



# Sentencing Act 2020

## CHAPTER 17

### SENTENCING ACT 2020

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- 368 Parenting order where parent or guardian of offender fails to attend meetings of youth offender panel

*Parenting order in case of certain offences related to school attendance*

- 369 Parenting order in respect of certain offences under Education Act 1996

*Provisions applying generally to parenting orders under Code*

- 370 Parenting order: availability
- 371 Parenting order: references where local authority has parental responsibility
- 372 Making a parenting order
- 373 Directions by the responsible officer
- 374 Discharge and variation of parenting order
- 375 Offence of failure to comply with a requirement of a parenting order

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### BINDING OVER

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- 377 Binding over of parent or guardian: appeals, variations and revocations
- 378 Other powers of the court to bind over to keep the peace

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### *Sentencing: miscellaneous provision and interpretation*

#### PART 12 — MISCELLANEOUS PROVISION ABOUT SENTENCING

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#### COSTS, FINES AND OTHER FINANCIAL ORDERS WHERE OFFENDER AGED UNDER 18

*Offender aged under 18: order for payment by parent or guardian*

- 380 Order for parent or guardian to pay fine, costs, compensation or surcharge
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*Status: Point in time view as at 06/04/2022.*

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*Orders other than fines: powers of Crown Court to order time for payment etc*

- 383 Power of Crown Court to allow time for payment, or payment by instalments, of costs and compensation

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- 384 Commencement of sentence  
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- 387 Failure by offender to provide agreed assistance: review of sentence  
388 Review of sentence following subsequent agreement for assistance by offender

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- 389 References under sections 387 and 388: appeals  
390 Proceedings under section 387 or 388: exclusion of public  
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*Status: Point in time view as at 06/04/2022.*

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- 397 Interpretation: general
- 398 Ancillary and inchoate offences
- 399 Mandatory sentences
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#### PART 14 — SUPPLEMENTARY PROVISION

- 407 Regulations and rules
- 408 Amendments of the Sentencing Code etc
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- 415 Channel Islands, Isle of Man and British overseas territories
- 416 Commencement
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- 419 Power to state effect of commencement provisions
- 420 Short title

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## SCHEDULES

### SCHEDULE A1 — Offences where terrorist connection not required to be considered

#### *Terrorism Act 2000*

- 1 An offence under any of the following provisions of the...

#### *Anti-terrorism, Crime and Security Act 2001*

- 2 An offence under section 113 of the Anti-terrorism, Crime and...

#### *Terrorism Act 2006*

- 3 An offence under any of the following provisions of the...

#### *Counter-Terrorism Act 2008*

- 4 An offence under section 54 of the Counter-Terrorism Act 2008...

#### *Terrorism Prevention and Investigation Measures 2011*

- 5 An offence under section 23 of the Terrorism Prevention and...

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### *Counter-Terrorism and Security Act 2015*

6 An offence under section 10 of the Counter-Terrorism and Security...

#### *Inchoate offences*

7 An inchoate offence (see section 398) in relation to an...

SCHEDULE 1 — Offences committed before the commencement of section 1 of the Counter-Terrorism and Sentencing Act 2021 where terrorist connection to be considered

#### *Common law offences*

- 1 Murder.
- 2 Manslaughter.
- 3 Kidnapping.

#### *Statutory offences*

- 4 An offence under any of the following provisions of the...
- 5 An offence under any of the following provisions of the...
- 6 An offence under section 1 of the Biological Weapons Act...
- 7 An offence under section 1 of the Taking of Hostages...
- 8 An offence under any of the following provisions of the...
- 9 An offence under any of the following provisions of the...
- 10 An offence under any of the following provisions of the...
- 11 An offence under Part 2 of the Channel Tunnel (Security)...
- 12 An offence under either of the following provisions of the...
- 13 An offence under either of the following provisions of the...

#### *Ancillary offences*

14 An inchoate offence in relation to an offence specified in...

SCHEDULE 2 — Order for conditional discharge: commission of further offence

#### *Application of Schedule*

1 This Schedule applies where an order for conditional discharge has...

#### *Orders made on appeal*

2 If the order for conditional discharge was made on appeal,...

#### *Issue of summons or warrant by justice of the peace*

3 (1) This paragraph applies where— (a) the order for conditional...

#### *Issue of summons or warrant by Crown Court*

4 (1) This paragraph applies where— (a) the order for conditional...

#### *Power of magistrates' court convicting offender of further offence*

5 (1) This paragraph applies where the offender is convicted by...

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*Conviction of further offence by another court: power of magistrates' court which made order*

6 (1) This paragraph applies where— (a) the order for conditional...

*Powers of Crown Court with respect to original offence following subsequent conviction*

7 (1) Sub-paragraph (2) applies where— (a) the offender—

**SCHEDULE 3 — Youth offender contract: programme of behaviour**

- 1 This Schedule applies to a programme of behaviour agreed between...
- 2 The programme may, in particular, include requiring the offender to—...
- 3 The programme may include provision for the offender's compliance with...
- 4 Activities that may be specified by virtue of paragraph 2(f)...
- 5 The programme may not provide for— (a) electronic monitoring of...
- 6 No term which provides for anything to be done to...
- 7 In this Schedule “victim” means any person who appears to...

**SCHEDULE 4 — Referral order: further court proceedings**

**PART 1 — REFERRAL BACK TO COURT FOR FURTHER PROCEEDINGS**

*Introductory*

1 This Part of this Schedule applies where a youth offender...

*Mode of referral back to court*

2 To make the referral, the panel must send a report...

*Bringing the offender before the court*

3 (1) Where the appropriate court receives a report under paragraph...

*Detention and remand of arrested offender*

- 4 (1) This paragraph applies where an offender—
- 5 (1) This paragraph applies where the court before which the...

*Powers of court on referral back*

6 Paragraphs 7 to 10 apply where the offender was referred...

*Power of court where it upholds panel's decision*

7 (1) Sub-paragraph (2) applies where the appropriate court is satisfied,...

*Appeal*

8 An offender re-sentenced under paragraph 7(4) for an offence may...

*Power of court to impose fine or extend period for which contract has effect*

9 (1) This paragraph applies where— (a) the reference back to...

*Consequences of court not revoking referral order or orders*

10 (1) This paragraph applies where, having considered the matters in...

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*Exception where court satisfied as to completion of contract*

- 11 (1) This paragraph applies where— (a) the reference back to...

*Referral back for extension of compliance period*

- 12 (1) This paragraph applies where— (a) the reference back to...

*Power to adjourn hearing and remand offender*

- 13 (1) This paragraph applies where a youth court or other...  
PART 2 — FURTHER CONVICTIONS DURING REFERRAL

*Introductory*

- 14 This Part of this Schedule applies where—

*Power of magistrates' court to deal with further offence by extending compliance period*

- 15 (1) This paragraph applies if the court dealing with the...

*Supplementary*

- 16 (1) This paragraph applies where a court makes an order...

*Further convictions: power of any court to revoke referral orders*

- 17 (1) This paragraph applies where, in dealing with the offender...

SCHEDULE 5 — Breach, revocation and amendment of reparation order  
PART 1 — BREACH OF REPARATION ORDER

*Application to court*

- 1 (1) This Part of this Schedule applies where—

*Powers of appropriate court*

- 2 (1) This paragraph applies if it is proved to the...

*Powers of Crown Court*

- 3 (1) This paragraph applies where— (a) by virtue of paragraph...

*Orders made on appeal*

- 4 A reparation order made on appeal is to be taken,...  
PART 2 — REVOCATION AND AMENDMENT OF REPARATION ORDER  
5 (1) This paragraph applies where— (a) a reparation order is...  
PART 3 — SUPPLEMENTARY

*Issue of summons or warrant*

- 6 (1) This paragraph applies where an application is made under...

*Warrants*

- 7 (1) This paragraph applies where an offender—  
8 (1) Where the court before which the offender is brought...

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*Power to adjourn hearing and remand offender*

9 (1) This paragraph applies to any hearing relating to an...

*Appeals*

10 The offender may appeal to the Crown Court against—

SCHEDULE 6 — Youth rehabilitation orders: requirements  
PART 1 — ACTIVITY REQUIREMENT

*Activity requirement: types of requirement*

1 (1) In this Code “activity requirement”, in relation to a...

*Extended activity requirement*

2 (1) An extended activity requirement is an activity requirement for...

*Activity requirement: specified place obligation*

3 (1) For each specified place obligation that it imposes, a...

*Activity requirement: specified activities obligation*

4 (1) For each specified activities obligation that it imposes, a...

*Activity requirement: specified residential exercise obligation*

5 (1) For each specified residential exercise obligation that it imposes,...

*Activity requirement: obligation to engage in activities as instructed by responsible officer*

6 (1) A youth rehabilitation order that imposes an obligation under...

*Activity requirement: general provisions*

7 Instructions given by, or under the authority of, a person...

*Restrictions on imposing an activity requirement*

8 A court may not include an activity requirement in a...  
PART 2 — SUPERVISION REQUIREMENT

*Supervision requirement*

9 In this Code “supervision requirement”, in relation to a youth...  
PART 3 — UNPAID WORK REQUIREMENT

*Requirement*

10 (1) In this Code “unpaid work requirement”, in relation to...

*Restriction on imposing an unpaid work requirement*

11 (1) A court may not impose an unpaid work requirement...  
PART 4 — PROGRAMME REQUIREMENT



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*Programme requirement*

12 (1) In this Code “programme requirement”, in relation to a...

*Restrictions on imposing a programme requirement*

13 (1) A court may not include a programme requirement in...  
PART 5 — ATTENDANCE CENTRE REQUIREMENT

*Attendance centre requirement*

14 (1) In this Code “attendance centre requirement”, in relation to...

*Restriction on imposing attendance centre requirement*

15 A court may not include an attendance centre requirement in...  
PART 6 — PROHIBITED ACTIVITY REQUIREMENT

*Requirement*

16 (1) In this Code “prohibited activity requirement”, in relation to...

*Restriction on imposing prohibited activity requirement*

17 A court may not include a prohibited activity requirement in...  
PART 7 — CURFEW REQUIREMENT

*Curfew requirement*

18 (1) In this Code “curfew requirement”, in relation to a...

*Requirements where court imposes curfew requirement*

19 (1) Before making a youth rehabilitation order imposing a curfew...  
PART 8 — EXCLUSION REQUIREMENT

*Requirement*

20 (1) In this Code “exclusion requirement”, in relation to a...

*Requirement for electronic monitoring where court imposes exclusion requirement*

21 Where the court makes a youth rehabilitation order which imposes...  
PART 9 — RESIDENCE REQUIREMENT

*Requirement*

22 (1) In this Code “residence requirement”, in relation to a...

*Imposing a residence requirement: restrictions and requirements*

23 (1) A youth rehabilitation order which imposes a residence  
requirement...  
PART 10 — LOCAL AUTHORITY RESIDENCE REQUIREMENT

*Requirement*

24 (1) In this Code “local authority residence requirement”, in relation...

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*Restrictions on imposing local authority residence requirement*

- 25 A court may not include a local authority residence requirement...  
PART 11 — FOSTERING REQUIREMENT

*Requirement*

- 26 (1) In this Code “fostering requirement”, in relation to a...

*Restrictions on imposing fostering requirement*

- 27 A court may not make a youth rehabilitation order which...  
PART 12 — MENTAL HEALTH TREATMENT REQUIREMENT

*Mental health treatment requirement*

- 28 (1) In this Code “mental health treatment requirement”, in relation...

*Restrictions on imposing mental health treatment requirement*

- 29 (1) A court may not include a mental health treatment...

*Alternative arrangements for mental health treatment*

- 30 (1) Where— (a) an offender is being treated in pursuance...  
PART 13 — DRUG TREATMENT REQUIREMENT

*Requirement*

- 31 (1) In this Code “drug treatment requirement”, in relation to...

*Restrictions on imposing drug treatment requirement*

- 32 (1) A court may not include a drug treatment requirement...

*Meaning of “drug”*

- 33 In this Part of this Schedule, “drug” means a controlled...  
PART 14 — DRUG TESTING REQUIREMENT

*Requirement*

- 34 (1) In this Code “drug testing requirement”, in relation to...

*Restrictions on imposing drug testing requirement*

- 35 (1) A youth rehabilitation order may impose a drug testing...  
PART 15 — INTOXICATING SUBSTANCE TREATMENT REQUIREMENT

*Requirement*

- 36 (1) In this Code “intoxicating substance treatment requirement”, in relation...

*Restrictions on imposing intoxicating substance treatment requirement*

- 37 (1) A court may not include an intoxicating substance treatment...

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*Meaning of “intoxicating substance”*

- 38 In this Part of this Schedule “intoxicating substance” means—  
PART 16 — EDUCATION REQUIREMENT

*Requirement*

- 39 (1) In this Code “education requirement”, in relation to a...

*Restriction on imposing education requirement*

- 40 A court may not include an education requirement in a...  
PART 17 — ELECTRONIC MONITORING REQUIREMENT

*Requirement*

- 41 In this Code “electronic monitoring requirement”, in relation to a...

*Person responsible for electronic monitoring*

- 42 (1) A youth rehabilitation order which imposes an electronic monitoring...

*Monitoring period*

- 43 (1) A youth rehabilitation order which imposes an electronic monitoring...

*Restrictions on imposing electronic monitoring*

- 44 (1) Where— (a) it is proposed to include an electronic...

SCHEDULE 7 — Breach, revocation or amendment of youth rehabilitation order  
PART 1 — PRELIMINARY

*Interpretation*

- 1 (1) In this Schedule, a reference (however expressed) to an...

*Youth rehabilitation order subject to magistrates' court supervision*

- 2 For the purposes of this Schedule— (a) “Crown Court youth...

*Orders made on appeal*

- 3 Where a youth rehabilitation order has been made on appeal,...  
PART 2 — BREACH OF REQUIREMENT OF ORDER

*Duty to give warning or lay information relating to breach of order*

- 4 (1) This paragraph applies where the responsible officer is of...

*Issue of summons or warrant by justice of the peace*

- 5 (1) This paragraph applies where— (a) a youth rehabilitation order...

*Powers of magistrates' court*

- 6 (1) This paragraph applies where— (a) an offender appears or...

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### *Powers of Crown Court*

- 7 (1) This paragraph applies where— (a) an offender appears or...

#### *Restriction of powers in paragraphs 6 and 7 where treatment required*

- 8 (1) Sub-paragraph (2) applies where the offender—

#### *Fines imposed under paragraphs 6 and 7*

- 9 (1) A fine imposed under paragraph 6(5)(a) or 7(2)(a) is...

#### *Powers in paragraphs 6 and 7 to impose other requirements: further provisions*

- 10 (1) This paragraph applies where— (a) the magistrates' court deals...

#### *Powers in paragraphs 6 and 7 to re-sentence: further provisions relating to intensive supervision and surveillance*

- 11 (1) This paragraph applies where— (a) the court is dealing...  
PART 3 — REVOCATION OF ORDER WITH OR WITHOUT RE-SENTENCING

#### *Youth rehabilitation order subject to magistrates' court supervision*

- 12 (1) This paragraph applies where— (a) a youth rehabilitation order...

#### *Crown Court youth rehabilitation order*

- 13 (1) This paragraph applies where a Crown Court youth rehabilitation...  
PART 4 — AMENDMENT OF ORDER

#### *Appropriate court*

- 14 In this Part of this Schedule, “the appropriate court”, in...

