



Sentencing (Pre-consolidation Amendments) Act 2020

2020 CHAPTER 9

U.K.

An Act to give effect to Law Commission recommendations relating to commencement of enactments relating to sentencing law and to make provision for pre-consolidation amendments of sentencing law. [8th June 2020]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Consolidation of sentencing legislation: amendment of law for old offences **E**

+W

(1) In this section—

“repealed provision” means—

- (a) an enactment, to the extent that it is to be repealed or revoked by the sentencing consolidation;
- (b) a provision made under such an enactment;

“transition time”, in relation to a repealed provision, means a time that is specified in, or determined in accordance with, an enactment relating to the coming into force of the repealed provision or any other enactment;

“trigger event”, in relation to an offence, means the commission of the offence or any event related to the commission of the offence, including any event—

- (a) connected with, or which constitutes any part of, the commission of the offence, or
- (b) related to the investigation of, or proceedings related to, the offence.

Status: Point in time view as at 01/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

- (2) Subsection (3) applies if a person is convicted of an offence on or after the consolidation date.
- (3) Where—
- (a) the application to the offence of a repealed provision depends on the time at which a particular trigger event occurred in relation to a particular transition time, and
 - (b) the transition time fell after the trigger event occurred,
- the repealed provision has effect as if the transition time had instead fallen before the trigger event occurred.
- (4) Subsection (3) does not operate so far as it would increase—
- (a) the maximum term of imprisonment or detention, or
 - (b) the maximum fine,
- with which the offence is punishable.
- (5) Subsection (3) is also subject to—
- (a) Schedule 1 (exceptions);
 - (b) any provision made by regulations made by the Secretary of State for the purpose of securing that subsection (3) does not affect the application of particular repealed provisions.
- (6) Where a repealed provision has effect in accordance with subsection (3), any related enactment also has effect in accordance with that subsection.
- (7) The following have effect subject to subsections (3) to (6)—
- (a) a commencement or transitional provision relating to the coming into force of a repealed provision or any related enactment;
 - (b) a saving subject to which a repealed provision, or any related enactment, has previously been repealed or revoked.
- (8) For the purposes of this section—
- (a) “related enactment”, in relation to a repealed provision, means an enactment which—
 - (i) came into force subject to the same commencement or transitional provision as the repealed provision, or
 - (ii) has previously been repealed or revoked subject to the same saving as the repealed provision,so far as it is necessary for the repealed provision to have full effect;
 - (b) “repealed provision” and “related enactment” do not include a provision to the extent that it is not in force immediately before the consolidation date, except to the extent that it will come into force on or after that date by virtue of an enactment passed or made before that date;
 - (c) a reference to the application of a repealed provision includes a reference to whether or not it applies (or applies for a particular purpose), and to the form in which it applies (or applies for a particular purpose);
 - (d) references to a repealed provision or related enactment or to any commencement or transitional provision or saving include references to such a provision passed or made after the passing of this Act.

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Modifications etc. (not altering text)

- C1** S. 1(3) excluded (coming into force in accordance with reg. 1 of the amending S.I.) by [The Sentencing \(Pre-consolidation Amendments\) Act 2020 \(Exception\) Regulations 2020 \(S.I. 2020/1081\)](#), regs. 1, 2

Commencement Information

- I1** S. 1 in force for specified purposes at Royal Assent, see. s. 5(1)-(3)
I2 S. 1 in force at 1.12.2020 in so far as not already in force immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

2 Pre-consolidation amendments relating to sentencing **U.K.**

- (1) Schedule 2 contains amendments and modifications of sentencing legislation which are designed to facilitate, or otherwise desirable in connection with, the consolidation of the whole or a substantial part of the Acts relating to sentencing (with or without other sentencing legislation).
- (2) The Secretary of State may by regulations make such further amendments and modifications of sentencing legislation (including Schedule 2) as in the Secretary of State's opinion facilitate, or are otherwise desirable in connection with, the consolidation of the whole or a substantial part of the Acts relating to sentencing (with or without other sentencing legislation).
- (3) In exercising the power under this section, the Secretary of State may have regard in particular to the desirability of removing differences between provisions relating to—
 - (a) forfeiture;
 - (b) powers of different courts to deal with offenders subject to particular sentences;
 - (c) powers of different courts to provide for when sentences or particular requirements of sentences are to take effect.
- (4) Provision that may be made by regulations under this section includes, in particular, provision amending or modifying any provision of sentencing legislation which—
 - (a) confers power to make legislation, and
 - (b) is subject to a relevant restriction,so as to amend or modify that restriction.

