



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART VIII

MISCELLANEOUS AND SUPPLEMENTARY

Supplementary

160 Rules and orders.

- (1) Any power of the Secretary of State to make rules or orders under this Act shall be exercisable by statutory instrument.
- (2) A statutory instrument containing—
 - (a) rules made by the Secretary of State under section [F136B(6), 40(1), 40C(1), F2...], or
 - (b) any order made by the Secretary of State under section [F340(2)(b), 40C(2), 68, [F4107(1)(e)]F5... or 156(4) or paragraph 7(9) or 8(8) of Schedule 2]shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) The Secretary of State shall not make—
 - (a) any order under section 15(1), [F640(2)(a)]F7..., 100(2)(b)(ii) [F8103(2) or paragraph 1(1A) of Schedule 3], F9...
 - F9(b)unless a draft of the order or rules has been laid before, and approved by a resolution of, each House of Parliament.

F10(4)

[F11(5) The following may make different provision for different cases or classes of case—

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- (a) any order under section 36B(5), 37(6), 40(2), 40A(6) [^{F12}, 40C(2) or 107(1)(e)]^{F13}...;
- (b) any rules under section 36B, 40(1), 40C(1), ^{F14}...]
- (6) Any order made by the Secretary of State under this Act may make such transitional provision as appears to him necessary or expedient in connection with any provision made by the order.

Textual Amendments

- F1** Words in s. 160(2)(a) substituted (20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, ss. 74, 80, **Sch. 7 Pt. II para. 196(a)**; S.I. 2001/2232, **art. 2(m)(vi)**; S.I. 2004/2171, art. 2
- F2** Words in s. 160(2)(a) repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), **Sch. 1 para. 44(4)(r)** (with **Sch. 2**) (as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** Words in s. 160(2)(b) substituted (20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, ss. 74, 80, **Sch. 7 Pt. II para. 196(b)**; S.I. 2001/2232, **art. 2(m)(vi)**; S.I. 2004/2171, art. 2
- F4** Word in s. 160(2)(b) inserted (1.11.2007) by Offender Management Act 2007 (c. 21), **ss. 34(7)(a)**, 41(1); S.I. 2007/3001, art. 2(1)(k)
- F5** Words in s. 160(2)(b) 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))
- F6** Word in s. 160(3)(a) inserted (20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, ss. 74, 80, **Sch. 7 Pt. II para. 196(c)(i)**; S.I. 2001/2232, **art. 2(m)(vi)**; S.I. 2004/2171, art. 2
- F7** Word in s. 160(3)(a) 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))
- F8** Words in s. 160(3)(a) substituted (20.6.2001 and 2.7.2001 for specified purposes) by 2000 c. 43, ss. 74, 80, **Sch. 7 Pt. II para. 196(c)(iii)**; S.I. 2001/2232, **art. 2(m)(vi)**
- F9** S. 160(3)(b) and preceding word 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))
- F10** S. 160(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(l))
- F11** S. 160(5) substituted (20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, ss. 74, 80, **Sch. 7 Pt. II para. 196(d)**; S.I. 2001/2232, **art. 2(m)(vi)**; S.I. 2004/2171, art. 2
- F12** Words in s. 160(5)(a) substituted (1.11.2007) by Offender Management Act 2007 (c. 21), **ss. 34(7)(b)**, 41(1); S.I. 2007/3001, art. 2(1)(k)
- F13** Words in s. 160(5)(a) 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.

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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))

F14 Words in s. 160(5)(b) 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))

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