#### *Amendment by appropriate court*

- 15 (1) This paragraph applies where— (a) a youth rehabilitation order...

#### *Exercise of powers under paragraph 15(2): further provision*

- 16 (1) This paragraph applies where— (a) an application has been...

#### *Exercise of powers under paragraph 15(3)(b): further provision*

- 17 (1) Before exercising its powers under paragraph 15(3)(b) (replacing requirements...

#### *Extension of order*

- 18 (1) The appropriate court may, on the application of—

#### *Extension of unpaid work requirement*

- 19 (1) This paragraph applies where a youth rehabilitation order imposing...  
PART 5 — CONVICTION OF FURTHER OFFENCE

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*Powers of magistrates' court following subsequent conviction*

- 20 Paragraphs 21 and 22 apply where— (a) a youth rehabilitation...  
21 (1) This paragraph applies if— (a) the existing youth rehabilitation...  
22 (1) Sub-paragraph (2) applies if— (a) the existing youth rehabilitation...

*Powers of Crown Court following subsequent conviction*

- 23 (1) This paragraph applies where a youth rehabilitation order is...  
PART 6 — SUPPLEMENTARY

*Warrants*

- 24 (1) Sub-paragraph (2) applies where an offender—  
25 (1) This paragraph applies where the court before which the...

*Adjournment of proceedings*

- 26 (1) This paragraph applies to any hearing relating to an...

*Provision of copies of orders etc*

- 27 (1) This paragraph applies on the making of an order...

SCHEDULE 8 — Transfer of youth rehabilitation orders to Northern Ireland  
PART 1 — POWERS OF COURT IN ENGLAND AND WALES TO MAKE OR  
AMEND A YOUTH REHABILITATION ORDER WHERE OFFENDER  
RESIDES OR PROPOSES TO RESIDE IN NORTHERN IRELAND

*Making of youth rehabilitation order where offender will reside in Northern Ireland*

- 1 (1) This paragraph applies where— (a) a youth rehabilitation order...

*Amendment of youth rehabilitation order where offender will reside in Northern Ireland*

- 2 (1) This paragraph applies where— (a) a youth rehabilitation order...  
PART 2 — REQUIREMENTS ETC: AVAILABILITY AND MODIFICATIONS OF  
SCHEDULE 6

*Requirements: availability and restrictions*

- 3 This Part of this Schedule applies where a court makes...  
4 The order must not impose either of the following requirements—...  
5 (1) The order must not impose a locally based requirement...  
6 The number of hours, days or months in respect of...

*Further provisions where offender resides or will reside in Northern Ireland*

- 7 In a case where a court makes or amends a...  
PART 3 — MAKING OR AMENDMENT OF ORDER IN ACCORDANCE WITH  
PART 1 OF THIS SCHEDULE

*Application*

- 8 This Part of this Schedule applies in a case where...

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*Explanation to be given by court before order is made or amended*

- 9 Before making or amending the youth rehabilitation order, the court...

*Matters to be specified in the order*

- 10 (1) The youth rehabilitation order must specify as the corresponding...

*Provision of copies*

- 11 (1) The court which makes or amends the youth rehabilitation...  
PART 4 — EFFECT OF ORDER MADE OR AMENDED IN ACCORDANCE WITH  
PART 1 OF THIS SCHEDULE

*Application*

- 12 This Part of this Schedule applies where a youth rehabilitation...

*Duty of offender to keep in touch with relevant officer*

- 13 (1) The offender— (a) must keep in touch with the...

*Direction by Crown Court in Northern Ireland that proceedings  
in Northern Ireland be before a court of summary jurisdiction*

- 14 Where the youth rehabilitation order was made or amended by...

*Effect of the youth rehabilitation order in Northern Ireland*

- 15 (1) The youth rehabilitation order is to be treated in...

*Powers of the home court in respect of the youth rehabilitation order*

- 16 (1) The home court may exercise any relevant local power...  
17 (1) The home court may require the offender to appear...

*Breach of requirement: certificate of home court*

- 18 (1) Where the home court requires the offender to appear...

*Powers of court in England or Wales where offender required to appear under paragraph 17*

- 19 (1) This paragraph applies where under paragraph 17 the home...  
20 (1) This paragraph applies where— (a) the relevant court in...  
PART 5 — INTERPRETATION  
21 (1) For the purposes of this Schedule, in relation to...

SCHEDULE 9 — Community orders and suspended sentence orders: requirements  
PART 1 — UNPAID WORK REQUIREMENT

*Requirement and obligation of offender*

- 1 (1) In this Code “unpaid work requirement”, in relation to...

*Number of hours of unpaid work to be specified in order*

- 2 (1) The number of hours which a person may be...

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*Restriction on imposing unpaid work requirement*

- 3 (1) A court may not include an unpaid work requirement...  
PART 2 — REHABILITATION ACTIVITY REQUIREMENT

*Requirement*

- 4 (1) In this Code “rehabilitation activity requirement”, in relation to...

*Instructions given by responsible officer*

- 5 (1) Any instructions given by the responsible officer pursuant to...  
PART 3 — PROGRAMME REQUIREMENT  
6 (1) In this Code “programme requirement”, in relation to a...  
PART 4 — PROHIBITED ACTIVITY REQUIREMENT

*Requirement*

- 7 (1) In this Code “prohibited activity requirement”, in relation to...

*Restriction on imposing prohibited activity requirement*

- 8 A court may not include a prohibited activity requirement in...  
PART 5 — CURFEW REQUIREMENT

*Requirement*

- 9 (1) In this Code “curfew requirement”, in relation to a...

*Requirements where court imposes curfew requirement*

- 10 (1) Before making a relevant order imposing a curfew requirement,...  
PART 6 — EXCLUSION REQUIREMENT

*Requirement*

- 11 (1) In this Code “exclusion requirement”, in relation to a...

*Requirement where court imposes exclusion requirement*

- 12 Where the court makes a relevant order imposing an exclusion...  
PART 7 — RESIDENCE REQUIREMENT

*Requirement*

- 13 (1) In this Code “residence requirement”, in relation to a...

*Requirement where court imposes residence requirement*

- 14 Before making a relevant order containing a residence requirement,  
the...

- PART 8 — FOREIGN TRAVEL PROHIBITION REQUIREMENT  
15 (1) In this Code “foreign travel prohibition requirement”, in relation...  
PART 9 — MENTAL HEALTH TREATMENT REQUIREMENT

*Requirement*

- 16 (1) In this Code “mental health treatment requirement”, in relation...

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*Restrictions on imposing mental health treatment requirement*

- 17 (1) A court may not include a mental health treatment...

*Alternative arrangements for mental health treatment made by practitioner*

- 18 (1) This paragraph applies where— (a) an offender is being...  
PART 10 — DRUG REHABILITATION REQUIREMENT

*Requirement*

- 19 (1) In this Code “drug rehabilitation requirement”, in relation to...

*Restriction on imposing drug rehabilitation requirement*

- 20 (1) A court may not impose a drug rehabilitation requirement...

*Drug rehabilitation requirement: provision for review by court*

- 21 (1) A relevant order imposing a drug rehabilitation requirement—

*Periodic review of drug rehabilitation requirement*

- 22 (1) This paragraph applies in relation to a relevant order...  
PART 11 — ALCOHOL TREATMENT REQUIREMENT

*Requirement*

- 23 (1) In this Code “alcohol treatment requirement”, in relation to...

*Restrictions on imposing alcohol treatment requirement*

- 24 (1) A court may not impose an alcohol treatment requirement...  
PART 12 — ALCOHOL ABSTINENCE AND MONITORING REQUIREMENT

*Requirement*

- 25 (1) In this Code “alcohol abstinence and monitoring requirement”, in...

*Restriction on imposing alcohol abstinence and monitoring requirement*

- 26 (1) A relevant order may not include both—  
PART 13 — ATTENDANCE CENTRE REQUIREMENT

*Requirement*

- 27 (1) In this Code “attendance centre requirement”, in relation to...

*Restriction on imposing attendance centre requirement*

- 28 A court may not impose an attendance centre requirement in...  
PART 14 — ELECTRONIC MONITORING

*Electronic compliance monitoring requirement*

- 29 (1) In this Code “electronic compliance monitoring requirement”, in relation...



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*Electronic whereabouts monitoring requirement*

- 30 In this Code “electronic whereabouts monitoring requirement”, in relation to...

*Electronic monitoring: person responsible for monitoring*

- 31 (1) A relevant order which includes an electronic monitoring requirement...

*Electronic monitoring: general*

- 32 Where a relevant order imposes an electronic monitoring requirement, the...

*Restriction on imposing electronic monitoring: general*

- 33 Where— (a) it is proposed to include in a relevant...

*Restriction on imposing an electronic compliance monitoring requirement*

- 34 (1) A court may not include an electronic compliance monitoring...

*Restriction on imposing electronic whereabouts monitoring requirement*

- 35 A court may not include an electronic whereabouts monitoring requirement...

SCHEDULE 10 — Breach, revocation or amendment of community order  
PART 1 — PRELIMINARY

*Meaning of particular expressions relating to an order*

- 1 (1) In this Schedule, in relation to a community order—...

*Enforcement officers*

- 2 (1) In this Schedule, “enforcement officer” means a person who...

*Community order subject to magistrates' court supervision and Crown Court order*

- 3 In this Schedule— “community order subject to magistrates' court supervision”...

*Requirements subject to review*

- 4 For the purposes of this Schedule— (a) a drug rehabilitation...

*Orders made on appeal*

- 5 A community order made on appeal is to be taken...

PART 2 — BREACH OF REQUIREMENT OF ORDER

*Duty to give warning or refer matter to enforcement officer*

- 6 (1) This paragraph applies where the responsible officer is of...

*Status: Point in time view as at 06/04/2022.*

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*Role of enforcement officer*

7 Where a matter is referred to an enforcement officer under...

*Issue of summons or warrant by justice of the peace*

8 (1) This paragraph applies where— (a) a community order subject...

*Issue of summons or warrant by Crown Court*

9 (1) This paragraph applies where— (a) a Crown Court community...

*Powers of magistrates' court*

10 (1) This paragraph applies where— (a) an offender appears or...

*Powers of Crown Court*

11 (1) This paragraph applies where— (a) an offender appears or...

*Treatment requirement: reasonable refusal to undergo treatment*

12 (1) Sub-paragraph (2) applies where the offender—

*Powers in paragraphs 10 and 11 to impose more onerous requirements: further provision*

13 (1) In dealing with an offender under paragraph 10(5)(b) or...  
PART 3 — REVOCATION OF ORDER WITH OR WITHOUT RE-SENTENCING

*Community order subject to magistrates' court supervision*

14 (1) This paragraph applies where a community order subject to...

*Crown Court community order*

15 (1) This paragraph applies where a Crown Court community order...  
PART 4 — AMENDMENT OF ORDER

*Amendment because of change of residence*

16 (1) This paragraph applies where at any time while a...

17 (1) This paragraph applies where at any time while a...

*Amendment of requirements of community order*

18 (1) The appropriate court may, on the application of the...

*Amendment of treatment requirement on report of practitioner*

19 (1) This paragraph applies where an offender is being treated...

*Extension of order*

20 (1) The appropriate court may, on the application of—

*Extension of unpaid work requirement*

21 (1) This paragraph applies where a community order imposing an...  
PART 5 — CONVICTION OF FURTHER OFFENCE

*Status: Point in time view as at 06/04/2022.*

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*Powers of magistrates' court following subsequent conviction*

- 22 Paragraphs 23 and 24 apply where— (a) a community order...  
23 (1) This paragraph applies if the existing community order was...  
24 (1) This paragraph applies if the existing community order was...

*Powers of Crown Court following subsequent conviction*

- 25 (1) This paragraph applies where a community order is in...  
PART 6 — SUPPLEMENTARY

*Adjournment of hearing*

- 26 (1) This paragraph applies to any hearing relating to an...

*Provision of copies of orders etc*

- 27 (1) This paragraph applies on the making of an order...

SCHEDULE 11 — Transfer of community orders to Scotland or Northern Ireland  
PART 1 — SCOTLAND

*Making of community order where offender will reside in Scotland*

- 1 (1) This paragraph applies where— (a) a community order is...

*Amendment of community order where offender will reside in Scotland*

- 2 (1) This paragraph applies where— (a) a community order is...

*Requirements: availability and restrictions*

- 3 Paragraphs 4 and 5 apply where a court makes or...  
4 The order must not impose— (a) an alcohol abstinence and...  
5 (1) The order must not impose a locally based requirement...

*Modifications of requirements etc where court  
exercises powers by virtue of this Part of this Schedule*

- 6 Where a court makes or amends a community order in...  
PART 2 — NORTHERN IRELAND

*Making of community order where offender will reside in Northern Ireland*

- 7 (1) This paragraph applies where— (a) a community order is...

*Amendment of community order where offender will reside in Northern Ireland*

- 8 (1) This paragraph applies where— (a) a community order is...

*Requirements: availability and restrictions*

- 9 Paragraphs 10 to 12 apply where a court makes or...  
10 The order must not impose an alcohol abstinence and monitoring...  
11 The order must not impose an electronic whereabouts monitoring  
requirement...  
12 (1) The order must not impose a locally based requirement...

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*Further provision where offender resides or will reside in Northern Ireland*

13 Where a court makes or amends a community order in...

PART 3 — MAKING OR AMENDMENT OF ORDER IN ACCORDANCE WITH  
PART 1 OR 2 OF THIS SCHEDULE

*Application*

14 This Part of this Schedule applies in a case where...

*Explanation to be given by court before order is made or amended*

15 Before making or amending the community order, the court must...

*Matters to be specified in the order*

16 (1) The community order must specify— (a) the locality in...

*Provision of copies*

17 (1) The court which makes or amends the community order...

PART 4 — EFFECT OF ORDER MADE OR AMENDED IN ACCORDANCE WITH  
PART 1 OR 2 OF THIS SCHEDULE

*Application*

18 This Part of this Schedule applies where a community order...

*Duty to keep in touch with responsible officer*

19 (1) The offender must keep in touch—

*Order to be treated as corresponding order in certain circumstances*

20 (1) The community order is to be treated as if...

*Exercise by home court of powers relating to corresponding orders*

21 (1) The home court may exercise any relevant local power...

*Power of home court to require offender to appear before court in England and Wales*

22 (1) Where the home court is of the opinion that—...

*Home court to certify breach of requirement*

23 (1) Where the home court requires the offender to appear...

*Powers of court in England and Wales where offender required to appear under paragraph 22*

24 (1) This paragraph applies where under paragraph 22 the home...

25 (1) This paragraph applies where— (a) a court in England...

26 (1) This paragraph applies where— (a) a court in England...

PART 5 — INTERPRETATION

27 In this Schedule— “breach”, in relation to a requirement, means...

SCHEDULE 12 — Detention and training order: breach of supervision requirements  
and further offences

*Status: Point in time view as at 06/04/2022.*

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### *Interpretation*

1 In this Schedule— “breach”, in relation to a supervision requirement,...

*Breach of supervision requirement: issue of summons or warrant by justice of the peace*

2 (1) Sub-paragraph (2) applies where— (a) a detention and training...

*Power of youth court to deal with offender for breach of supervision requirement*

3 (1) Sub-paragraph (2) applies if it is proved to the...