A "relevant restriction" is one by virtue of which legislation made in exercise of the power is to come into force only for cases in which commission or conviction of an offence, or any other event, occurs after the time when the legislation is made or comes into force, or any other particular time.

- (5) For the purposes of this section, "amend" includes repeal or revoke (and similar terms are to be read accordingly).

Commencement Information

- I3** S. 2 in force for specified purposes at Royal Assent, see. s. 5(1)-(3)
I4 S. 2 in force at 1.12.2020 in so far as not already in force immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

3 Interpretation **E+W**

(1) In this Act—

“the Acts relating to sentencing” means—

- (a) the Powers of Criminal Courts (Sentencing) Act 2000;
- (b) Part 12 of the Criminal Justice Act 2003;
- (c) the following Acts so far as relating to the sentencing of offenders in England and Wales—
 - (i) the Serious Organised Crime and Police Act 2005;
 - (ii) the Criminal Justice and Immigration Act 2008;
 - (iii) the Coroners and Justice Act 2009;
 - (iv) the Legal Aid, Sentencing and Punishment of Offenders Act 2012;
 - (v) the Offender Rehabilitation Act 2014;
 - (vi) the Criminal Justice and Courts Act 2015,

and any other provision of an Act so far as it relates to the sentencing of offenders in England and Wales, whenever passed;

“the consolidation date” means the date on which the sentencing consolidation is to come into force (except so far as it consolidates legislation that is not in force immediately before that date);

“enactment” includes an enactment contained in subordinate legislation;

“the sentencing consolidation” means, if an Act or group of Acts of a kind mentioned in section 5(2) is passed, that Act or group of Acts;

“sentencing legislation” means any enactment, whenever passed or made which is—

- (a) an enactment relating to the sentencing of offenders, including any power to make such an enactment, or
- (b) an enactment referring to, or applying, modifying, amending, repealing or revoking, an enactment within paragraph (a);

“the sentencing of offenders” includes anything done by a court, including making an order—

- (a) in relation to a parent or guardian of an offender, or
- (b) relating to the behaviour of the offender,

when dealing with an offender for an offence.

(2) References in this Act to a person's being convicted include—

- (a) a special verdict (within the meaning of section 1 of the Criminal Procedure (Insanity) Act 1964) being returned,
- (b) a finding mentioned in section 5(1)(b) of that Act being made of the person's having done the act or made the omission charged (following a finding of being under a disability), and
- (c) being convicted by or before a service court (within the meaning given in section 305 of the Criminal Justice Act 2003).

Commencement Information

15 S. 3 in force for specified purposes at Royal Assent, see. s. 5(1)-(3)

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

I6 S. 3 in force at 1.12.2020 in so far as not already in force immediately before "the consolidation date" by S.I. 2020/1236, reg. 2

4 Regulations **E+W**

- (1) Any power to make regulations under section 1 or 2 is exercisable by statutory instrument.
- (2) A statutory instrument containing any such regulations may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (3) Any such regulations are to come into force in accordance with section 5.

Commencement Information

I7 S. 4 in force for specified purposes at Royal Assent, see. s. 5(1)-(3)

I8 S. 4 in force at 1.12.2020 in so far as not already in force immediately before "the consolidation date" by S.I. 2020/1236, reg. 2

5 Commencement, extent and short title **E+W**

- (1) So far as necessary to enable regulations to be made under section 1 or 2, this Act comes into force on the day on which it is passed.
- (2) Subject to that, this Act, and any regulations made under section 1 or 2, do not come into force unless—
 - (a) a single Act, or
 - (b) a group of two or more Acts,is passed consolidating the whole or a substantial part of the Acts relating to sentencing (with or without other sentencing legislation).
- (3) If the sentencing consolidation is passed, this Act, so far as not already in force, and any regulations made under section 1 or 2—
 - (a) come into force immediately before the consolidation date, and
 - (b) so far as they apply in relation to an offence, have effect only in relation to an offence of which a person is convicted on or after that date.
- (4) Subject to the following, this Act extends to England and Wales only.
- (5) A modification of a provision by section 1 has the same extent within the United Kingdom as the provision modified.
- (6) An amendment, repeal or revocation made by Schedule 2, or by regulations under section 2, has the same extent within the United Kingdom as the provision amended, repealed or revoked.
- (7) In Schedule 2—
 - (a) paragraph 133 also extends to Northern Ireland, and
 - (b) paragraph 134 also extends to Scotland and Northern Ireland.

