted “ a supervision order (within the meaning of that Act) or an order under section 150 of that Act (binding over of parent or guardian) ”.

Textual Amendments

F74 Sch. 9 para. 90(3)(5) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Marginal Citations

M3 1999 c. 23.

F7591

Textual Amendments

F75 Sch. 9 para. 91 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Telecommunications Act 1984 (c. 12)

F7692

Textual Amendments

F76 Sch. 9 para. 92 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Child Abduction Act 1984 (c. 37)

F7793

Textual Amendments

F77 Sch. 9 para. 93 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 44](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

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Repatriation of Prisoners Act 1984 (c. 47)

F78 94

Textual Amendments

F78 Sch. 9 para. 94 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Police and Criminal Evidence Act 1984 (c. 60)

95 In section 17(1) of the Police and Criminal Evidence Act 1984 (entry for purpose of arrest etc.), in paragraph (cb), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F79 96

Textual Amendments

F79 Sch. 9 para. 96 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

97 In section 63A(3B) of the Police and Criminal Evidence Act 1984 (supplementary provision as to samples), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

98 In section 75(3) of the Police and Criminal Evidence Act 1984 (provisions supplementary to section 74), in paragraph (a), for “section 13 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 14 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Prosecution of Offences Act 1985 (c. 23)

99 In section 19(3)(c) of the Prosecution of Offences Act 1985 (provision for payment of certain costs of medical practitioner), for “section 30 of the Magistrates’ Courts Act 1980” there shall be substituted “ section 11 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Protection of Military Remains Act 1986 (c. 35)

F80 100

Textual Amendments

F80 Sch. 9 para. 100 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Public Order Act 1986 (c. 64)

F81 101

Status: Point in time view as at 24/05/2024.

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Textual Amendments

F81 Sch. 9 para. 101 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Justice Act 1988 (c. 33)

102 In section 36(2) of the Criminal Justice Act 1988 (review of sentencing), for “section 2(2), 3(2) or 4(2) of the Crime (Sentences) Act 1997” there shall be substituted “ section 109(2), 110(2) or 111(2) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F82}103

Textual Amendments

F82 Sch. 9 para. 103 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

104 In section 60(1) of the Criminal Justice Act 1988 (periods of imprisonment for default), for “Tables in section 31(3A) of the Powers of Criminal Courts Act 1973 and” there shall be substituted “ Table in ”.

^{F83}105

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F83}106

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F83}107

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

^{F83}108

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; S.I. 2003/333, art. 2, [Sch.](#) (with arts. 10-13)

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F83 109

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F83 110

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F83 111

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F83 112

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F83 113

Textual Amendments

F83 Sch. 9 paras. 105-113 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), [Sch. 12](#); [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

114 In Schedule 15 to the Criminal Justice Act 1988 (minor and consequential amendments), in paragraph 80, for “that Act” there shall be substituted “ the ^[F71]Senior Courts Act 1981] ”.

Textual Amendments

F71 Words in Act substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 1\(2\)](#); [S.I. 2009/1604](#), art. 2(d)

Copyright, Designs and Patents Act 1988 (c. 48)

F84 115

Status: Point in time view as at 24/05/2024.

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Textual Amendments

F84 Sch. 9 para. 115 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F85}116

Textual Amendments

F85 Sch. 9 para. 116 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Road Traffic Act 1988 (c. 52)

117 In section 164(5) of the Road Traffic Act 1988 (power of constables to require production of driving licence), for “or section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “, section 40 of the Crime (Sentences) Act 1997, section 146 or 147 of the Powers of Criminal Courts (Sentencing) Act 2000”.

Road Traffic Offenders Act 1988 (c. 53)

^{F86}118

Textual Amendments

F86 Sch. 9 para. 118 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

119 (1) Section 26 of the Road Traffic Offenders Act 1988 (interim disqualification) shall be amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a), for the words from “subsection (1)” to “applies” there shall be substituted “ section 6 of the Powers of Criminal Courts (Sentencing) Act 2000 or any enactment mentioned in subsection (4) of that section ”; and
- (b) in paragraph (b), for “section 39 of the Magistrates’ Courts Act 1980” there shall be substituted “ section 10 of that Act ”.

(3) In subsection (2), for “section 1 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 1 of that Act ”.