*Supervision where order made under paragraph 3(2)(b)*

4 (1) This paragraph applies where an offender is subject to...

*Interaction of further detention order with other detention and training orders*

5 (1) Where— (a) a court makes a further detention order...

*Interaction of further detention order with other custodial sentences*

6 (1) The Secretary of State may by regulations make provision...

*Offence after release for supervision or during further supervision period*

7 (1) This paragraph applies where an offender commits an  
imprisonable...

## SCHEDULE 13 — Special sentence for offenders of particular concern: offences PART 1 — OFFENCES INVOLVING OR CONNECTED WITH TERRORISM

### *Terrorism Act 2000*

1 An offence under any of the following provisions of the...

*Anti-terrorism, Crime and Security Act 2001*

2 An offence under section 113 of the Anti-terrorism, Crime and...

### *Terrorism Act 2006*

3 An offence under any of the following provisions of the...

*Counter-Terrorism Act 2008*

4 An offence under section 54 of the Counter-Terrorism Act 2008...

*Terrorism Prevention and Investigation Measures 2011*

5 An offence under section 23 of the Terrorism Prevention and...

*Counter-Terrorism and Security Act 2015*

6 An offence under section 10 of the Counter-Terrorism and Security...

*Inchoate offences*

7 An inchoate offence in relation to an offence specified in...

*Status: Point in time view as at 06/04/2022.*

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*Abolished offences*

- 8 (1) An abolished offence in relation to an offence specified...

*Offences connection with terrorism*

- 9 An offence, other than one for which the sentence is...  
PART 2 — SEXUAL OFFENCES

*Sexual Offences Act 2003*

- 10 An offence under either of the following provisions of the...

*Inchoate offences*

- 11 An inchoate offence in relation to an offence specified paragraph...

*Abolished offences*

- 12 (1) An abolished offence in relation to an offence specified...

SCHEDULE 14 — Extended sentences: the earlier offence condition: offences

PART 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES

The following offences to the extent that they are offences...

*Manslaughter*

- 1 Manslaughter.

*Offences against the Person Act 1861*

- 2 An offence under any of the following sections of the...

*Explosive Substances Act 1883*

- 3 An offence under any of the following provisions of the...

*Firearms Act 1968*

- 4 An offence under any of the following provisions of the...

*Theft Act 1968*

- 5 An offence of robbery under section 8 of the Theft...

*Protection of Children Act 1978*

- 6 An offence under section 1 of the Protection of Children...

*Terrorism Act 2000*

- 7 An offence under any of the following provisions of the...

*Anti-terrorism Crime and Security Act 2001*

- 8 An offence under any of the following provisions of the...

*Sexual Offences Act 2003*

- 9 An offence under any of the provisions of the Sexual...

*Status: Point in time view as at 06/04/2022.*

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*Domestic Violence, Crime and Victims Act 2004*

- 10 An offence under section 5 of the Domestic Violence, Crime...

*Terrorism Act 2006*

- 11 An offence under any of the following provisions of the...

*Modern Slavery Act 2015*

- 12 An offence under either of the following provisions of the...

*Murder*

- 13 Murder.

*Inchoate offences*

- 14 An inchoate offence (see section 398) in relation to an...

*Abolished offences*

- 15 Any offence that— (a) was abolished (with or without savings)...
- PART 2 — OFFENCES UNDER SERVICE LAW
- 16 An offence under section 70 of the Army Act 1955,...
- 17 (1) An offence under section 42 of the Armed Forces...
- PART 3 — OFFENCES UNDER THE LAW OF SCOTLAND OR NORTHERN IRELAND
- 18 A civilian offence for which the person was convicted in...
- 19 A member State service offence which, if committed in England...
- 20 In this Part of this Schedule— “civilian offence”...
- Part 3A — PROCEEDINGS INSTITUTED BEFORE IP COMPLETION DAY: OFFENCES UNDER THE LAW OF A MEMBER STATE
- 20A A civilian offence for which the person was convicted in...
- 20B A member State service offence which, if committed in England...
- PART 4 — INTERPRETATION
- 21 In this Schedule “imprisonment for life” includes custody for life...
- 22 In this Schedule— “civilian offence” means an offence other than...
- SCHEDULE 15 — Life sentence for second offence: listed offences
- PART 1 — OFFENCES UNDER THE LAW OF ENGLAND AND WALES
- The following offences to the extent that they are offences...
- PART 2 — FURTHER OFFENCES UNDER THE LAW OF ENGLAND AND WALES
- The following offences to the extent that they are offences...
- 16 Murder.
- 17 Any offence that— (a) was abolished (with or without savings)...
- PART 3 — OFFENCES UNDER SERVICE LAW
- 18 An offence under section 70 of the Army Act 1955,...
- 19 (1) An offence under section 42 of the Armed Forces...
- PART 4 — OFFENCES UNDER THE LAW OF SCOTLAND OR NORTHERN IRELAND
- 20 A civilian offence for which the person was convicted in...
- 21 A member State service offence which, if committed in England...
- 22 In this Part of this Schedule— “civilian offence”...
- 23 (1) Where the index offence was committed before 13 April...

*Status: Point in time view as at 06/04/2022.*

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Part 4A — PROCEEDINGS INSTITUTED BEFORE IP COMPLETION  
DAY: OFFENCES UNDER THE LAW OF A MEMBER STATE

23A If the proceedings for the index offence were instituted before...

23B Where the index offence was committed before 13 April 2015,...

PART 5 — INTERPRETATION

24 (1) In this Schedule— “civilian offence” means an offence other...

SCHEDULE 16 — Breach or amendment of suspended sentence order, and effect of  
further conviction

PART 1 — PRELIMINARY

*Interpretation: general*

1 (1) In this Schedule, in relation to a suspended sentence...

*Enforcement officers*

2 (1) In this Schedule “enforcement officer” means a person who...

*“Order subject to magistrates' court supervision” and “Crown Court order”*

3 In this Schedule— “order subject to magistrates' court supervision”  
means...

*Orders and community requirements which are subject to review*

4 (1) For the purposes of this Schedule, a suspended sentence...

*Orders made on appeal*

5 A suspended sentence order made on appeal is to be...

PART 2 — BREACH OF COMMUNITY REQUIREMENT OR CONVICTION OF  
FURTHER OFFENCE

*Breach of community requirement: duty to give warning or refer to enforcement officer*

6 (1) This paragraph applies where the responsible officer is of...

*Role of enforcement officer*

7 Where a matter is referred to an enforcement officer under...

*Order subject to magistrates' court supervision: issue of summons or warrant by justice*

8 (1) This paragraph applies where, during the supervision period of...

*Crown Court order: issue of summons or warrant by Crown Court*

9 (1) This paragraph applies where, during the supervision period of...

*Offender before magistrates' court: breach of community requirement*

10 (1) This paragraph applies where— (a) the offender is before...

*Offender before magistrates' court: further conviction*

11 (1) Where— (a) an offender is convicted of an offence...



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*Offender before Crown Court: breach of community requirement or further conviction*

12 (1) Where— (a) an offender to whom a suspended sentence...

*Powers of court to deal with offender on breach of requirement or subsequent conviction*

13 (1) Where a court deals with a case under this...

*Exercise of power in paragraph 13: duty to make activation order where not unjust*

14 (1) Where the court deals with the case under paragraph...

*Activation orders: further provision*

15 (1) This paragraph applies where a court makes an activation...

*Power under paragraph 13 to fine or amend community requirements: further provision*

16 (1) A fine imposed under paragraph 13(1)(c) is to be...

*Treatment requirement: reasonable refusal to undergo certain treatment*

17 (1) Sub-paragraph (2) applies where the offender—

*Duty of court in Scotland or Northern Ireland when informed of suspended sentence*

18 Where— (a) an offender is convicted in Scotland or Northern...

*Issue of summons or warrant where court convicting of further offence does not deal with suspended sentence*

19 (1) This paragraph applies where it appears to the Crown...

20 (1) This paragraph applies where it appears to a justice...

PART 3 — AMENDMENT OF ORDER

*Application of Part*

21 This Part of this Schedule applies during the supervision period...

*Cancellation of community requirements of suspended sentence order*

22 (1) This paragraph applies where an application is made to...

*Amendment because of change of residence*

23 (1) This paragraph applies where— (a) the offender is given...

24 (1) This paragraph applies where— (a) a court amends the...

*Amendment of community requirements of suspended sentence order*

25 (1) The appropriate court may, on the application of the...

*Amendment of treatment requirement on report of practitioner*

26 (1) This paragraph applies where the suspended sentence order contains...

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*Extension of unpaid work requirement*

- 27 (1) This paragraph applies where the suspended sentence order imposes...

PART 4 — SUPPLEMENTARY

*Provision of copies of orders etc*

- 28 (1) This paragraph applies on the making by a court...

SCHEDULE 17 — Transfer of suspended sentence orders to Scotland or Northern Ireland

PART 1 — SCOTLAND

*Restriction on making relevant suspended sentence order where offender resides in Scotland*

- 1 (1) This paragraph applies where— (a) a relevant suspended sentence...

*Amendment of relevant suspended sentence order to become SSSO*

- 2 (1) This paragraph applies where— (a) a relevant suspended sentence...

- 3 (1) A relevant suspended sentence order which is subject to...

PART 2 — NORTHERN IRELAND

*Restriction on making suspended sentence order where offender resides in Northern Ireland*

- 4 (1) This paragraph applies where— (a) a relevant suspended sentence...

*Amendment of relevant suspended sentence order to become an NISSO*

- 5 (1) This paragraph applies where— (a) a relevant suspended sentence...

- 6 (1) A relevant suspended sentence order which is subject to...

PART 3 — MAKING OF ORDERS

*Making or amending a suspended sentence order under*

- 7 This Part of this Schedule applies where, in accordance with...

*Community requirements: availability and restrictions on imposition*

- 8 (1) If the order is an SSSO, it must not...

- 9 (1) The order, as made or amended, may not impose...

- 10 Schedule 9 (requirements) applies as if— (a) any reference to...

*Matters to be specified in the order*

- 11 (1) The suspended sentence order, as made or amended in...

*Order to require home authority to appoint relevant officer*

- 12 The suspended sentence order, as made or amended in accordance...

*Provision of copies*

- 13 (1) This paragraph applies where a court makes an order...

PART 4 — PROVISIONS WHERE SSSO OR NISSO IS IN FORCE

*Status: Point in time view as at 06/04/2022.*

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*Application*

14 (1) This Part of this Schedule applies while an SSSO...

*Role of responsible officer to be carried out by relevant officer*

15 Sections 300 to 302 (role of responsible officer) apply as...

*Community requirements*

16 Schedule 9 (requirements) applies as if— (a) any reference to...  
PART 5 — BREACH OF COMMUNITY REQUIREMENT

*Application*

17 This Part of this Schedule— (a) applies where an SSSO...

*Breach of community requirement: duty to give warning or refer to home court*

18 (1) This paragraph applies where the relevant officer is of...

*Issue of citation or warrant by home court*

19 (1) Sub-paragraph (2) applies where it appears to the home...

*Powers of home court to determine breach or refer to original court*

20 (1) The court before which an offender appears or is...

*Determination by home court of breach of community requirement: further provision*

21 (1) Sub-paragraph (2) applies where an offender—

22 Paragraphs 18 to 21 have effect in place of paragraphs...

*Modifications of Part 2 of Schedule 16 etc*

23 (1) Part 2 of Schedule 16 (breach of community requirement...  
PART 6 — AMENDMENT OF SSSO OR NISSO: OFFENDER REMAINING IN  
SCOTLAND OR NORTHERN IRELAND

*Application*

24 This Part of this Schedule— (a) applies where an SSSO...

*Modifications of Part 3 of Schedule 16*

25 Part 3 of Schedule 16 (amendment of suspended sentence order)...

*Powers to amend suspended sentence order exercisable by home court*

26 (1) The home court may exercise any power conferred by...

*Cases in which offender is to be required to appear before home court*

27 (1) This paragraph applies in place of sub-paragraphs (5) and...

*Modification of sections 300 to 302 and Schedule 9*

28 (1) This paragraph applies where the home court is considering...

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*Power for home court to refer application to original court*

- 29 (1) This paragraph applies where an application is made to...

*Powers exercisable by court in England and Wales only after home court consideration*

- 30 (1) No court in England and Wales may exercise any...  
PART 7 — EXERCISE OF POWERS TO AMEND SSSO OR NISSO BY VIRTUE  
OF PART 5 OR 6 OF THIS SCHEDULE

*Application*

- 31 This Part of this Schedule applies where—

*Restrictions on exercise of powers to amend order*

- 32 (1) The court must not amend the order to impose...

*Provision of copies*

- 33 (1) This paragraph applies where a court amends an SSSO...

*Application of provisions of Part 3 of this Schedule*

- 34 Paragraphs 10 to 12 have effect in relation to the...  
PART 8 — AMENDMENT OF ORDER: RETURN TO ENGLAND AND WALES

*Amendment of order: return to England and Wales*

- 35 (1) This paragraph applies where— (a) an SSSO or NISSO...

*Restrictions on exercise of power under this Part of this Schedule*

- 36 (1) This paragraph applies where the SSSO or NISSO contains...  
37 (1) This paragraph applies where the SSSO or NISSO imposes...

*Making of order under this Part of this Schedule*

- 38 (1) This paragraph applies where the home court exercises the...  
PART 9 — SUPPLEMENTARY

*Electronic monitoring and SSSO*

- 39 Subsections (1) and (3) of section 245C of the Criminal...

*Service of citation or warrant*

- 40 (1) Section 4 of the Summary Jurisdiction (Process) Act 1881...  
PART 10 — INTERPRETATION  
41 (1) In this Schedule— “the appropriate court” has the same...

SCHEDULE 17A — Serious terrorism offences  
PART 1 — TERRORISM OFFENCES

*Terrorism Act 2000*

- 1 An offence under any of the following provisions of the...

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*Terrorism Act 2006*

- 2 An offence under any of the following provisions of the...

*Inchoate offences*

- 3 An inchoate offence (see section 398) in relation to an...  
PART 2 — OTHER OFFENCES (IN CASE WHERE DETERMINATION OF  
TERRORIST CONNECTION UNDER SECTION 69 IS MADE)

*Common law offences*

- 4 Manslaughter.  
5 Kidnapping.  
6 False imprisonment.

*Offences against the Person Act 1861*

- 7 An offence under any of the following provisions of the...

*Explosive Substances Act 1883*

- 8 An offence under any of the following provisions of the...

*Infant Life (Preservation) Act 1929*

- 9 An offence under section 1 of the Infant Life (Preservation)...

*Infanticide Act 1938*

- 10 An offence under section 1 of the Infanticide Act 1938...

*Firearms Act 1968*

- 11 An offence under any of the following provisions of the...

*Theft Act 1968*

- 12 An offence under either of the following provisions of the...

*Criminal Damage Act 1971*

- 13 (1) An offence of arson under section 1 of the...

*Biological Weapons Act 1974*

- 14 An offence under section 1 of the Biological Weapons Act...

*Taking of Hostages Act 1982*

- 15 An offence under section 1 of the Taking of Hostages...

*Aviation Security Act 1982*

- 16 An offence under any of the following provisions of the...

*Nuclear Material (Offences) Act 1983*

- 17 An offence under either of the following provisions of the...