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

- (8) The power conferred by section 338 of the Criminal Justice Act 2003 (power to extend to Channel Islands and Isle of Man, and to modify) is exercisable in relation to any amendment or modification of that Act that is made by or under this Act.
- (9) The armed forces provisions also extend to—
- (a) the Isle of Man, and
 - (b) the British overseas territories except Gibraltar.
- (10) The powers conferred by section 384 of the Armed Forces Act 2006 (power to extend Act to the Channel Islands and powers to make provisions of that Act apply with modifications in relation to the Channel Islands, British overseas territories and the Isle of Man) are exercisable in relation to any armed forces provision.
- (11) “Armed forces provision” means—
- (a) an amendment, modification or repeal made by or under this Act of a provision of the Armed Forces Act 2006;
 - (b) an amendment, modification or repeal made by or under this Act of any other provision, so far as the provision is applied (by whatever words) by or under the Armed Forces Act 2006.
- (12) This Act may be cited as the Sentencing (Pre-consolidation Amendments) Act 2020.

Commencement Information

19 S. 5 in force for specified purposes at Royal Assent, see. s. 5(1)-(3)

110 S. 5 in force at 1.12.2020 in so far as not already in force immediately before "the consolidation date" by S.I. 2020/1236, reg. 2

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

SCHEDULES

SCHEDULE 1 **E+W**

Section 1

SECTION 1: EXCEPTIONS

Nothing in section 1 alters the effect of any of the following—

Surcharge and criminal courts charge

- 1 Paragraph 7 of Schedule 12 to the Domestic Violence, Crime and Victims Act 2004 (commencement of section 14 of that Act (surcharge)), which inserts sections 161A and 161B of the Criminal Justice Act 2003).

Commencement Information

I11 Sch. 1 para. 1 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 2 Section 54(4) of the Criminal Justice and Courts Act 2015 (commencement of section 21A of the Prosecution of Offences Act 1985 (criminal courts charge)).

Commencement Information

I12 Sch. 1 para. 2 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 3 Article 7(2) of the Criminal Justice Act 2003 (Surcharge) Order 2012 (S.I. 2012/1696).

Commencement Information

I13 Sch. 1 para. 3 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 4 Article 3 of the Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2014 (S.I. 2014/2120).

Commencement Information

I14 Sch. 1 para. 4 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 5 Article 3 of the Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2016 (S.I. 2016/389).

Commencement Information

I15 Sch. 1 para. 5 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

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Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

- 6 Article 3 of the Criminal Justice Act 2003 (Surcharge) (Amendment) Order 2019 (S.I. 2019/985), so far as it relates to article 2(b) of that order.

Commencement Information

I16 Sch. 1 para. 6 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

Compensation orders

- 7 Paragraph 10 of Schedule 16 to the Crime and Courts Act 2013 (which relates to the commencement of amendments of section 131 of the Powers of Criminal Courts (Sentencing) Act 2000 (limit on amount payable under magistrates' court compensation order) etc).

Commencement Information

I17 Sch. 1 para. 7 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 8 Paragraph 6A of Schedule 12 to the Criminal Justice Act 1991 (saving relating to changes made by section 17 of that Act) so far as it relates to section 17(3) of the Criminal Justice Act 1991 (increases in certain maxima) so far as it relates to the entry in Part 1 of Schedule 4 to the Criminal Justice Act 1991 relating to section 40(1) of the Magistrates' Courts Act 1980 (compensation orders).

Commencement Information

I18 Sch. 1 para. 8 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 9 Article 1(2) of the Criminal Penalties etc. (Increase) Order 1984 (S.I. 1984/447), as it has effect by virtue of paragraph 2 of Schedule 11 to the Powers of Criminal Courts (Sentencing) Act 2000 (general saving for old transitional provisions and savings), so far as it relates to article 2(1) of that order, so far as it relates to the entry in Schedule 1 to that order relating to section 40(1) of the Magistrates' Courts Act 1980.

Commencement Information

I19 Sch. 1 para. 9 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 10 Paragraph 3(3) of Schedule 8 to the Magistrates' Courts Act 1980 (saving for changes in respect of compensation orders), as it has effect by virtue of paragraph 2 of Schedule 11 to the Powers of Criminal Courts (Sentencing) Act 2000.

Commencement Information

I20 Sch. 1 para. 10 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 11 Article 2 of and Schedule 1 to the Criminal Law Act 1977 (Commencement No. 3) Order 1977 (S.I. 1977/1682), as it has effect by virtue of paragraph 3(3) of Schedule 8 to the Magistrates' Courts Act 1980 (saving for changes in respect of

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compensation orders) and paragraph 2 of Schedule 11 to the Powers of Criminal Courts (Sentencing) Act 2000, so far as relating to section 60(2) of the Criminal Law Act 1977 (increase in maximum amount of compensation which may be ordered by magistrates' court).