120 In section 27(3) of the Road Traffic Offenders Act 1988 (production of licence), for “section 44 of the Powers of Criminal Courts Act 1973,” there shall be substituted “ section 40 of the Crime (Sentences) Act 1997, section 146 or 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

121 In section 34(4A) of the Road Traffic Offenders Act 1988 (disqualification for certain offences), for “section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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122 In section 35(5) of the Road Traffic Offenders Act 1988 (disqualification for repeated offences), for “section 44 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 147 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F87}123

Textual Amendments

F87 Sch. 9 para. 123(1)(2)(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

Extradition Act 1989 (c. 33)

^{F88}124

Textual Amendments

F88 Sch. 9 para. 124 repealed (1.1.2004) by [Extradition Act 2003 \(c. 41\)](#), s. 221, **Sch. 4**; S.I. 2003/3103, art. 2 (with arts. 3-5) (as amended (11.12.2003) by S.I. 2003/3258, art. 2 and (18.12.2003) by S.I. 2003/3312, art. 2)

Football Spectators Act 1989 (c. 37)

^{F89}125

Textual Amendments

F89 Sch. 9 para. 125 repealed (28.8.2000) by [2000 c. 25](#), s. 1(3), **Sch. 3**; S.I. 2000/2125, art. 2

Children Act 1989 (c. 41)

^{F90}126

Textual Amendments

F90 Sch. 9 para. 126 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 12 para. 44**; S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

^{F91}127

Textual Amendments

F91 Sch. 9 para. 127 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with **Sch. 27** paras. 15); S.I. 2009/3074, art. 2(u)(xxvii)

^{F92}128

Status: Point in time view as at 24/05/2024.

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Textual Amendments

F92 Sch. 9 para. 128 repealed (7.6.2005) by [Inquiries Act 2005 \(c. 12\)](#), s. 51(1), **Sch. 3** (with ss. 44, 50); S.I. 2005/1432, art. 2

^{F93}129

Textual Amendments

F93 Sch. 9 para. 129 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

130 In Part III of Schedule 2 to the Children Act 1989 (contributions towards maintenance of children looked after by local authorities), in paragraph 21(7), for “section 53 of the Children and Young Persons Act 1933” there shall be substituted “ section 92 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

^{F94}131

Textual Amendments

F94 Sch. 9 para. 131 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

^{F95}132

Textual Amendments

F95 Sch. 9 para. 132 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 28 Pt. 1** (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(u)(xxvii)

Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25)

133 In section 5(4) of the Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (modifications for cases where accused is not guilty by reason of insanity etc.), for “Section 1A(1) of the Powers of Criminal Courts Act 1973” there shall be substituted “ Section 12(1) of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Criminal Justice Act 1991 (c. 53)

134 In section 16(b) of the Criminal Justice Act 1991 (reciprocal enforcement of certain orders), for “corresponding” there shall be substituted “ certain ”.

135 In section 23(1) of the Criminal Justice Act 1991 (default in certain cases), for “Tables in section 31(3A) of the 1973 Act and” there shall be substituted “ Table in ”.

^{F96}136

Status: Point in time view as at 24/05/2024.

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Textual Amendments

F96 Sch. 9 para. 136 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}137

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}138 (a)
(b)
(c)

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}139

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}140

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}141 (1)
(2)
(3)

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F97}142

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Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

- F97**143 (a)
- (b)

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

- F97**144 (1)
- (2)
- (3)
- (4)

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

- F97**145

Textual Amendments

F97 Sch. 9 paras. 137-145 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

- 146 In section 82(4) of the Criminal Justice Act 1991 (duties of prisoner custody officers acting in pursuance of prisoner escort arrangements), for “section 34A of the 1973 Act” there shall be substituted “ section 142 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.
- 147 (1) Part III of Schedule 3 to the Criminal Justice Act 1991 (transfer of probation orders from Northern Ireland) shall be amended as follows.
 - (2) In paragraph 10(3)—
 - (a) in paragraph (b), for “mental hospital within the meaning of paragraph 5 of Schedule 1A to the 1973 Act” there shall be substituted “ hospital or mental nursing home within the meaning of the Mental Health Act 1983, not being hospital premises at which high security psychiatric services within the meaning of that Act are provided ”; and
 - F98**(b)
 - F98**(3)

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Textual Amendments

F98 Sch. 9 para. 147(2)(b)(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

148 In Schedule 4 to the Criminal Justice Act 1991 (increase of certain maxima), in Part I, in the first column of the entry relating to section 63(3)(a) of the Magistrates' Courts Act 1980, for "that Act" there shall be substituted " the 1980 Act "

149 In Schedule 12 to the Criminal Justice Act 1991 (transitional provisions and savings), after paragraph 6 (which is repealed by this Act) there shall be inserted the following paragraph—

"6A Section 17 of this Act shall not apply in relation to offences committed before the commencement of that section."