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*Criminal Justice Act 1988*

18 An offence under section 134 of the Criminal Justice Act...

*Aviation and Maritime Security Act 1990*

19 An offence under any of the following provisions of the...

*Channel Tunnel (Security) Order 1994*

20 An offence under Part 2 of the Channel Tunnel (Security)...

*Chemical Weapons Act 1996*

21 An offence under either of the following provisions of the...

*International Criminal Court Act 2001*

22 An offence under section 51 or 52 of the International...

*Anti-terrorism, Crime and Security Act 2001*

23 An offence under either of the following provisions of the...

*Modern Slavery Act 2015*

24 An offence under either of the following provisions of the...

*Inchoate offences*

25 An inchoate offence (see section 398) in relation to an...

26 An inchoate offence in relation to murder.

SCHEDULE 18 — Specified offences for purposes of section 306

PART 1 — SPECIFIED VIOLENT OFFENCES

*Common law offences*

- 1 Manslaughter.
- 2 Kidnapping.
- 3 False imprisonment.

*Offences against the Person Act 1861*

4 An offence under any of the following provisions of the...

*Explosive Substances Act 1883*

5 An offence under any of the following provisions of the...

*Infant Life (Preservation) Act 1929*

6 An offence under section 1 of the Infant Life (Preservation)...

*Children and Young Persons Act 1933*

7 An offence under section 1 of the Children and Young...

*Status: Point in time view as at 06/04/2022.*

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*Infanticide Act 1938*

8 An offence under section 1 of the Infanticide Act 1938...

*Firearms Act 1968*

9 An offence under any of the following provisions of the...

*Theft Act 1968*

10 An offence under any of the following provisions of the...

*Criminal Damage Act 1971*

11 (1) An offence of arson under section 1 of the...

*Biological Weapons Act 1974*

11A An offence under section 1 of the Biological Weapons Act...

*Taking of Hostages Act 1982*

12 An offence under section 1 of the Taking of Hostages...

*Aviation Security Act 1982*

13 An offence under any of the following provisions of the...

*Nuclear Material (Offences) Act 1983*

13A An offence under either of the following provisions of the...

*Mental Health Act 1983*

14 An offence under section 127 of the Mental Health Act...

*Prohibition of Female Circumcision Act 1985*

15 An offence under section 1 of the Prohibition of Female...

*Public Order Act 1986*

16 An offence under any of the following provisions of the...

*Criminal Justice Act 1988*

17 An offence under section 134 of the Criminal Justice Act...

*Road Traffic Act 1988*

18 An offence under any of the following provisions of the...

*Aviation and Maritime Security Act 1990*

19 An offence under any of the following provisions of the...

*Channel Tunnel (Security) Order 1994*

20 An offence under Part 2 of the Channel Tunnel (Security)...

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*Chemical Weapons Act 1996*

20A An offence under either of the following provisions of the...

*Protection from Harassment Act 1997*

21 An offence under section 4 or 4A of the Protection...

*Crime and Disorder Act 1998*

22 (1) An offence under section 29 of the Crime and...

*International Criminal Court Act 2001*

23 An offence under section 51 or 52 of the International...

*Female Genital Mutilation Act 2003*

24 An offence under any of the following provisions of the...

*Domestic Violence, Crime and Victims Act 2004*

25 An offence under section 5 of the Domestic Violence, Crime...

*Modern Slavery Act 2015*

26 (1) An offence under section 1 of the Modern Slavery...

*Inchoate offences*

27 An inchoate offence (see section 398) in relation to an...

28 An inchoate offence in relation to murder.

PART 2 — SPECIFIED SEXUAL OFFENCES

*Sexual Offences Act 1956*

29 An offence under any of the following provisions of the...

*Mental Health Act 1959*

30 An offence under section 128 of the Mental Health Act...

*Indecency with Children Act 1960*

31 An offence under section 1 of the Indecency with Children...

*Sexual Offences Act 1967*

32 An offence under either of the following provisions of the...

*Theft Act 1968*

33 An offence under section 9 of the Theft Act 1968...

*Criminal Law Act 1977*

34 An offence under section 54 of the Criminal Law Act...



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*Protection of Children Act 1978*

35 An offence under section 1 of the Protection of Children...

*Customs and Excise Management Act 1979*

36 An offence under section 170 of the Customs and Excise...

*Criminal Justice Act 1988*

37 An offence under section 160 of the Criminal Justice Act...

*Sexual Offences Act 2003*

38 An offence under any of the following provisions of the...

*Modern Slavery Act 2015*

39 An offence under section 2 of the Modern Slavery Act...

*Inchoate offences*

40 An inchoate offence (see section 398) in relation to any...  
PART 3 — SPECIFIED TERRORISM OFFENCES

*Terrorism Act 2000*

41 An offence under any of the following provisions of the...

*Anti-terrorism, Crime and Security Act 2001*

42 An offence under any of the following provisions of the...

*Terrorism Act 2006*

43 An offence under any of the following provisions of the...

*Inchoate offences*

44 An inchoate offence (see section 398) in relation to any...

SCHEDULE 19 — Schedule 19 offences

*Common law offences*

- 1 Manslaughter.
- 2 Kidnapping.
- 3 False imprisonment.

*Offences against the Person Act 1861*

4 An offence under any of the following provisions of the...

*Explosive Substances Act 1883*

- 5 An offence under either of the following provisions of the...
- 6 An offence under section 4 of that Act (making or...

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*Infant Life (Preservation) Act 1929*

7 An offence under section 1 of the Infant Life (Preservation)...

*Infanticide Act 1938*

8 An offence under section 1 of the Infanticide Act 1938...

*Firearms Act 1968*

9 An offence under any of the following provisions of the...

*Theft Act 1968*

10 An offence under either of the following provisions of the...

*Criminal Damage Act 1971*

11 An offence of arson under section 1 of the Criminal...

12 An offence under section 1(2) of that Act (destroying or...

*Taking of Hostages Act 1982*

13 An offence under section 1 of the Taking of Hostages...

*Aviation Security Act 1982*

14 An offence under any of the following provisions of the...

*Criminal Justice Act 1988*

15 An offence under section 134 of the Criminal Justice Act...

*Aviation and Maritime Security Act 1990*

16 An offence under any of the following provisions of the...

*Channel Tunnel (Security) Order 1994*

17 An offence under Part 2 of the Channel Tunnel (Security)...

*Terrorism Act 2000*

18 An offence under any of the provisions of the Terrorism...

*Anti-terrorism, Crime and Security Act 2001*

19 An offence under either of the following provisions of the...

*Sexual Offences Act 2003*

20 An offence under any of the provisions of the Sexual...

*Terrorism Act 2006*

21 An offence under any of the provisions of the Terrorism...

*Modern Slavery Act 2015*

22 An offence under either of the following provisions of the...

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### *Inchoate offences*

- 23 An inchoate offence (see section 398) in relation to an...
- 24 (1) An attempt to commit murder. (2) Conspiracy to commit...

### SCHEDULE 20 — Detention under section 250 and minimum sentences: firearms offences

#### PART 1 — OFFENCES

- 1 An offence under section 5(1)(a), (ab), (aba), (ac), (ad), (ae),...
- 1A An offence under section 5(1)(ag) or (ba) of the Firearms...
- 2 An offence under section 5(1A)(a) of the Firearms Act 1968...
- 3 An offence under section 5(2A) of the Firearms Act 1968...
- 4 (1) An offence under any of the provisions of the...
- 5 An offence under section 28 of the Violent Crime Reduction...

#### PART 2 — INTERPRETATION OF SCHEDULE

- 6 In this Schedule— “relevant firearm” means a firearm specified in...

### SCHEDULE 21 — Determination of minimum term in relation to mandatory life sentence for murder etc

#### *Interpretation*

- 1 In this Schedule— “child” means a person aged under 18;...

#### *Starting points*

- 2 (1) If— (a) the court considers that the seriousness of...
- 3 (1) If— (a) the case does not fall within paragraph...
- 4 (1) If— (a) the case does not fall within paragraph...
- 5 If the offender was aged 18 or over when the...
- 6 If the offender was aged under 18 when the offence...

#### *Aggravating and mitigating factors*

- 7 Having chosen a starting point, the court should take into...
- 8 Detailed consideration of aggravating or mitigating factors may result in...
- 9 Aggravating factors (additional to those mentioned in paragraphs 2(2), 3(2)...
- 10 Mitigating factors that may be relevant to the offence of...
- 11 Nothing in this Schedule restricts the application of—

#### *Offences committed before 18 December 2003*

- 12 (1) This paragraph applies where the offence was committed before...

### SCHEDULE 22 — Amendments of the Sentencing Code and related amendments of other legislation

#### PART 1 — GENERAL PROVISIONS

#### *Pre-sentence drug testing*

- 1 After section 34 insert— Pre-sentence drug testing Pre-sentence drug testing...
- 2 In section 230 (threshold for imposing discretionary custodial sentence), after...

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*Purposes of sentencing*

- 3 (1) For section 58 substitute— Purposes etc of sentencing: offenders...

*Seriousness*

- 4 In Schedule 1 (offences where terrorist connection to be considered)—...  
 PART 2 — REFERRAL ORDERS

*Referral orders consecutive to earlier referral orders*

- 5 In section 87 (referral order consecutive to earlier referral order),...  
 PART 3 — FINES ETC: ABOLITION OF DETENTION IN DEFAULT OF PAYMENT
- 6 In section 119 (power of magistrates' court to fine where...
- 7 In section 127 (remission of fines following determination under section...
- 8 In section 129 (fine imposed on offender by Crown Court:...
- 9 In section 132 (enforcement of fines imposed on offenders by...
- 10 In section 382 (power to determine financial circumstances of offender's...  
 PART 4 — COMMUNITY SENTENCES

*Youth rehabilitation orders with intensive supervision and surveillance*

- 11 (1) In section 179 (exercise of power to impose youth...

*Youth rehabilitation order for offender previously fined*

- 12 (1) In section 179 (exercise of power to impose youth...

*Availability etc of community order*

- 13 In section 202 (availability of community order)—
- 14 (1) In section 204 (exercise of power to impose community...

*Youth rehabilitation orders and community sentences: references to previous convictions*

- 15 After section 397 insert— Offenders fined at least three times:...

*Community orders and youth rehabilitation orders for persistent offenders: amendments relating to offences in other member States*

- 16 .....
- 17 .....
- 18 .....
- 19 (1) Section 397A (offenders fined at least three times: interpretation),...

*Consequential amendment of section 77 (basis of opinion provisions)*

- 20 (1) In section 77, subsection (5) is amended as follows....

*Community orders: powers to imprison offender for wilful or persistent breach*

- 21 (1) Schedule 10 (breach etc of community order) is amended...

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*Exceptions to threshold for custodial sentence where offender fails to express willingness to comply with amended requirement*

- 22 (1) In Schedule 9 (community orders and suspended sentence orders:...

*Change of residence: duty of responsible officer to apply to court for amendment of order*

- 23 In Schedule 10 (breach, revocation and amendment of community order),...

PART 5 — CUSTODIAL SENTENCES

*Increase in magistrates' court's power to impose imprisonment*

- 24 (1) Section 224 (general limit on magistrates' court's power to...  
25 In— (a) paragraph 10(5)(d) of Schedule 10 (magistrates' court's powers...  
26 In— (a) paragraph 11(2)(d) of Schedule 10 (Crown Court's powers...

*Detention and training orders: offenders aged under 12*

- 27 (1) In section 234 (detention and training order: availability)—

*Repeal of temporary provision resulting from paragraph 27*

- 28 (1) In section 234, omit subsection (1)(aa).

*Detention and training orders: summary offences*

- 29 (1) Section 236 is amended as follows.

*Custodial sentences where offender already subject to sentence following conviction before commencement*

- 30 In section 244 (offender subject concurrently to detention and training...  
31 In section 245 (offender subject concurrently to detention and training...  
32 In section 248 (detention and training orders: interpretation)—  
33 In section 253 (sentence of detention passed on offender subject...  
34 In section 257 (extended sentence under section 254 where offender...  
35 In section 270 (sentence of detention in a young offender...

*Age limit for imposing imprisonment*

- 36 In section 15 (committal for sentence of dangerous adult offenders)—...  
37 In section 59(2) (sentencing guidelines: general duty of court)—  
38 In section 61 (sentencing guidelines: extended sentences and life sentences)—...  
38A In section 73(2A) (reduction in serious terrorism sentence for guilty...  
38B In section 74(4A) (reduction in serious terrorism sentence for assistance...  
39 In section 129(5)(c) (fine imposed on offender by Crown Court:...  
40 In section 166(5) (extension of disqualification where custodial sentence also...  
41 In section 221 (overview of Part 10)—  
42 In section 224 (general limit on magistrates' court's power to...  
43 In section 226 (custodial sentence: restriction in certain cases where...  
44 In section 227 (restriction on imposing imprisonment on person under...

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- 45 In section 230(3) (threshold for imposing discretionary custodial sentence), for...
- 46 In section 231 (length of discretionary custodial sentences: general provision)—...
- 47 In section 236 (term of order, consecutive terms and taking...
- 48 In section 244 (interaction with sentences of detention in a...
- 49 In section 246 (effect of detention and training order made...
- 50 In section 249 (sentence of detention under section 250: availability),...
- 51 In section 252 (maximum sentence), in subsection (2), in paragraphs...
- 51A In section 252A (special sentence of detention for terrorist offenders...
- 52 In section 256 (term of extended sentence of detention under...
- 53 (1) Omit Chapter 3 of Part 10 (custodial sentences for...
- 54 In section 277 (suspended sentence order for person aged 21...
- 55 In section 278 (required special custodial sentence for certain offenders...
- 56 In section 279 (extended sentence of imprisonment for certain violent...
- 57 In section 280 (extended sentence of imprisonment: availability), in subsection...
- 57A In section 282A (serious terrorism sentence of imprisonment: persons 21...
- 57B In section 282B (serious terrorism sentence of imprisonment: circumstances in...
- 58 In section 283 (life sentence for second listed offence), in...
- 59 In section 285 (required life sentence for offence carrying life...
- 60 In section 286 (suspended sentence order), in subsection (1), omit...
- 61 In section 289 (suspended sentence to be treated generally as...
- 62 In section 308(1) (the assessment of dangerousness)—
- 63 In section 310 (certificates of conviction), in the words following...
- 64 In section 311 (minimum sentence for certain offences involving firearms...
- 65 In section 312 (mandatory minimum sentence for offences of threatening...
- 66 In section 313 (minimum sentence for third drug trafficking offence)  
—...
- 67 In section 314 (minimum sentence for third domestic burglary offence)  
—...
- 68 In section 315 (minimum sentence for repeat offence involving weapon...
- 68A In section 323 (minimum term order: other life sentences)—
- 69 In section 324 (interpretation of sections 321 and 322), in...
- 70 In section 329 (conversion of sentence of detention to sentence...
- 71 (1) In section 384(3)(b) (commencement of sentence), for “, 257...
- 72 (a) In section 397(1) (interpretation: general), in the definition of...
- 73 In section 399 (mandatory sentences)— (a) in paragraph (b)—
- 74 (1) In paragraph 10 of Schedule 10 (magistrates' court's powers...
- 75 (1) In paragraph 11 of Schedule 10 (Crown Court's powers...
- 76 In Schedule 12, in paragraph 3 (breach of requirement of...
- 77 In Schedule 14 (extended sentences: the earlier offence condition: offences),...
- 78 In Schedule 15 (life sentence for second offence: listed offences),...