Commencement Information

I21 Sch. 1 para. 11 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

References to legal aid etc

- 12 Regulation 6(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Consequential, Transitional and Saving Provisions) Regulations 2013 (S.I. 2013/534) (savings), so far as it relates to paragraph (h) of article 3 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 6) Order 2013 (S.I. 2013/453), so far as that paragraph relates to the commencement of paragraphs 53, 54 and 69 of Schedule 5 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (legal aid: consequential amendments of provisions relating to legal representation).

Commencement Information

I22 Sch. 1 para. 12 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

Driving disqualification

- 13 Paragraph 8(b) of Schedule 11 to the Powers of Criminal Courts (Sentencing) Act 2000 (driving disqualification for certain offences involving assault committed by driving a motor vehicle).

Commencement Information

I23 Sch. 1 para. 13 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

- 14 The words "committed after 31st December 1997" in section 146(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (driving disqualification for any offence).

Commencement Information

I24 Sch. 1 para. 14 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

Youth rehabilitation orders: curfew requirements

- 15 Article 3(1)(d) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 4 and Saving Provisions) Order 2012 (S.I. 2012/2906) (saving for commencement of section 81 of the Legal Aid, Sentencing

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and Punishment of Offenders Act 2012 (youth rehabilitation order: curfew requirement)).

Commencement Information

I25 Sch. 1 para. 15 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

References to remands of children

- 16 Article 7(2)(h) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 4 and Saving Provisions) Order 2012 (S.I. 2012/2906), so far as it relates to paragraph 51 of Schedule 12 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (saving for reference in section 242 of the Criminal Justice Act 2003 to certain remands etc under section 23 of the Children and Young Persons Act 1969).

Commencement Information

I26 Sch. 1 para. 16 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Detention and training orders

- 17 Section 106B(1)(c) of the Powers of Criminal Courts (Sentencing) Act 2000 (further supervision after end of term of detention and training order imposed in respect of offence committed on or after 1 February 2015).

Commencement Information

I27 Sch. 1 para. 17 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Detention of child for specified period

- 18 Paragraph 8 of Schedule 2 to the Offensive Weapons Act 2019 (prohibition of certain firearms: application of section 91 of the Powers of Criminal Courts (Sentencing) Act 2000).

Commencement Information

I28 Sch. 1 para. 18 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Life sentences other than the mandatory life sentence for murder etc

- 19 Section 224A(1)(b) of the Criminal Justice Act 2003 (life sentence for second listed offence).

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Commencement Information

I29 Sch. 1 para. 19 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

20 The words “committed after the commencement of this section” in section 225(1) (a) of the Criminal Justice Act 2003 (life sentence for serious offences).

Commencement Information

I30 Sch. 1 para. 20 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

21 The words “committed after the commencement of this section” in section 226(1) (a) of the Criminal Justice Act 2003 (detention for life for serious offences committed by those under 18).

Commencement Information

I31 Sch. 1 para. 21 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

22 Section 2(10) of the Criminal Justice and Courts Act 2015 (commencement of amendments of Schedule 15 to the Criminal Justice Act 2003).

Commencement Information

I32 Sch. 1 para. 22 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

23 Section 3(9) of the Criminal Justice and Courts Act 2015 (commencement of amendments of Schedule 15B to the Criminal Justice Act 2003).

Commencement Information

I33 Sch. 1 para. 23 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

24 In paragraph 5(2) of Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950) (saving provisions relating to Chapters 1 to 5 of Part 12 of the Criminal Justice Act 2003)—

- (a) the paragraph (aa) treated as inserted by paragraph 136 of Schedule 2 to this Act (saving on repeal of section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 (required life sentence for second serious offence));
- (b) paragraph (c)(xii), so far as it relates to the repeal of section 109 of the Powers of Criminal Courts (Sentencing) Act 2000.

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Commencement Information

I34 Sch. 1 para. 24 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

25 In section 109 of the Powers of Criminal Courts (Sentencing) Act 2000 (as it has effect by virtue of the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950), in subsection (1) (a), the words "committed after 30th September 1997".

Commencement Information

I35 Sch. 1 para. 25 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

26 Paragraph 37 of Schedule 22 to the Coroners and Justice Act 2009 (which relates to the commencement of amendments to Schedule 15 to the Criminal Justice Act 2003 (specified offences)), so far as it relates to Schedule 15 to the Criminal Justice Act 2003 as it applies for the purposes of sections 225 and 226 of the Criminal Justice Act 2003 and sections 219 and 221 of the Armed Forces Act 2006.

Commencement Information

I36 Sch. 1 para. 26 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Mandatory life sentence for murder etc

27 Section 27(4) of the Criminal Justice and Courts Act 2015 (term of imprisonment for murder of police or prison officer).