Social Security Administration Act 1992 (c. 5)

^{F99}150

Textual Amendments

F99 Sch. 9 para. 150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Aggravated Vehicle-Taking Act 1992 (c. 11)

^{F100}151

Textual Amendments

F100 Sch. 9 para. 151 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Local Government Finance Act 1992 (c. 14)

152 In Schedule 1 to the Local Government Finance Act 1992 (persons disregarded for purposes of discount), in paragraph 1(4), for "section 9 of the Criminal Justice Act 1982" there shall be substituted " section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 "

Probation Service Act 1993 (c. 47)

^{F101}153

Textual Amendments

F101 Sch. 9 para. 153 repealed (1.4.2001) by [2000 c. 43](#), ss. 74, 75, [Sch. 7 pt. II para. 203\(2\)](#), **Sch. 8**; S.I. 2001/919, **art. 2(f)(vi)(g)**

Status: Point in time view as at 24/05/2024.

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F102 154

Textual Amendments
F102 Sch. 9 para. 154 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), Sch. 8; S.I. 2001/919, art. 2(f)(vi)(g)

F103 155

Textual Amendments
F103 Sch. 9 para. 155 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), Sch. 8; S.I. 2001/919, art. 2(f)(vi)(g)

F104 156

Textual Amendments
F104 Sch. 9 para. 156 repealed (1.4.2001) by 2000 c. 43, ss. 74, 75, Sch. 7 Pt. II para. 203(2), Sch. 8; S.I. 2001/919, art. 2(f)(vi)(g)

Pension Schemes Act 1993 (c. 48)

F105 157

Textual Amendments
F105 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Vehicle Excise and Registration Act 1994 (c. 22)

F105 158

Textual Amendments
F105 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F105 159

Textual Amendments
F105 Sch. 9 paras. 157-159 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Criminal Justice and Public Order Act 1994 (c. 33)

160 In section 25 of the Criminal Justice and Public Order Act 1994 (restrictions on bail for defendants charged with or convicted of homicide or rape after previous conviction of such offences), in subsection (5), in the definition of “the relevant enactments”, for “section 53(2) of the Children and Young Persons Act 1933” there shall be substituted “ section 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

F106 161

Textual Amendments

F106 Sch. 9 para. 161 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F107 162

Textual Amendments

F107 Sch. 9 para. 162 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Drug Trafficking Act 1994 (c. 37)

F108 163

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F108 164

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F108 165

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; [S.I. 2003/333](#), art. 2, [Sch.](#) (with arts. 10-13)

F108 166

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 167

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 168

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 169

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 170

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 171

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 172

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\), s. 458\(1\), Sch. 12; S.I. 2003/333, art. 2, Sch. \(with arts. 10-13\)](#)

F108 173

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F108 Sch. 9 paras. 163-173 repealed (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), s. 458(1), **Sch. 12**; [S.I. 2003/333](#), art. 2, **Sch.** (with arts. 10-13)

Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)

174 In Schedule 3 to the Goods Vehicles (Licensing of Operators) Act 1995 (qualifications for standard licence), in paragraph 3(3), for “section 14 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 46 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Children (Scotland) Act 1995 (c. 36)

175 In section 33 of the Children (Scotland) Act 1995 (effect of orders etc. made in different parts of the United Kingdom), in subsection (5)(b), after “the Children and Young Persons Act 1969” there shall be inserted “ or sections 63 to 67 of and Schedules 6 and 7 to the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Criminal Procedure (Scotland) Act 1995 (c. 46)

F109 176

Textual Amendments

F109 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

F109 177(1)
(2)
(3)
(4)

Textual Amendments

F109 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

F109 178

Textual Amendments

F109 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); [S.I. 2020/1236](#), reg. 2