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*Change of residence: duty of responsible officer to  
apply for amendment of suspended sentence order*

- 79 In Schedule 16 (breach or amendment of suspended sentence order,...

*Dangerous offenders*

- 79A In Schedule 17A (serious terrorism offences), after paragraph 24 insert  
—...  
80 In Schedule 18 (specified violent offences), after paragraph 26 insert  
—...

*Minimum sentences: firearms and corrosive substances*

- 81 (1) Schedule 20 (detention under section 250 and minimum sentences:...  
82 (1) Section 315 (minimum sentence for repeat offence involving  
weapon)...  
83 In each of the following provisions, after “weapon” insert “...

*Life imprisonment*

- 84 In Schedule 19 (Schedule 19 offences), after paragraph 22 insert—...  
85 (1) Section 323 (minimum term order: other life sentences) is...  
PART 6 — EU EXIT  
86 (1) Section 65 (previous convictions) is amended as follows.  
87 (1) In section 85 (duty and power to make referral...  
87A Section 267 (extended sentence of detention in a young offender...  
88 (1) In section 273 (custody for life for second listed...  
88A Section 280 (extended sentence of imprisonment: availability) is  
amended as...  
89 (1) In section 283 (life sentence for second listed offence)...  
90 (1) In section 313 (minimum sentence of 7 years for...  
91 (1) In section 314 (minimum sentence of 3 years for...  
92 (1) In section 315 (minimum sentence for repeat offence involving...  
93 (1) Section 317 (certificates of conviction for purposes of sections...  
94 (1) Section 318 (offences under service law) is amended as...  
95 (1) ... Schedule 14 (extended sentences: the earlier offence condition:...  
96 (1) Schedule 15 (life sentence for second offence: listed offences),...  
97 Omit paragraphs 16 to 18 of this Schedule (which make...  
97A In paragraph 19 of this Schedule (which makes amendments to...  
PART 7 — MISCELLANEOUS  
98 In section 354 (offence: breach of sexual harm prevention order),...  
99 In section 379 (other behaviour orders), in subsection (1), at...  
100 In section 396 (execution of process between England and Wales...  
PART 8 — AMENDMENTS OF OTHER ACTS CONSEQUENTIAL ON  
PROSPECTIVE CHANGE TO AGE LIMIT FOR IMPOSING  
IMPRISONMENT

*Mental Health Act 1983 (c. 20)*

- 101 (1) Section 37 of the Mental Health Act 1983 .....

*Road Traffic Offenders Act 1988 (c. 53)*

- 102 In section 35A(4) of the Road Traffic Offenders Act 1988...

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SCHEDULE 23 — Powers to amend the Sentencing Code  
PART 1 — GENERAL PROVISIONS

*Seriousness: list of offences in which terrorist connection to be considered*

- 1 (1) The Secretary of State may by regulations amend Schedule...  
PART 2 — ORDERS FOR CONDITIONAL DISCHARGE
- 2 (1) The Secretary of State may by regulations amend subsection...  
PART 3 — REFERRAL ORDERS

*Power to amend descriptions of offender for certain purposes connected with referral orders*

- 3 (1) The Secretary of State may by regulations amend any...

*Power to alter amount of fine in respect of referral order on referral back to court*

- 4 (1) The Secretary of State may by regulations amend any...  
PART 4 — FINES AND COMPENSATION ORDERS

*Standard scale*

- 5 (1) The Secretary of State may by regulations amend section...
- 6 (1) The Secretary of State may by regulations amend section...

*Power to alter limits on fines and compensation orders etc in magistrates' court*

- 7 (1) The Secretary of State may by regulations substitute, for...  
PART 5 — YOUTH REHABILITATION ORDERS

*Responsible officer*

- 8 (1) The Secretary of State may by regulations—

*Power to amend limits*

- 9 (1) The Secretary of State may by regulations substitute a...

*Power to amend fines for breach of youth rehabilitation order*

- 10 (1) The Secretary of State may by regulations amend any...

*Maximum period of fostering requirement where imposed by virtue of Schedule 7*

- 11 (1) The Secretary of State may by regulations amend paragraph...

*Power to amend provisions of Schedule 8 in  
consequence of changes to the law in Northern Ireland*

- 12 (1) This paragraph applies where a change is made to...  
PART 6 — COMMUNITY REQUIREMENTS

*Power to amend limits*

- 13 (1) The Secretary of State may by regulations substitute the...  
PART 7 — COMMUNITY ORDERS

*Breach of community order: power to amend amounts of fines*

- 14 (1) The Secretary of State may by regulations amend any...



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## PART 8 — CUSTODIAL SENTENCES

### *Detention and training orders: end of period of supervision*

- 15 (1) Subject to sub-paragraphs (2) and (3), the Secretary of...

### *Offenders of particular concern: listed offences*

- 16 (1) The Secretary of State may by regulations amend Schedule...

### *Suspended sentence order: power to amend amounts of fines*

- 17 (1) The Secretary of State may by regulations amend any...

### *Power to exclude application of minimum sentences to those under 18*

- 18 (1) The Secretary of State may by regulations—

### *Determining minimum term of mandatory life sentence*

- 19 (1) The Lord Chancellor may by regulations amend Schedule 21....

## SCHEDULE 24 — Consequential amendments

### PART 1 — ACTS OF PARLIAMENT

#### *Children and Young Persons Act 1933 (c. 12)*

- 1 In section 34(7B) of the Children and Young Persons Act...  
2 (1) Section 49 of that Act is amended as follows....  
3 (1) Section 58 of that Act is amended as follows....

#### *Prison Act 1952 (c. 52)*

- 4 In section 13(2) of the Prison Act 1952, after “or...  
5 In section 49(5)(c) of that Act, for “section 107(1) of...

#### *Prevention of Crime Act 1953 (c. 14)*

- 6 In section 1 of the Prevention of Crime Act 1953,...  
7 In section 1A of that Act, after subsection (4) insert—...

#### *Copyright Act 1956 (c. 74)*

- 8 In section 21 of the Copyright Act 1956, for subsection...

#### *Criminal Appeal Act 1968 (c. 19)*

- 9 In section 9(1A) of the Criminal Appeal Act 1968—  
10 In section 10(2)(b) of that Act— (a) in sub-paragraph (ii),...  
11 After section 30A of that Act insert— Criminal courts charge...  
12 In section 50(1A) of that Act, for “Section 14 of...  
13 In Schedule 2 to that Act, in paragraph 2(4), after...

#### *Court Martial Appeals Act 1968 (c. 20)*

- 14 In section 8(1ZA) of the Court Martial Appeals Act 1968—...

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*Firearms Act 1968 (c. 27)*

- 15 (1) Section 21 of the Firearms Act 1968 is amended...  
16 (1) Section 51A of that Act is amended as follows...  
17 In section 52(1A)(a) of that Act— (a) for “the meaning...

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

- 18 In section 64(3)(a) of the Health Services and Public Health...  
19 In section 65(3)(b)(xxii) of that Act, before “Part 1 of...

*Civil Evidence Act 1968 (c. 64)*

- 20 In section 11(5)(a) of the Civil Evidence Act 1968, for...

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

- 21 In section 94(1) of the Social Work (Scotland) Act 1968,...

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

- 22 In section 10(5)(a) of the Law Reform (Miscellaneous Provisions)  
(Scotland)...

*Children and Young Persons Act 1969 (c. 54)*

- 23 In section 30(1) of the Children and Young Persons Act...  
24 (1) Section 32 of that Act is amended as follows...  
25 In section 70(1) of that Act— (a) in the definition...

*Administration of Justice Act 1970 (c. 31)*

- 26 (1) Schedule 9 to the Administration of Justice Act 1970...

*Misuse of Drugs Act 1971 (c. 38)*

- 27 (1) Section 4A of the Misuse of Drugs Act 1971...

*Juries Act 1974 (c. 23)*

- 28 (1) Schedule 1 to the Juries Act 1974 is amended...

*Consumer Credit Act 1974 (c. 39)*

- 29 In section 119(2) of the Consumer Credit Act 1974, for...

*Solicitors Act 1974 (c. 47)*

- 30 In section 43(7) of the Solicitors Act 1974, for “section...

*Rehabilitation of Offenders Act 1974 (c. 53)*

- 31 (1) Section 1 of the Rehabilitation of Offenders Act 1974...  
32 (1) Section 5 of that Act, as it extends to...  
33 (1) Section 5 of that Act, as it extends to...  
34 In section 7(2)(d) of that Act, for “Part 1 of...

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*Bail Act 1976 (c. 63)*

- 35 In section 2(2) of the Bail Act 1976—
- 36 In section 4(3) of that Act— (a) in paragraph (za),...
- 37 (1) Schedule 1 to that Act is amended as follows....

*Criminal Law Act 1977 (c. 45)*

- 38 In section 3(1) of the Criminal Law Act 1977, for...

*Interpretation Act 1978 (c. 30)*

- 39 (1) Schedule 1 to the Interpretation Act 1978 is amended...

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

- 40 In section 5(2)(a) of the Ancient Monuments and Archaeological Areas...
- 41 In section 29 of that Act, for “section 130 of...

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

- 42 In section 1(2)(b) of the Licensed Premises (Exclusion of Certain...

*Magistrates' Courts Act 1980 (c. 43)*

- 43 In section 11(3) of the Magistrates' Courts Act 1980 (“the...
- 44 In section 17A(4)(b) of the MCA 1980—
- 45 In section 17D(2)(b) of the MCA 1980, for “sections 3...
- 46 In section 20(2)(c) of the MCA 1980—
- 47 (1) Section 20A of the MCA 1980 is amended as...
- 48 In section 24(3) of the MCA 1980, for “section 89(1)...
- 49 In section 24A(5)(b) of the MCA 1980—
- 50 (1) Section 81 of the MCA 1980 is amended as...
- 51 In section 82(1A) of the MCA 1980—
- 52 In section 85(3A)(b) of the MCA 1980, for “section 161A...
- 53 In section 91(3) of the MCA 1980, for “section 140(1)...
- 54 (1) Section 108 of the MCA 1980 is amended as...
- 55 In section 113(3) of the MCA 1980 as amended by...
- 56 In section 121(5A) of the MCA 1980—
- 57 In section 125D(3)(f) of the MCA 1980, for “Schedule 1...
- 58 In section 126(f) of the MCA 1980, for “Schedule 1...
- 59 In section 133(1) of the MCA 1980, for “section 265...
- 60 In section 139(aa) of the MCA 1980, for “section 161A...

*Law Reform (Miscellaneous Provisions) (Scotland) Act 1980 (c. 55)*

- 61 In Schedule 1 to the Law Reform (Miscellaneous Provisions) (Scotland)...

*Imprisonment (Temporary Provisions) Act 1980 (c. 57)*

- 62 In section 6(1) of the Imprisonment (Temporary Provisions) Act 1980,...

*Public Passenger Vehicles Act 1981 (c. 14)*

- 63 In Schedule 3 to the Public Passenger Vehicles Act 1981,...

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*Criminal Attempts Act 1981 (c. 47)*

64 In section 4(5)(b) of the Criminal Attempts Act 1981, for...

*Contempt of Court Act 1981 (c. 49)*

65 In section 12(5) of the Contempt of Court Act 1981, ...  
66 In section 16(3) of that Act, for “sections 139 and...  
67 In Schedule 1 to that Act, in paragraph 6, for...

*Senior Courts Act 1981 (c. 54)*

68 After section 52 of the Senior Courts Act 1981 insert—...  
69 (1) Section 140 of that Act is amended as follows....

*Criminal Justice Act 1982 (c. 48)*

70 In section 32(1A) of the Criminal Justice Act 1982—  
71 In section 46(3) of that Act— (a) for “an order...  
72 (1) Schedule 13 to that Act is amended as follows....

*Mental Health Act 1983 (c. 20)*

73 (1) Section 37 of the Mental Health Act 1983 is...  
74 In section 43(4) of that Act, for “section 3 or...

*Child Abduction Act 1984 (c. 37)*

75 In the Schedule to the Child Abduction Act 1984, in...

*Police and Criminal Evidence Act 1984 (c. 60)*

76 In section 17(1)(cb)(ii) of the Police and Criminal Evidence Act...  
77 In section 38(6A) of that Act, in the definition of...  
78 In section 63A(3B) of that Act, after “section 92 of...  
79 In section 63K(6)(a) of that Act, after “section 76 of...  
80 In section 75(3)(a) of that Act— (a) after “section 14...

*Prosecution of Offences Act 1985 (c. 23)*

81 In section 3(2) of the Prosecution of Offences Act 1985—...  
82 In section 7A(5) of that Act, in the definition of...  
83 (1) Section 19(3C) of that Act is amended as follows....

*Housing Act 1985 (c. 68)*

84 In section 84A(5) of the Housing Act 1985, after “section...  
85 In Schedule 3 to that Act, under Ground 2A, in...

*Surrey Act 1985 (c. iii)*

86 In section 2(1) of the Surrey Act 1985, in the...

*Clwyd County Council Act 1985 (c. xliv)*

87 In section 2(1) of the Clwyd County Council Act 1985,...

*Status: Point in time view as at 06/04/2022.*

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*Insolvency Act 1986 (c. 45)*

88 In section 281(4A) of the Insolvency Act 1986, for “section...

*Criminal Justice Act 1988 (c. 33)*

89 (1) Section 36 of the Criminal Justice Act 1988 is...  
90 In section 139 of that Act, after subsection (6) insert—...  
91 In section 139A of that Act, before subsection (6) insert—...  
92 In section 139AA of that Act, after subsection (6) insert—...  
93 In section 159(1)(aa) of that Act, after “by the Crown...

*Firearms (Amendment) Act 1988 (c. 45)*

94 (1) Section 1 of the Firearms (Amendment) Act 1988 is...

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

95 In section 108(6) of the Copyright, Designs and Patents Act...  
96 In section 199(6) of that Act, for “section 143 of...

*Housing Act 1988 (c. 50)*

97 In Schedule 2 to the Housing Act 1988, under Condition...

*Road Traffic Act 1988 (c. 52)*

98 In section 164(5) of the Road Traffic Act 1988, for...

*Road Traffic Offenders Act 1988 (c. 53)*

99 (1) Section 26 of the Road Traffic Offenders Act 1988...  
100 (1) Section 34 of that Act is amended as follows...  
101 (1) Section 35 of that Act is amended as follows...  
102 (1) Section 35A of that Act is amended as follows...  
103 In section 37(1B) of that Act, in paragraph (c) insert...  
104 In section 42(3B) of that Act, in paragraph (c) insert...  
105 (1) Section 46 of that Act is amended as follows...  
106 In section 47(2ZA) of that Act, for paragraph (c) substitute—...

*Football Spectators Act 1989 (c. 37)*

107 In section 14A(5) of the Football Spectators Act 1989, for...

*Children Act 1989 (c. 41)*

108 (1) Section 21 of the Children Act 1989 is amended...  
109 In section 31(7)(b)(ii) of that Act, for “the meaning of...  
110 In section 104 of that Act— (a) in subsection (3A),...  
111 In section 105(6)(ba) of that Act, for “Part 1 of...  
112 (1) Schedule A1 to that Act is amended as follows...  
113 In Schedule 2 to that Act, in paragraph 21(7), at...  
114 (1) Schedule 3 to that Act is amended as follows...  
115 In Schedule 8 to that Act, in paragraph 3(a), for...

