

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 24

CONSEQUENTIAL AMENDMENTS

PART 1

ACTS OF PARLIAMENT

Crime and Disorder Act 1998 (c. 37)

152 (1) Section 8 of the Crime and Disorder Act 1998 (“the CDA 1998”) is amended as follows.

(2) In subsection (1)—

- (a) at the end of paragraph (aa), insert “ or ”;
- (b) in paragraph (b), for “, an order is made under section 22 of that Act or a” substitute “ or a criminal behaviour order or ”.

(3) For subsection (9) substitute—

“(9) In this section—

“criminal behaviour order” has the meaning given by section 330 of the Sentencing Code;

“sexual harm prevention order” means an order under section 103A of the Sexual Offences Act 2003 or Chapter 2 of Part 11 of the Sentencing Code.”

Commencement Information

II Sch. 24 para. 152 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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

(2) In subsection (1B), for “an order is made under section 22 of that Act” substitute “ a criminal behaviour order ”.

(3) After subsection (7) insert—

“(7ZA) In this section “criminal behaviour order” has the meaning given by section 330 of the Sentencing Code.”

Commencement Information

I2 Sch. 24 para. 153 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 154 In section 38(4) of the CDA 1998—
- (a) in paragraph (fa), for “(within the meaning of Part 1 of the Criminal Justice and Immigration Act 2008)” substitute “ under Chapter 1 of Part 9 of the Sentencing Code ”;
 - (b) in paragraph (fb), for “that Part”, in both places, substitute “ that Chapter ”.
 - (c) in paragraph (ha), for “section 106B of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 247 of the Sentencing Code ”;
 - (d) in paragraph (i), after “section 226, 226B or 228 of the Criminal Justice Act 2003” insert “ , section 250, 254 or 259 of the Sentencing Code ”;
 - (e) in paragraph (ib), after “section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” insert “ , section 250 of the Sentencing Code ”;
 - (f) in paragraph (j), for “section 102 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 241 of the Sentencing Code ”;
 - (g) in paragraph (k), for “the meaning of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ the meaning given by section 83(1) of the Sentencing Code ”.

Commencement Information

I3 Sch. 24 para. 154 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 155 (1) Section 41(5) of the CDA 1998 is amended as follows.
- (2) In paragraph (i)(i)—
 - (a) for “section 107 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 248 of the Sentencing Code ”;
 - (b) for “that Act or” substitute “ the Powers of Criminal Courts (Sentencing) Act 2000, detention and training orders within the meaning given by section 233 of the Sentencing Code, orders under paragraph 3(2)(a) or 7(2) of Schedule 12 to that Code or orders under ”.
 - (3) In paragraph (i)(ii), after “sentenced under” insert “ section 250, 254 or 259 of the Sentencing Code, ”.
 - (4) In paragraph (j)(i)—
 - (a) for “section 107 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 248 of the Sentencing Code ”;
 - (b) after “a determination under” insert “ section 241(1) of that Code, paragraph 3(2)(a) or 7(2) of Schedule 12 to that Code, ”;
 - (c) for “that Act” substitute “ the Powers of Criminal Courts (Sentencing) Act 2000 ”.
 - (5) In paragraph (j)(ii), after “a direction by the Secretary of State under” insert “ section 260 of the Sentencing Code or ”.
 - (6) In paragraph (ja), for “section 107(1) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 248(1) of the Sentencing Code ”.

Commencement Information

I4 Sch. 24 para. 155 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 156 (1) Section 51A of the CDA 1998 is amended as follows.
- (2) In subsection (3)(b)—
- (a) for “subsection (1) of section 91 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 249(1)(a) or (b) of the Sentencing Code ”;
 - (b) for “subsection (3) of that section” substitute “ section 251(2) of that Code ”.
- (3) In subsection (3)(d)—
- (a) for “of section 224 of the Criminal Justice Act 2003” substitute “ given by section 306 of the Sentencing Code ”;
 - (b) for “the criteria for the imposition of a sentence under section 226B of that Act” substitute “ the criteria in section 255(1) of that Code for the imposition of an extended sentence of detention ”.
- (4) In subsection (12)(b), for “section 51A(1) of the Firearms Act 1968” substitute “ section 311(1) of the Sentencing Code ”.

Commencement Information

I5 [Sch. 24 para. 156](#) in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

- 157 In section 66ZB(6)(a) of the CDA 1998, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 80 of the Sentencing Code ”.

Commencement Information

I6 [Sch. 24 para. 157](#) in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

- 158 In section 66F(a) of the CDA 1998, for “section 12(1)(b) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 80 of the Sentencing Code ”.

Commencement Information

I7 [Sch. 24 para. 158](#) in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

- 159 In section 117(1) of the CDA 1998, in the definition of “custodial sentence”, for “the same meaning as in the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ the meaning given by section 222 of the Sentencing Code ”.

Commencement Information

I8 [Sch. 24 para. 159](#) in force at 1.12.2020 by [S.I. 2020/1236, reg. 2](#)

- 160 (1) Schedule 3 to the CDA 1998 is amended as follows.
- (2) In paragraph (b) of paragraph 10(2) as it has effect without the amendment made by paragraph 20(10)(a) of Schedule 3 to the Criminal Justice Act 2003—
- (a) for “section 3 of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 14 of the Sentencing Code ”;
 - (b) for “subsection (2)” substitute “ subsection (1)(b) ”.

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (3) In paragraph (c) of paragraph 10(2) as substituted by paragraph 20(10)(a) of Schedule 3 to the Criminal Justice Act 2003—
- (a) for “section 224 of the Criminal Justice Act 2003” substitute “ section 306 of the Sentencing Code ”;
 - (b) for “section 3A of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ section 15 of the Sentencing Code ”;
 - (c) for “subsection (2)” substitute “ subsection (1)(b) ”.

Commencement Information

19 Sch. 24 para. 160 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

Status:

Point in time view as at 01/12/2020.

Changes to legislation:

Sentencing Act 2020, Cross Heading: Crime and Disorder Act 1998 (c. 37) is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.