London Local Authorities Act 1995 (c. x)

F109 179

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F109 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Criminal Evidence (Amendment) Act 1997 (c. 17)

F109180

Textual Amendments

F109 Sch. 9 paras. 176-180 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Social Security (Recovery of Benefits) Act 1997 (c. 27)

181 In Part I of Schedule 1 to the Social Security (Recovery of Benefits) Act 1997 (exempted payments), in paragraph 2, for “section 35 of the Powers of Criminal Courts Act 1973” there shall be substituted “ section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Crime (Sentences) Act 1997 (c. 43)

F110182

Textual Amendments

F110 Sch. 9 para. 182 repealed (30.11.2000 with effect as mentioned in [2000 c. 43](#), s. 75, **Sch. 8** Note (b) of the repealing Act) by [2000 c. 43](#), ss. 74, 75, 80(3), [Sch. 7 Pt. II para. 203\(3\)](#), **Sch. 8**

183 (1) Section 34 of the Crime (Sentences) Act 1997 (interpretation of Chapter II of Part II) shall be amended as follows.

(2) In subsection (2)—

- (a) for “section 53 of the 1933 Act” there shall be substituted “ section 90 or 91 of the Powers of Criminal Courts (Sentencing) Act 2000 ”; and
- (b) for “section 8 of the 1982 Act” there shall be substituted “ section 93 or 94 of that Act ”.

F111(3)

Textual Amendments

F111 Sch. 9 para. 183(3) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

184 (1) Section 35 of the Crime (Sentences) Act 1997 (community orders for fine defaulters) shall be amended as follows.

F112(2)

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

(3) For subsections (4) and (5) there shall be substituted the following subsections—

“(4) Section 46(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (community service orders) shall apply for the purposes of subsection (2)(a) above as if for the words from the beginning to “make” there were substituted “Where section 35(2) of the Crime (Sentences) Act 1997 applies, the court may make in respect of the offender”; and—

- (a) section 46(3) and (4) of that Act, and
- (b) so far as applicable, the following provisions of section 46 of that Act and the other provisions of Part IV of that Act relating to community service orders,

have effect in relation to a community service order made by virtue of this section as they have effect in relation to any community service order made under that Act, subject to the exceptions in subsection (5) below.

(5) The following are the exceptions, namely—

- (a) the reference in section 46(3)(a) of that Act to 40 hours shall be construed as a reference to 20 hours;
- (b) section 46(8) of that Act shall not apply;
- (c) the power conferred by paragraph 4(1)(d) of Schedule 3 to that Act shall be construed as a power to revoke the order or deal with the person in respect of whom the order was made for his default in paying the sum in question or do both of those things;
- (d) paragraph 4(2)(a) and (3) of that Schedule shall not apply;
- (e) the reference in paragraph 10(1)(b) of that Schedule to the offence in respect of which the order was made shall be construed as a reference to the default in respect of which the order was made;
- (f) the power conferred by paragraph 10(3)(b) of that Schedule to deal with an offender for the offence in respect of which the order was made shall be construed as a power to deal with the person in respect of whom the order was made for his default in paying the sum in question; and
- (g) paragraph 11(2)(b) of that Schedule shall not apply.”

(4) For subsections (7) and (8) there shall be substituted the following subsections—

“(7) Section 37(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (curfew orders) shall apply for the purposes of subsection (2)(b) above as if for the words from the beginning to “make” there were substituted “Where section 35(2) of the Crime (Sentences) Act 1997 applies, the court may make in respect of the offender”; and—

- (a) section 37(3), (5) to (8) and (10) to (12) of that Act, and
- (b) so far as applicable, the other provisions of Part IV of that Act relating to curfew orders,

have effect in relation to a curfew order made by virtue of this section as they have effect in relation to any curfew order made under that Act, subject to the exceptions in subsection (8) below.

(8) The following are the exceptions, namely—

- (a) the power conferred by paragraph 4(1)(d) of Schedule 3 to that Act shall be construed as a power to revoke the order or deal with the

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

- person in respect of whom the order was made for his default in paying the sum in question or do both of those things;
- (b) paragraph 4(2)(a) and (3) of that Schedule shall not apply;
- (c) the reference in paragraph 10(1)(b) of that Schedule to the offence in respect of which the order was made shall be construed as a reference to the default in respect of which the order was made;
- (d) the power conferred by paragraph 10(3)(b) of that Schedule to deal with an offender for the offence in respect of which the order was made shall be construed as a power to deal with the person in respect of whom the order was made for his default in paying the sum in question; and
- (e) paragraph 11(2)(b) of that Schedule shall not apply.”