*Environmental Protection Act 1990 (c. 43)*

116 (1) Section 33B of the Environmental Protection Act 1990 is...

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- 117 In section 33C(8) of that Act, for “section 143 of...
- 118 In section 59(8A), for “a compensation order has been made...
- 119 In section 59ZB(10), for “a compensation order has been made...

*Criminal Justice Act 1991 (c. 53)*

- 120 (1) Section 24 of the Criminal Justice Act 1991 is...
- 121 (1) In Schedule 3 to that Act, paragraph 11 is...

*Social Security Administration Act 1992 (c. 5)*

- 122 In section 121(2) of the Social Security Administration Act 1992,...

*Aggravated Vehicle-Taking Act 1992 (c. 11)*

- 123 In section 1(2)(a) of the Aggravated Vehicle-Taking Act 1992, for...

*Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)*

- 124 In section 1AB(2) of the Prisoners and Criminal Proceedings (Scotland)...
- 125 (1) Section 10 of that Act is amended as follows....

*Vehicle Excise and Registration Act 1994 (c. 22)*

- 126 In section 32(1)(a) of the Vehicle Excise and Registration Act...
- 127 In section 41(1)(a) of that Act, for “section 12 of...

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

- 128 In section 15 of the Criminal Justice and Public Order...
- 129 In section 25(5) of that Act, in paragraph (a) of...
- 130 In section 136(7A) of that Act— (a) for “Schedule 1...

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

- 131 In Schedule 3 to the Goods Vehicles (Licensing of Operators)...

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

- 132 In section 222(8) of the Criminal Procedure (Scotland) Act 1995,...
- 133 (1) Schedule 13 to that Act is amended as follows....

*London Local Authorities Act 1995 (c. x)*

- 134 In section 26(1) of the London Local Authorities Act 1995,...

*Criminal Procedure and Investigations Act 1996 (c. 25)*

- 135 In the Criminal Procedure and Investigations Act 1996, in the...
- 136 (1) Section 58 of that Act is amended as follows....
- 137 In section 59(1) of that Act, in paragraphs (a) and...
- 138 In section 79 of that Act, after subsection (3) insert—...
- 139 Omit sections 58 to 60 and section 61(1) to (3)...
- 140 In Schedule 4 to that Act omit paragraphs 23 and...

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*Housing Act 1996 (c. 52)*

141 In section 179(5) of the Housing Act 1996, in paragraph...

*Education Act 1996 (c. 56)*

142 (1) Section 562 of the Education Act 1996 is amended...

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

143 In Schedule 1 to the Social Security (Recovery of Benefits)...

*Protection from Harassment Act 1997 (c. 40)*

144 In section 5A of the Protection from Harassment Act 1997,...

*Crime (Sentences) Act 1997 (c. 43)*

145 In section 28(8A) of the Crime (Sentences) Act 1997, at...

146 In section 34(2) of that Act— (a) in paragraph (b),...

147 In section 35(1)(b) of that Act, for “section 89 of...

148 In section 40(1)(b) of that Act, for “section 89 of...

149 (1) Schedule 1 to that Act is amended as follows....

*Police Act 1997 (c. 50)*

150 In section 113CA(2)(fa) of the Police Act 1997—

151 In section 113CB(2)(fa) of that Act— (a) after “under section...

*Crime and Disorder Act 1998 (c. 37)*

152 (1) Section 8 of the Crime and Disorder Act 1998...

153 (1) Section 9 of the CDA 1998 is amended as...

154 In section 38(4) of the CDA 1998—

155 (1) Section 41(5) of the CDA 1998 is amended as...

156 (1) Section 51A of the CDA 1998 is amended as...

157 In section 66ZB(6)(a) of the CDA 1998, for “section 12(1)(b)...

158 In section 66F(a) of the CDA 1998, for “section 12(1)(b)...

159 In section 117(1) of the CDA 1998, in the definition...

160 (1) Schedule 3 to the CDA 1998 is amended as...

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

161 In Schedule 2 to the Youth Justice and Criminal Evidence...

*Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)*

162 In section 60(1)(b) of the Powers of Criminal Courts (Sentencing)...

163 In section 108(1) of that Act, for “section 89(1) above”...

164 In the italic heading before section 139 of that Act,...

165 (1) Section 139 of that Act is amended as follows....

166 (1) Section 140 of that Act is amended as follows....

167 (1) Section 142(1) of that Act is amended as follows....

168 (1) Section 163 of that Act is amended as follows....

169 In section 164 omit subsection (3).

170 (1) Schedule 5 to that Act is amended as follows....

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*Terrorism Act 2000 (c. 11)*

- 171 In section 23A(4) of the Terrorism Act 2000—  
172 In Schedule 4 to that Act— (a) in paragraph 1,...

*Criminal Justice and Court Services Act 2000 (c. 43)*

- 173 In section 62(5) of the Criminal Justice and Court Services...  
174 In section 62A(4)(b) of that Act, after “section 91 of...  
175 In section 64(5) of that Act— (a) in paragraph (c),...  
176 In section 64A(8) of that Act, in the definition of...

*Social Security Fraud Act 2001 (c. 11)*

- 177 In section 6B(14)(b)(ii) of the Social Security Fraud Act 2001,...

*Criminal Justice and Police Act 2001 (c. 16)*

- 178 In section 3(2A) of the Criminal Justice and Police Act...

*International Criminal Court Act 2001 (c. 17)*

- 179 In Schedule 7 to the International Criminal Court Act 2001,...

*Anti-terrorism, Crime and Security Act 2001 (c. 24)*

- 180 (1) In Schedule 1 to the Anti-terrorism, Crime and Security...

*Proceeds of Crime Act 2002 (c. 29)*

- 181 In section 6(2)(b) of the Proceeds of Crime Act 2002...  
182 (1) Section 13 of the POCA 2002 is amended as...  
183 In section 14(12) of the POCA 2002—  
184 In section 15(2) and (3) of the POCA 2002—  
185 (1) Section 19 of the POCA 2002 is amended as...  
186 (1) Section 20 of the POCA 2002 is amended as...  
187 In section 21(9) of the POCA 2002—  
188 In section 22(5) of the POCA 2002—  
189 In section 27(2)(b) of the POCA 2002, for “section 3, ...  
190 In section 32(7) of the POCA 2002—  
191 In section 33(9) of the POCA 2002—  
192 (1) Section 35 of the POCA 2002 is amended as...  
193 (1) Section 38 of the POCA 2002 is amended as...  
194 (1) Section 39 of the POCA 2002 is amended as...  
195 In section 70(5) of the POCA 2002—  
196 In section 82(2)(d) of the POCA 2002, for “the Sentencing...  
197 In section 118(2C) and (2D)(b) of the POCA 2002, for...  
198 In section 148(2)(d) of the POCA 2002, after “section 143...  
199 In section 230(2)(d) of the POCA 2002, after “section 143...  
200 (1) Section 308 of the POCA 2002 is amended as...

*Railways and Transport Safety Act 2003 (c. 20)*

- 201 In section 11(4)(a) of the Railways and Transport Safety Act...



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*Crime (International Co-operation) Act 2003 (c. 32)*

- 202 In section 54(3A)(c) of the Crime (International Co-operation) Act 2003,...

*Courts Act 2003 (c. 39)*

- 203 In Schedule 5 to the Courts Act 2003, in paragraph...

*Extradition Act 2003 (c. 41)*

- 204 In section 153(4) of the Extradition Act 2000, for paragraph...

*Sexual Offences Act 2003 (c. 42)*

- 205 In section 88(4)(c) of the Sexual Offences Act 2003 (“the...  
206 In section 89(1) of the SOA 2003, in the entry...  
207 In section 91A(2)(b) of the SOA 2003, at the end...  
208 In section 103C(6) of the SOA 2003, after “another),” insert...  
209 In section 113(1ZA) of the SOA 2003, at the end...  
210 In section 131 of the SOA 2003—  
211 In section 133(1) of the SOA 2003—  
212 In section 134(1)(a) of the SOA 2003, for “section 14(1)...  
213 In section 136ZA(1)(a) of the SOA 2003, after “order” insert...  
214 In section 136ZB of the SOA 2003, after subsection (2)...  
215 (1) Section 137 of the SOA 2003 is amended as...  
216 In Schedule 3 to the SOA 2003, in paragraph 96(a),...

*Criminal Justice Act 2003 (c. 44)*

- 217 In section 221(2) of the Criminal Justice Act 2003 (“the...  
218 (1) Section 237 of the CJA 2003 is amended as...  
219 (1) Section 240ZA of the CJA 2003 is amended as...  
220 (1) Section 240A of the CJA 2003 is amended as...  
221 (1) Section 241 of the CJA 2003 is amended as...  
222 (1) Section 243 of the CJA 2003 is amended as...  
223 (1) Section 244A of the CJA 2003 is amended as...  
224 (1) Section 246 of the CJA 2003 is amended as...  
225 (1) Section 246A of the CJA 2003 is amended as...  
226 (1) Section 247A of the CJA 2003 (inserted by section...  
227 (1) Section 250 of the CJA 2003 is amended as...  
228 In section 255A(7) of the CJA 2003—  
229 (1) Section 256AA of the CJA 2003 is amended as...  
230 In section 256AB(2) of the CJA 2003, for “section 200A(5)...  
231 (1) Section 256AC of the CJA 2003 is amended as...  
232 (1) Section 256B of the CJA 2003 is amended as...  
233 In section 258(3A) of the CJA 2003, for “the Sentencing...  
234 In section 260(2A) of the CJA 2003—  
235 In section 263(4) of the CJA 2003, for “the Sentencing...  
236 (1) Section 264 of the CJA 2003 is amended as...  
237 Before section 264B of the CJA 2003 insert— Consecutive terms:...  
238 In section 268(1A) of the CJA 2003—  
239 In section 273(3) of the CJA 2003, for paragraphs (a)...  
240 In section 274(2) of the CJA 2003, for the words...  
241 (1) Section 300 of the CJA 2003 is amended as...

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- 242 In section 301(1)(b) of the CJA 2003, for “section 89...  
 243 (1) Section 305(1) of the CJA 2003 is amended as...  
 244 In section 327(3)(b) of the CJA 2003—  
 245 (1) Schedule 15 to the CJA 2003 is amended as...  
 246 (1) Schedule 15B to the CJA 2003 is amended as...  
 247 In Schedule 19ZA to the CJA 2003, in the heading...  
 248 (1) Schedule 19A to the CJA 2003 is amended as...  
 249 (1) Schedule 31 to the CJA 2003 is amended as...

*Health and Social Care (Community Health and Standards) Act 2003 (c. 43)*

- 250 In Schedule 10 to the Health and Social Care (Community...

*Domestic Violence, Crime and Victims Act 2004 (c. 28)*

- 251 In section 6(5) of the Domestic Violence, Crime and Victims...  
 252 (1) Section 45 of that Act is amended as follows....

*Constitutional Reform Act 2005 (c. 4)*

- 253 In Schedule 7 to the Constitutional Reform Act 2005, in...

*Serious Organised Crime and Police Act 2005 (c. 15)*

- 254 In section 73(1) of the Serious Organised Crime and Police...  
 255 In section 74(1) of that Act, after “This section applies...

*Government of Wales Act 2006 (c. 32)*

- 256 In Schedule 1A to the Government of Wales Act 2006,...

*Wireless Telegraphy Act 2006 (c. 36)*

- 257 In Schedule 5 to the Wireless Telegraphy Act 2006, in...

*Violent Crime Reduction Act 2006 (c. 38)*

- 258 (1) Section 29 of the Violent Crime Reduction Act 2006...  
 259 In section 47(11) of that Act, in the definition of...

*Safeguarding Vulnerable Groups Act 2006 (c. 47)*

- 260 In Schedule 3 to the Safeguarding Vulnerable Groups Act 2006,...

*Offender Management Act 2007 (c. 21)*

- 261 (1) Section 1(4) of the Offender Management Act 2007 is...  
 262 In section 4(3) of that Act— (a) in paragraph (a),...  
 263 In section 28(3) of that Act— (a) in paragraph (a),...

*Serious Crime Act 2007 (c. 27)*

- 264 In section 36(5) of the Serious Crime Act 2007, for...

*London Local Authorities Act 2007 (c. ii)*

- 265 In section 8 of the London Local Authorities Act 2007,...

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*Criminal Justice and Immigration Act 2008 (c. 4)*

- 266 (1) Section 39 of the Criminal Justice and Immigration Act...
- 267 In section 46 of that Act, for subsection (2) substitute—...
- 268 In section 80(5) of that Act— (a) in paragraph (b),...
- 269 In section 117(1) of that Act, in paragraph (a) of...
- 270 (1) Schedule 7 to that Act is amended as follows....

*Education and Skills Act 2008 (c. 25)*

- 271 In section 55(1) of the Education and Skills Act 2008,...
- 272 In section 56(7)(b)(ii) of that Act, for “section 137(1) or...

*Counter-Terrorism Act 2008 (c. 28)*

- 273 (1) Section 30 of the Counter-Terrorism Act 2008 is amended...
- 274 (1) Section 42 of that Act is amended as follows....
- 275 In section 45(1)(a) of that Act— (a) in sub-paragraph (iv),...
- 276 In Schedule 6 to that Act— (a) in paragraph 2(1),...

*Coroners and Justice Act 2009 (c. 25)*

- 277 In section 120(3)(a) of the Coroners and Justice Act 2009,...
- 278 In section 121(7) of that Act— (a) in paragraph (a),...
- 279 In section 131(5) of that Act— (a) in paragraph (a),...
- 280 In section 136 of that Act, in the definition of...
- 281 In section 158(3)(a) of that Act, for “section 14(1) of...
- 282 In section 164(3)(d) of that Act, after “section 143 of...

*Localism Act 2011 (c. 20)*

- 283 In Schedule 14 to the Localism Act 2011, in paragraph...

*Terrorism Prevention and Investigation Measures Act 2011 (c. 23)*

- 284 In section 23(5)(a) of the Terrorism Prevention and Investigation Measures...

*Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)*

- 285 In section 94(8) of the Legal Aid, Sentencing and Punishment...
- 286 In section 99(10) of that Act, for “section 76(1) of...
- 287 In section 102(2)(d) of that Act, for “order under section...
- 288 (1) Section 128(6) of that Act is amended as follows....
- 289 (1) Schedule 1 to that Act is amended as follows....

*Prevention of Social Housing Fraud Act 2013 (c. 3)*

- 290 In section 4(12) of the Prevention of Social Housing Fraud...

*Counter-Terrorism and Security Act 2015 (c. 6)*

- 291 In section 10(6)(a) of the Counter-Terrorism and Security Act 2015,...
- 292 In section 44(2) of that Act, at the end insert—...

*Modern Slavery Act 2015 (c. 30)*

- 293 (1) Section 10 of the Modern Slavery Act 2015 is...

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294 In section 34(3)(a) of that Act, for “section 14(1) of...

*Psychoactive Substances Act 2016 (c. 2)*

295 (1) Section 6 of the Psychoactive Substances Act 2016 is...