(5) After subsection (12) there shall be inserted the following subsection—

“(12A) Sections 35 and 36 of the Powers of Criminal Courts (Sentencing) Act 2000 (restrictions and procedural requirements for community sentences) do not apply in relation to an order under subsection (2)(a) or (b) above.”

Textual Amendments

F112 Sch. 9 para. 184(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

185 (1) Section 40 of the Crime (Sentences) Act 1997 (driving disqualifications for fine defaulters) shall be amended as follows.

^{F113}(2)

(3) For subsection (6) there shall be substituted the following subsections—

“(6) A court which makes an order under this section disqualifying a person for holding or obtaining a driving licence shall require him to produce any such licence held by him together with its counterpart.

(7) In this section—

“driving licence” means a licence to drive a motor vehicle granted under Part III of the Road Traffic Act 1988;

“counterpart”, in relation to a driving licence, has the meaning given in relation to such a licence by section 108(1) of that Act.”

Textual Amendments

F113 Sch. 9 para. 185(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

186 (1) Schedule 1 to the Crime (Sentences) Act 1997 (transfer of prisoners within the British islands) shall be amended as follows.

^{F114}(2)

^{F115}(3)

^{F115}(4)

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

(5) In paragraph 20(1), in the definition of “sentence of imprisonment”, for “section 8 of the 1982 Act” there shall be substituted “ section 93 or 94 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

Textual Amendments

F114 Sch. 9 para. 186(2) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with s. 413(4)(5), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F115 Sch. 9 para. 186(3)(4) repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F116187

Textual Amendments

F116 Sch. 9 para. 187 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F117188

Textual Amendments

F117 Sch. 9 para. 188 repealed (30.11.2000 with effect as mentioned in [2000 c. 43](#), s. 75, [Sch. 8](#) Note (b) of the repealing Act) by [2000 c. 43](#), ss. 74, 75, 80(1), [Sch. 7 Pt. II para. 203\(3\)](#), [Sch. 8](#)

Sex Offenders Act 1997 (c. 51)

F118189

Textual Amendments

F118 Sch. 9 para. 189 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 43\(5\)](#), [Sch. 7](#); [S.I. 2004/874](#), art. 2

F119190

Textual Amendments

F119 Sch. 9 para. 190 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 43\(5\)](#), [Sch. 7](#); [S.I. 2004/874](#), art. 2

Data Protection Act 1998 (c. 29)

F120191

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F120 Sch. 9 para. 191 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

Crime and Disorder Act 1998 (c. 37)

F121 192

Textual Amendments

F121 Sch. 9 para. 192 repealed (23.3.2015) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), **Sch. 11 para. 50** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2015/373, art. 4(f)(xii)

F122 193

Textual Amendments

F122 Sch. 9 para. 193 repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, **Sch. 6 para. 43(5)**, **Sch. 7**; S.I. 2004/874, art. 2

F123 194

Textual Amendments

F123 Sch. 9 para. 194 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 12**; S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

F124 195

Textual Amendments

F124 Sch. 9 para. 195 repealed (15.12.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 12**; S.I. 2004/3033, art. 3(1)(2)(e)(ii)(ee)

F125 196

Textual Amendments

F125 Sch. 9 para. 196 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

197 In section 38(4) of the Crime and Disorder Act 1998 (meaning of “youth justice services”)—

- (a) in paragraph (j), for “section 75 below” there shall be substituted “section 102 of the Powers of Criminal Courts (Sentencing) Act 2000 (period of detention and training under detention and training orders)”;

F126(b)

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F126 Sch. 9 para. 197(b) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with s. 413(4)(5), Sch. 27); S.I. 2020/1236, reg. 2

F127 198

Textual Amendments

F127 Sch. 9 para. 198 omitted (8.4.2013) by virtue of Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), **Sch. 24 para. 20** (with s. 135(4)); S.I. 2013/453, art. 4(f)

F128 199

Textual Amendments

F128 Sch. 9 para. 199 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F129 200