296 In section 32(6)(a) of that Act, for paragraph (a) substitute—...

*Data Protection Act 2018 (c. 12)*

297 In Schedule 18 to the Data Protection Act 2018, in...

*Stalking Protection Act 2019 (c. 9)*

298 In section 8(4) of the Stalking Protection Act 2019, for...

*Offensive Weapons Act 2019 (c. 17)*

299 In section 8(9) of the Offensive Weapons Act 2019, for...

300 In section 23(10) of that Act, for “2003” substitute “... ”

*Coronavirus Act 2020 (c. 7)*

301 (1) Schedule 23 to the Coronavirus Act 2020 is amended...

302 In Schedule 24 to that Act, after paragraph 13 insert—...

PART 2 — ACTS OF SENEDD CYMRU

*Social Services and Well-being (Wales) Act 2014 (anaw 4)*

303 (1) Section 77 of the Social Services and Well-being (Wales)...

304 (1) In section 188(1) of the English language text of...

305 (1) In section 194(6)(c) of the English language text of...

306 (1) In Schedule 1 to the English language text of...

*Housing (Wales) Act 2014 (anaw 7)*

307 (1) In section 70(1)(j)(i) of the English language text of...

308 (1) In section 99 of the English language text of...

*Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)*

309 (1) In section 120(6) of the English language text of...

PART 3 — ACTS OF THE SCOTTISH PARLIAMENT

*Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12)*

310 In section 34(2)(b)(i) of the Human Trafficking and Exploitation (Scotland)...

*Abusive Behaviour and Sexual Harm (Scotland) Act 2016 (asp 22)*

311 In section 37(5) of the Abusive Behaviour and Sexual Harm...

*Management of Offenders (Scotland) Act 2019 (asp 14)*

312 If section 18 of the Management of Offenders (Scotland) Act...

PART 4 — NORTHERN IRELAND LEGISLATION

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*Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))*

- 313 In Article 6(1)(g)(iii) of the Rehabilitation of Offenders (Northern Ireland)...

*Recovery of Health Services Charges (Northern Ireland) Order 2006 (S.I. 2006/1944 (N.I. 13))*

- 314 In Schedule 1 to the Recovery of Health Services Charges...

*Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015 (c. 2 (N.I.))*

- 315 In Schedule 3 to the Human Trafficking and Exploitation (Criminal...  
PART 5 — SECONDARY LEGISLATION

*Costs in Criminal Cases (General) Regulations 1986 (S.I. 1986/1335)*

- 316 (1) Regulation 14 of the Costs in Criminal Cases (General)...

*Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)*

- 317 In regulation 5(1) of the Children (Secure Accommodation) Regulations 1991,...

*Jobseeker's Allowance Regulations 1996 (S.I. 1996/207)*

- 318 In regulation 13(3A)(a) of the Jobseeker's Allowance Regulations 1996, after...

*Police (Property) Regulations 1997 (S.I. 1997/1908)*

- 319 In regulation 5(1) of the Police (Property) Regulations 1997, for...  
320 In regulation 7(3) of those Regulations, for “section 145 of...

*Merchant Shipping (Oil Pollution) (South Georgia and the South Sandwich Islands) Order 1997 (S.I. 1997/2588)*

- 321 In article 3(b) of the Merchant Shipping (Oil Pollution) (South...

*Prison Rules 1999 (S.I. 1999/728)*

- 322 In rule 57(2) of the Prison Rules 1999, after “section...

*Youth Justice Board for England and Wales Order 2000 (S.I. 2000/1160)*

- 323 In article 2 of the Youth Justice Board for England...  
324 (1) Article 4(2) of that Order is amended as follows....

*Magistrates' Courts Warrants (Specification of Provisions) Order 2000 (S.I. 2000/3278)*

- 325 In Article 2 of the Magistrates' Courts Warrants (Specification of...

*Young Offender Institution Rules 2000 (S.I. 2000/3371)*

- 326 In rule 5(7)(a) of the Young Offender Institution Rules 2000, ...  
327 In rule 5A(2)(b)(iii) of those rules, after “section 100 of...  
328 In rule 60(1)(f) of those Rules, after “section 100 of...

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*Representation of the People (England and Wales) Regulations 2001 (S.I. 2001/341)*

329 In regulation 31I(3)(c) of the Representation of the People (England...

*Representation of the People (Scotland) Regulations 2001 (S.I. 2001/497)*

330 In regulation 31I(3)(c) of the Representation of the People (Scotland)...

*Child Tax Credit Regulations 2002 (S.I. 2002/2007)*

331 In regulation 2(1) of the Child Tax Credit Regulations 2002,...

*Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2002/2051)*

332 In article 5(3) of the Homelessness (Priority Need for Accommodation)...

*Proceeds of Crime Act 2002 (Exemptions from Civil Recovery) Order 2003 (S.I. 2003/336)*

333 In the Schedule to the Proceeds of Crime Act 2002...

*Guardian's Allowance (General) Regulations 2003 (S.I. 2003/495)*

334 In regulation 7(1)(a) of the Guardian's Allowance (General) Regulations 2003,...

*Magistrates' Courts (Parenting Orders) Rules 2004 (S.I. 2004/247)*

335 In rule 7 of the Magistrates' Courts (Parenting Orders) Rules...

336 In rule 8 of those Rules, for “paragraph 9D of...

337 In rule 9 of those Rules, for “paragraph 9D of...

*Criminal Justice Act 2003 (Commencement No.8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950)*

338 In Schedule 2 to the Criminal Justice Act 2003 (Commencement...

*Proceeds of Crime Act 2002 (External Requests and Orders) Order 2005 (S.I. 2005/3181)*

339 (1) Article 141F of the Proceeds of Crime Act 2002...

340 (1) Article 141ZE of that Order is amended as follows....

341 (1) Article 205 of that Order is amended as follows....

342 In Schedule 5 to that Order, after the entry referring...

*National Health Service (General Dental Services Contracts) Regulations 2005 (S.I. 2005/3361)*

343 In regulation 2(1) of the National Health Service (General Dental...

*National Health Service (Personal Dental Services Agreements) Regulations 2005 (S.I. 2005/3373)*

344 In regulation 2(1) of the National Health Service (Personal Dental...

*National Health Service (Dental Charges) Regulations 2005 (S.I. 2005/3477)*

345 In regulation 2(1) of the National Health Service (Dental Charges)...

*Status: Point in time view as at 06/04/2022.*

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*Child Benefit (General) Regulations 2006 (S.I. 2006/223)*

346 In regulation 1(3) of the Child Benefit (General) Regulations 2006,...

*National Health Service (Personal Dental Services Agreements) (Wales) Regulations 2006 (S.I. 2006/489 (W.58))*

347 In regulation 2(1) of the National Health Service (Personal Dental...

*National Health Service (General Dental Services Contracts) (Wales) Regulations 2006 (S.I. 2006/490 (W.59))*

348 In regulation 2(1) of the National Health Service (General Dental...

*National Health Service (Dental Charges) (Wales) Regulations 2006 (S.I. 2006/491 (W.60))*

349 In regulation 2(1) of the National Health Service (Dental Charges)...

*Criminal Justice Act 1988 (Reviews of Sentencing) Order 2006 (S.I. 2006/1116)*

350 In Schedule 1 to the Criminal Justice Act 1988 (Reviews...

*Serious Organised Crime and Police Act 2005 (Appeals under Section 74) Order 2006 (S.I. 2006/2135)*

351 In article 2(b) of the Serious Organised Crime and Police...

352 In article 3(4) of that Order, for “section 74(8) of...

353 (1) Article 4 of that Order is amended as follows....

354 In article 5(2) of that Order, for “section 74 of...

355 In article 9 of that Order— (a) in paragraph (1)(b),...

356 In article 11(1)(b) of that Order, for “section 74(8) of...

357 In article 15(1) of that Order, for “section 74(8) of...

*National Health Service (Free Prescriptions and Charges for Drugs and Appliances) (Wales) Regulations 2007 (S.I. 2007/121 (W.11))*

358 (1) In regulation 2(1) of the English language text of...

*Criminal Defence Service (Funding) Order 2007 (S.I. 2007/1174)*

359 In Schedule 1 to the Criminal Defence Service (Funding) Order...

360 (1) Schedule 2 to that Order is amended as follows....

361 In Schedule 5 to that Order, in paragraph 1(4)(e), for...

*Community Order (Review by Specified Courts) Order 2007 (S.I. 2007/2162)*

362 In article 1 of the Community Order (Review by Specified...

363 In article 3(2) of that Order— (a) for “under section...

364 (1) Article 4 of that Order is amended as follows....

*Immigration (Disposal of Property) Regulations 2008 (S.I. 2008/786)*

365 In regulation 4(1)(a) and (b) of the Immigration (Disposal of...

*Employment and Support Allowance Regulations 2008 (S.I. 2008/794)*

366 In regulation 160(5) of the Employment and Support Allowance Regulations...

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*Primary Ophthalmic Services Regulations 2008 (S.I. 2008/1186)*

- 367 In regulation 2(1) of the Primary Ophthalmic Services Regulations 2008,...

*Representation of the People (Northern Ireland) Regulations 2008 (S.I. 2008/1741)*

- 368 In regulation 38C(3)(c) of the Representation of the People (Northern...

*Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059)*

- 369 In the Armed Forces Act 2006 (Transitional Provisions etc) Order...  
370 In Schedule 1 to that Order, in paragraph 45—  
371 In Schedule 2 to that Order, in paragraph 8(2), for...

*Armed Forces (Service Civilian Court) Rules 2009 (S.I. 2009/1209)*

- 372 In rule 31(3) of the Armed Forces (Service Civilian Court)...  
373 In rule 96(3)(b) of those Rules, for “paragraph 21 of...  
374 (1) Rule 101 of those Rules is amended as follows...  
375 (1) Rule 102 of those Rules is amended as follows...  
376 (1) Rule 104 of those Rules is amended as follows...  
377 (1) Rule 105 of those Rules is amended as follows...  
378 (1) Rule 106 of those Rules is amended as follows...  
379 In Schedule 2 to those Rules, in paragraph 15(2), for...

*Armed Forces (Financial Penalty Enforcement Orders) Regulations 2009 (S.I. 2009/1212)*

- 380 In regulation 3A of the Armed Forces (Financial Penalty Enforcement...

*Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009 (S.I. 2009/1887)*

- 381 (1) Schedule 1 to the Community Care, Services for Carers...  
382 In Schedule 2 to those Regulations, in paragraph (e)—

*Police and Criminal Evidence Act 1984 (Armed Forces) Order 2009 (S.I. 2009/1922)*

- 383 In article 15F(6)(a) of the Police and Criminal Evidence Act...

*Armed Forces (Court Martial) Rules 2009 (S.I. 2009/2041)*

- 384 In rule 2(2) of the Armed Forces (Court Martial) Rules...  
385 (1) Rule 3 of those Rules is amended as follows...  
386 In rule 44(3) of those Rules, for “paragraph 23 of...  
387 In rule 114(5)(b) of those Rules, for “paragraph 23 of...  
388 (1) Rule 131 of those Rules is amended as follows...  
389 In rule 134(2)(c)(ii) of those Rules, for “section 105(2) of...  
390 (1) Rule 140 of those Rules is amended as follows...  
391 (1) Rule 141 of those Rules is amended as follows...  
392 (1) Rule 142 of those Rules is amended as follows...  
393 (1) Rule 143 of those Rules is amended as follows...  
394 (1) Rule 144 of those Rules is amended as follows...  
395 In Schedule 2 to those Rules, in paragraph 17(2), for...



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*Armed Forces (Civilian Courts Dealing with Service Offences) (Modification of the Criminal Justice Act 2003) Regulations 2009 (S.I. 2009/2042)*

- 396 In regulation 3 of the Armed Forces (Civilian Courts Dealing...  
397 Omit regulation 4 of those Regulations.  
398 After regulation 9 insert— Modification of section 64 of the...  
399 (1) Regulation 10 is amended as follows.

*Criminal Justice and Immigration Act 2008 (Commencement No.13 and Transitory Provision) Order 2009 (S.I. 2009/3074)*

- 400 In article 4 of the Criminal Justice and Immigration Act...

*Child Minding and Day Care (Disqualification) (Wales) Regulations 2010 (S.I. 2010/1703 (W.163))*

- 401 (1) In regulation 3(9)(d) of the English language text of...

*Visits to Former Looked After Children in Detention (England) Regulations 2010 (S.I. 2010/2797)*

- 402 In regulation 3(d) of the Visits to Former Looked After...

*Disabled People's Right to Control (Pilot Scheme) (England) Regulations 2010 (S.I. 2010/2862)*

- 403 (1) Schedule 1 to the Disabled People's Right to Control...

*Criminal Justice Act 2003 (Surcharge) Order 2012 (S.I. 2012/1696)*

- 404 In article 1 of the Criminal Justice Act 2003 (Surcharge)...  
405 In article 2 of that Order, for “Section 161A(1) of...  
406 In the following provisions of that Order, for “section 161A...  
407 (1) The Schedule to that Order is amended as follows....

*Child Support Maintenance Calculation Regulations 2012 (S.I. 2012/2677)*

- 408 In regulation 64(4)(a) of the Child Support Maintenance Calculation Regulations...

*National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012 (S.I. 2012/2996)*

- 409 In regulation 2(1) of the National Health Service Commissioning Board...

*Criminal Legal Aid (General) Regulations 2013 (S.I. 2013/9)*

- 410 (1) Regulation 9 of the Criminal Legal Aid (General) Regulations...  
411 In regulation 12(2)(d)(ii) of those Regulations, after “Chapter 2 of...

*National Health Service (Clinical Commissioning Groups— Disapplication of Responsibility) Regulations 2013 (S.I. 2013/350)*

- 412 In regulation 1(2) of the National Health Service (Clinical Commissioning...

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*Employment and Support Allowance Regulations 2013 (S.I. 2013/379)*

- 413 In regulation 96(6)(c) of the Employment and Support Allowance Regulations...

*Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435)*

- 414 In Schedule 1 to the Criminal Legal Aid (Remuneration) Regulations...  
415 (1) Schedule 2 to those Regulations is amended as follows...  
416 In Schedule 4 to those Regulations, in paragraph 5(3)(b)(v), for...

*National Health Service (Optical Charges and Payments) Regulations 2013 (S.I. 2013/461)*

- 417 In regulation 1(2) of the National Health Service (Optical Charges...

*National Health Service (Direct Payments) Regulations 2013 (S.I. 2013/1617)*

- 418 (1) The Schedule to the National Health Service (Direct Payments)...

*Criminal Justice (Electronic Monitoring) (Responsible Person) (No. 2) Order 2014 (S.I. 2014/669)*

- 419 In article 3 of the Criminal Justice (Electronic Monitoring) (Responsible...  
420 In article 5 of that Order, for “paragraph 26(5) of...

*Offender Management Act 2007 (Approved Premises) Regulations 2014 (S.I. 2014/1198)*

- 421 In regulation 4 of the Offender Management Act 2007 (Approved...

*Special Educational Needs (Personal Budgets) Regulations 2014 (S.I. 2014/1652)*

- 422 (1) The Schedule to the Special Educational Needs (Personal Budgets)...

*Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014 (S.I. 2014/1977)*

- 423 In regulation 2(3)(a) of the Independent Educational Provision in England...

*Care and Support (Direct Payments) Regulations 2014 (S.I. 2014/2871)*

- 424 (1) Schedule 1 to the Care and Support (Direct Payments)...

*Criminal Justice (European Protection Order) (England and Wales) Regulations 2014 (S.I. 2014/3300)*

- 425 In regulation 13(2) of the Criminal Justice (European Protection Order)...  
426 (1) Regulation 17 of those regulations is amended as follows....