Textual Amendments

F129 Sch. 9 para. 200 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with s. 413(4)(5), Sch. 27); S.I. 2020/1236, reg. 2

F130 201

Textual Amendments

F130 Sch. 9 paras. 201-204 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F130 202(1)

(2)

(3)

Textual Amendments

F130 Sch. 9 paras. 201-204 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F130 203

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Textual Amendments

F130 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Access to Justice Act 1999 (c. 22)

F130 204

Textual Amendments

F130 Sch. 9 paras. 201-204 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Youth Justice and Criminal Evidence Act 1999 (c. 23)

F131 205

Textual Amendments

F131 Sch. 9 para. 205 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with s. 413(4)(5), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F132 SCHEDULE 10

Section 165.

Textual Amendments

F132 Sch. 10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

SCHEDULE 11

Section 165.

TRANSITIONAL PROVISIONS

PART I

GENERAL

Continuity of the law: general

- 1 (1) The substitution of this Act for the provisions repealed by it shall not affect the continuity of the law.

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

- (2) Any thing done (including subordinate legislation made), or having effect as if done, under or for the purposes of any provision repealed by this Act shall, if it could have been done under or for the purposes of the corresponding provision of this Act and if in force or effective immediately before the commencement of that corresponding provision, have effect thereafter as if done under or for the purposes of that corresponding provision.
- (3) Any reference (express or implied) in this Act or any other enactment, instrument or document to a provision of this Act shall (so far as the context permits) be construed as including, as respects times, circumstances or purposes in relation to which the corresponding provision repealed by this Act had effect, a reference to that corresponding provision.
- (4) Any reference (express or implied) in any enactment, instrument or document to a provision repealed by this Act shall (so far as the context permits) be construed, as respects times, circumstances and purposes in relation to which the corresponding provision of this Act has effect, as being or (according to the context) including a reference to the corresponding provision of this Act.
- (5) Sub-paragraphs (1) to (4) above have effect instead of section 17(2) of the ^{M4}Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

Modifications etc. (not altering text)

- C1** Sch. 11 para. 1(3) excluded (1.4.2001) by 2000 c. 43, s. 43(3)(b); S.I. 2001/919, art. 2(b)
Sch. 11 para. 1(3) excluded (1.4.2001) by 2000 c. 43, s. 44(3)(b); S.I. 2001/919, art. 2(b)
Sch. 11 para. 1(3) excluded (1.4.2001) by 2000 c. 43, s. 45(3)(b); S.I. 2001/919, art. 2(b)

Marginal Citations

- M4** 1978 c. 30.

General saving for old transitional provisions and savings

- 2 (1) The repeal by this Act of a transitional provision or saving relating to the coming into force of a provision reproduced in this Act does not affect the operation of the transitional provision or saving, in so far as it is not specifically reproduced in this Act but remains capable of having effect in relation to the corresponding provision of this Act.
- (2) The repeal by this Act of an enactment previously repealed subject to savings does not affect the continued operation of those savings.
- (3) The repeal by this Act of a saving on the previous repeal of an enactment does not affect the operation of the saving in so far as it is not specifically reproduced in this Act but remains capable of having effect.
- (4) Where the purpose of an enactment repealed by this Act was to secure that the substitution of the provisions of the Act containing that enactment for provisions repealed by that Act did not affect the continuity of the law, the enactment repealed by this Act continues to have effect in so far as it is capable of doing so.

Status: Point in time view as at 24/05/2024.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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)

Use of existing forms etc.

- 3 Any reference to an enactment repealed by this Act which is contained in a document made, served or issued after the commencement of that repeal shall be construed, except so far as a contrary intention appears, as a reference or (as the context may require) as including a reference to the corresponding provision of this Act.

F133 PART II

SPECIFIC PROVISIONS: REPLICATION OF OLD TRANSITIONAL PROVISIONS

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Textual Amendments
F133 Sch. 11 Pts. 2-4 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F133 PART III

SPECIFIC PROVISIONS: MISCELLANEOUS TRANSITIONAL PROVISIONS

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F133 PART IV

INTERPRETATION

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F134 SCHEDULE 12

Section 165.

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Textual Amendments
F134 Sch. 12 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Status:

Point in time view as at 24/05/2024.

Changes to legislation:

Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 27 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.