*State Pension Regulations 2015 (S.I. 2015/173)*

- 427 In regulation 3(2)(c) of the State Pension Regulations 2015, for...

*National Health Service (Charges for Drugs and Appliances) Regulations 2015 (S.I. 2015/570)*

- 428 In regulation 11(3) of the National Health Service (Charges for...

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*Prosecution of Offences Act 1985 (Criminal Courts Charge) Regulations 2015 (S.I. 2015/796)*

- 429 In regulation 1(2) of the Prosecution of Offences Act 1985...  
430 (1) Regulation 2 of those regulations is amended as follows...  
431 In regulation 4 of those Regulations, for “section 21E(4) of...

*Homelessness (Intentionality) (Specified Categories)  
(Wales) Regulations 2015 (S.I. 2015/1265 (W.85))*

- 432 (1) In regulation 2(j)(i) of the English language text of...

*Care and Support (Direct Payments) (Wales) Regulations 2015 (S.I. 2015/1815 (W.260))*

- 433 (1) The Schedule to the Care and Support (Direct Payments)...

*Children (Secure Accommodation) (Wales) Regulations 2015 (S.I. 2015/1988 (W.298))*

- 434 (1) In regulation 14(a) of the English language text of...

*Criminal Justice (Electronic Monitoring) (Responsible  
Person) (No. 2) Order 2016 (S.I. 2016/961)*

- 435 In article 3 of the Criminal Justice (Electronic Monitoring)  
(Responsible...

*Criminal Justice (Electronic Monitoring) (Responsible Person) Order 2017 (S.I. 2017/235)*

- 436 In article 3 of the Criminal Justice (Electronic Monitoring)  
(Responsible...

*Bereavement Support Payment Regulations 2017 (S.I. 2017/410)*

- 437 In regulation 7(2)(c) of the Bereavement Support Payment Regulations  
2017,...

*Criminal Justice Act 2003 (Alcohol Abstinence and Monitoring Requirement)  
(Prescription of Arrangement for Monitoring) Order 2018 (S.I. 2018/210)*

- 438 In article 3 of the Criminal Justice Act 2003 (Alcohol...

*Childcare (Disqualification) and Childcare (Early Years Provision Free of  
Charge) (Extended Entitlement) (Amendment) Regulations 2018 (S.I. 2018/794)*

- 439 In Schedule 1 to the Childcare (Disqualification) and Childcare (Early...

*Social Workers Regulations 2018 (S.I. 2018/893)*

- 440 In regulation 2(1) of the Social Workers Regulations 2018, in...

*Release of Prisoners (Alteration of Relevant  
Proportion of Sentence) Order 2020 (S.I. 2020/158)*

- 441 In article 5(c) of the Release of Prisoners (Alteration of...  
PART 6 — AMENDMENT OF PROVISIONS REFERRING TO SECTION 154 OF  
CRIMINAL JUSTICE ACT 2003

*Primary legislation*

- 442 In section 255ZA(6) of the Criminal Justice Act 2003, for...

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- 443 (1) In the following provisions, for “section 154(1) of the...  
 444 In the following provisions, for “section 154(1) of that Act”...  
 445 In the following provisions, for “section 154 of the Criminal...”

*Secondary legislation*

- 446 (1) In the following provisions, for “section 154(1) of the...  
 PART 7 — COMMENCEMENT  
 447 The following provisions of this Schedule, which relate to dealing...

SCHEDULE 25 — Amendments to the Armed Forces Act 2006  
 PART 1 — AMENDMENTS TO CHAPTER 1 OF PART 8: SERVICE  
 COMPENSATION ORDERS, SERVICE COMMUNITY ORDERS ETC.

- 1 Chapter 1 of Part 8 of the Armed Forces Act...  
 2 After section 177 insert— Effect of service compensation order on...  
 3 (1) Section 178 (service community orders) is amended as follows...  
 4 For section 179 (periodic review etc of service community orders)...  
 5 For section 180 (transfer of service community order to Scotland...  
 6 For section 181 (breach, revocation or amendment of service  
 community...  
 7 (1) Section 182 (overseas community orders) is amended as follows...  
 8 For section 183 (overseas community orders: modifications of 2003  
 Act)...  
 9 In section 184 (breach, revocation or amendment of overseas  
 community...  
 10 Omit Schedule 5 (breach, revocation and amendment of community  
 punishments)...  
 11 (1) Schedule 6 (overseas community orders) is amended as follows...  
 12 After Schedule 6, insert— SCHEDULE 6A Breach, revocation and  
 amendment...  
 13 In section 185 (conditional or absolute discharge), in subsection (2)  
 (b),...

PART 2 — AMENDMENTS TO CHAPTER 2 OF PART 8: CONSECUTIVE  
 SENTENCES

- 14 Chapter 2 of Part 8 of the Armed Forces Act...  
 15 (1) Section 188 (consecutive sentences) is amended as follows.

PART 3 — AMENDMENTS TO CHAPTER 4 OF PART 8: SUSPENDED SENTENCE  
 ORDERS

- 16 Chapter 4 of Part 8 of the Armed Forces Act...  
 17 In the Chapter heading, for “under 12 Months” substitute “...  
 18 Omit section 196 (and the italic heading before it).  
 19 For section 200 substitute— Suspended sentence orders (1) In the  
 following provisions of the Sentencing Code, “court”...  
 20 In section 202 (order with community requirements: disapplication of  
 certain...  
 21 For section 203 (review of order with community requirements),  
 substitute—...  
 22 For section 204 (transfer to Scotland or Northern Ireland of...  
 23 Omit section 205.  
 24 Omit section 206.  
 25 For section 207 (definitions for purposes of Chapter) substitute—  
 Definitions...

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- 26 For Schedule 7 (suspended prison sentence: further conviction or breach...  
PART 4 — AMENDMENTS TO CHAPTER 5 OF PART 8: CUSTODIAL SENTENCES FOR YOUNG OFFENDERS
- 27 Chapter 5 of Part 8 of the Armed Forces Act...  
28 In section 208 (prohibition on imposing imprisonment on people under...  
29 (1) Section 209 (offenders under 18 convicted of certain serious...  
30 After section 210 insert— Offenders under 21: offences other than...  
31 In section 211 (offenders under 18: detention and training orders)—...  
32 (1) Section 212 (term of detention and training order: general)...  
33 (1) Section 213 (application of provisions relating to civilian detention...  
34 (1) Section 214 (offences during currency of detention and training...  
35 In section 215 (section 214: definitions etc)—  
PART 5 — AMENDMENTS TO CHAPTER 6 OF PART 8: SENTENCES FOR CERTAIN OFFENCES
- 36 Chapter 6 of Part 8 of the Armed Forces Act...  
37 In section 217 (mandatory life imprisonment), for subsection (2) substitute—...  
38 (1) Section 218A (life sentence for second listed offence) is...  
39 (1) Section 219 (life sentence for certain dangerous offenders aged...  
40 (1) Section 219A (extended sentences for certain violent, sexual or...  
41 (1) Section 221 (life sentence for certain dangerous offenders aged...  
42 (1) Section 221A (extended sentence for certain violent, sexual or...  
43 (1) Section 223 (the “required opinion” for the purposes of...  
44 For section 224 (place of detention under certain sentences), substitute —...  
45 (1) Section 224A (special custodial sentence for certain offenders of...  
46 In section 225 (third drug trafficking offence)—  
47 In section 226 (third domestic burglary)— (a) in subsection (1)(b),...  
48 (1) Section 227 (firearms offences) is amended as follows.  
49 (1) Section 227A (offences of threatening with a weapon on...  
50 (1) Section 228 (appeals where previous convictions set aside) is...  
PART 6 — AMENDMENTS TO PART 9: SENTENCING: PRINCIPLES AND PROCEDURES
- 51 Part 9 of the Armed Forces Act 2006 is amended...  
52 In section 237 (duty to have regard to purposes of...  
53 In section 238 (deciding the seriousness of an offence), at...  
54 In section 239 (reduction in sentences for guilty pleas)—  
55 In section 246 (crediting of time in service custody: terms...  
56 In section 247 (crediting of time in service custody: supplementary),...  
57 In section 257 (pre-sentence reports: supplementary)— (a) in subsection (1),...  
58 In section 260 (discretionary custodial sentences: general restrictions)—  
59 In section 261 (length of discretionary custodial sentences: general provision),...  
60 After section 261, insert— Life sentences: further provision (1) In Chapter 8 of Part 10 of the Sentencing...  
61 In section 262 (power to recommend licence conditions), for “section...  
62 After section 262, insert— Conversion of sentence of detention to...  
63 In section 263 (restriction on imposing custodial sentence or service...  
64 In section 269A (fines: fixing of term of imprisonment for...  
65 In section 269B (service compensation orders: power to set maximum...

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- 66 In section 270 (community punishments: general restrictions), in subsection (2A)—...
- 67 In section 270A (exception to restrictions on community punishments), in...
- 68 In section 271 (civilian courts dealing with service offences), in...
- PART 7 — MISCELLANEOUS FURTHER AMENDMENTS

*Amendment to Part 7 (trial by Court Martial)*

- 69 In section 164(3), for “under 12 months” substitute “ two...

*Amendments to Part 10 (Court Martial decisions: appeal and review)*

- 70 In section 273 (review of unduly lenient sentence by Court...

*Amendments to Part 11 (The Service Civilian Court)*

- 71 (1) Section 283 (imprisonment: maximum term) is amended as follows....
- 72 In section 284 (fines and compensation: maximum amounts), in subsection...

*Amendments to Part 12 (service and effect of certain sentences)*

- 73 In section 294 (rank or rate of WOs and NCOs...
- 74 In section 302 (remission of certain sentences on passing of...
- 75 In section 304 (sentences passed by civilian courts), in subsection...

*Amendments to Part 13 (discipline: miscellaneous and supplementary)*

- 76 In section 305 (random drug testing), in subsection (5), for...
- 77 In section 322 (financial penalty enforcement orders), in subsection (4),...

*Amendments to Part 19 (supplementary)*

- 78 (1) Section 374 (definitions applying for purposes of whole Act)...

**SCHEDULE 26 — Further amendments of the Armed Forces Act 2006**

- 1 The Armed Forces Act 2006 is amended as follows.
- 2 In section 179(3) (review of service community order imposing drug...
- 3 In section 181(3) (breach, revocation or amendment of service community...
- 4 In section 203(4) (review of suspended sentence order with community...
- 5 In paragraph 13 of Schedule 7 (suspended sentence orders: breach...
- 6 In section 208 (prohibition on imposing imprisonment on people under...
- 7 In section 209 (offenders under 18 convicted of certain serious...
- 8 Omit sections 210A and 210B.
- 9 In section 211 (offenders under 18: detention and training orders),...
- 10 In section 212 (term of detention and training order: general),...
- 11 In section 217 (mandatory life imprisonment), for subsections (2) to...
- 12 (1) In section 218A (life sentence for second listed offence)—...
- 13 In section 219 (life sentence for certain dangerous offenders aged...
- 14 In section 219A (extended sentence for certain violent or sexual...

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- 15 In section 224A (special custodial sentence for certain offenders of...
- 15A In section 225 (third drug trafficking offence), after subsection (1)...
- 15B In section 226 (third domestic burglary), after subsection (1) insert—...
- 16 In section 227A (offences of threatening with a weapon in...
- 17 In section 237 (duty to have regard to purposes of...
- 18 In section 239 (reduction in sentences for guilty pleas), in...
- 19 In section 260 (discretionary custodial sentences: general restrictions)—
- 20 In section 261 (length of discretionary custodial sentences: general provision),...
- 21 In section 262A (conversion of sentence of detention to sentence...
- 22 In section 263 (restriction on imposing custodial sentence or service...
- 23 In section 273 (review of unduly lenient sentence by Court...
- 24 In section 283 (imprisonment: maximum term)— (a) in subsection (1),...
- 25 In section 305 (random drug testing), in subsection (5), for...
- 26 In section 377, at the end insert—

## SCHEDULE 27 — Transitional provisions and savings

### PART 1 — CONTINUITY OF THE LAW

#### *Continuity of the law: general*

- 1 The substitution of the Sentencing Code for the provisions repealed...

#### *Subordinate legislation etc*

- 2 Any subordinate legislation, code of practice, guidance, accreditation, arrangement, notice...

#### *References to provisions of the Sentencing Code*

- 3 (1) A reference (express or implied) to a provision of...

#### *References to provisions repealed by this Act*

- 4 A reference (express or implied) to a provision repealed by...

#### *Relationship with Interpretation Act 1978*

- 5 Paragraphs 1 to 4 have effect instead of section 17(2)...

#### *Interpretation*

- 6 In this Part— “document” means any document whenever made, served...

#### PART 2 — REFERRAL ORDERS

- 7 (1) This paragraph applies where— (a) a court makes a...

#### PART 3 — YOUTH REHABILITATION ORDERS

#### *Requirements*

- 8 In relation to an offence committed before 3 December 2012,...

#### *Restriction on imposing local authority residence or fostering requirement without legal representation*

- 9 In relation to a pre-commencement case (within the meaning of...

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*Associated offences: offender convicted before and on or after commencement date*

- 10 (1) This paragraph applies where— (a) a court imposes a...  
PART 4 — CUSTODIAL SENTENCES

*Detention for breaching DTO supervision requirement*

- 11 (1) Section 104B (interaction of orders under section 104(3)(a) with...

*Restriction on making community order etc and suspended sentence order*

- 12 (1) In section 203 (restriction on making community order and...

*Making detention and training order where offender subject to other order*

- 13 (1) In section 237 (making detention and training order where...

*Period on remand etc: effect on term of detention and training order*

- 14 In section 239 (period on remand etc: effect on term...

*Special custodial sentences for offenders of particular concern*

- 15 (1) This paragraph applies where— (a) a court is dealing...

*Special custodial sentences for offenders of particular concern: armed forces*

- 16 (1) This paragraph applies where— (a) the Court Martial is...

*Certificates*

- 17 A certificate given in accordance with subsection (1), (1A), (2)...  
18 A certificate by a court under section 232A of the...

*Restriction on imposing custodial sentence without legal representation*

- 19 In relation to a pre-commencement case (within the meaning of...  
PART 5 — MISCELLANEOUS

*Validity of provision deriving from secondary legislation*

- 20 Any question as to the validity of paragraph 30 of...

*Powers to make consequential etc provision*

- 21 On and after the commencement date, any power (however expressed)...

*Exercise of powers in relation to pre-commencement offences*

- 22 (1) The following powers may, despite section 2, be exercised...

*Exercise of powers to amend amounts*

- 23 (1) A reference in sub-paragraph (4) of paragraph 5 or...

*Saving for list of offences applied for other purposes*

- 24 The repeal by Schedule 28 of section 224 of the...



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*Enforcement of High Court and Court of Appeal fines*

25 Anything done before the commencement date under a provision of...

*Breach of restraining order made on acquittal*

26 In relation to an offence under section 5A of the...

*Commencement and alteration of Crown Court sentence: legal aid*

27 (1) In paragraph (b) of the definition of “sentence” in...

SCHEDULE 28 — Repeals and revocations

SCHEDULE 29 — Repeals and revocations for England and Wales

**Status:**

Point in time view as at 06/04/2022.

**Changes to legislation:**

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