Commencement Information

I37 Sch. 1 para. 27 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

28 Article 3 of the Criminal Justice Act 2003 (Mandatory Life Sentence: Determination of Minimum Term) Order 2010 (S.I. 2010/197) (commencement of amendments relating to starting point where offender took knife or other weapon to scene).

Commencement Information

I38 Sch. 1 para. 28 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

29 Article 7(4) of the Coroners and Justice Act 2009 (Commencement No. 4, Transitional and Saving Provisions) Order 2010 (S.I. 2010/816) (commencement of amendments to Schedule 21 to the Criminal Justice Act 2003 (starting point for mandatory life sentence)).

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Commencement Information

I39 Sch. 1 para. 29 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

30 Paragraph 9(b) of Schedule 22 to the Criminal Justice Act 2003 (restriction on powers of court where it passes mandatory life sentence for murder committed before 18 December 2003).

Commencement Information

I40 Sch. 1 para. 30 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

31 Article 3(1)(a) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Commencement No. 4 and Saving Provisions) Order 2012 (S.I. 2012/2906) so far as it relates to the commencement of section 65(9) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (amendments of aggravating factors for purposes of determining minimum term of mandatory life sentence).

Commencement Information

I41 Sch. 1 para. 31 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Mandatory minimum sentences

32 In section 51A of the Firearms Act 1968 (minimum sentence for certain offences under section 5 of that Act), in subsection (1)(b), the words "after the commencement of this section and".

Commencement Information

I42 Sch. 1 para. 32 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

33 Section 54(8) of the Offensive Weapons Act 2019 (prohibition of certain firearms: application of minimum sentences under section 51A of the Firearms Act 1968).

Commencement Information

I43 Sch. 1 para. 33 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

34 Section 30(5) of the Violent Crime Reduction Act 2006 (application of minimum sentences for certain firearms offences).

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Commencement Information

I44 Sch. 1 para. 34 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

35 Paragraph 12 of Schedule 2 to the Offensive Weapons Act 2019 (prohibition of certain firearms: application of minimum sentences for certain offences).

Commencement Information

I45 Sch. 1 para. 35 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

36 Paragraph 41(1) of Schedule 22 to the Coroners and Justice Act 2009 so far as it relates to amendments made by paragraph 10 of Schedule 17 to that Act (mandatory minimum sentences for certain repeat offences).

Commencement Information

I46 Sch. 1 para. 36 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

37 In section 110 of the Powers of Criminal Courts (Sentencing) Act 2000 (minimum of 7 years for third class A drug trafficking offence)—
 (a) in subsection (1)(a), the words “committed after 30th September 1997”;
 (b) in subsection (2A)(a)(ii), the words “was committed after the relevant date”.

Commencement Information

I47 Sch. 1 para. 37 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

38 In section 111 of the Powers of Criminal Courts (Sentencing) Act 2000 (minimum of 3 years for third domestic burglary offence)—
 (a) in subsection (1)(a), the words “committed after 30th November 1999”;
 (b) in subsection (1)(c), “and both of them were committed after the relevant date”.

Commencement Information

I48 Sch. 1 para. 38 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

39 In section 114 of the Powers of Criminal Courts (Sentencing) Act 2000 (offences under service law), in subsection (1A)(a), the words “committed after the relevant date”.

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Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Commencement Information

I49 Sch. 1 para. 39 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

40 Section 1(2A)(a) of the Prevention of Crime Act 1953 (application of minimum sentence for offence under section 1 of that Act).

Commencement Information

I50 Sch. 1 para. 40 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

41 Section 139(6A)(b) of the Criminal Justice Act 1988 (application of minimum sentence for offence under section 139 of that Act).

Commencement Information

I51 Sch. 1 para. 41 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

42 Section 139A(5A)(b) of the Criminal Justice Act 1988 (application of minimum sentence for offence under section 139A of that Act).

Commencement Information

I52 Sch. 1 para. 42 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

43 Section 8(7) of the Offensive Weapons Act 2019 (application of minimum sentence for conviction of offence of having a corrosive substance in a public place).

Commencement Information

I53 Sch. 1 para. 43 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

SCHEDULE 2 **U.K.**

Section 2

SENTENCING CONSOLIDATION: PRE-CONSOLIDATION AMENDMENTS

PART 1 **E+W**

AMENDMENTS OF THE POWERS OF CRIMINAL COURTS (SENTENCING) ACT 2000

^{F1}1

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

F12

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

F13

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

F14

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

F15

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

F16

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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

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115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F17

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F18

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F19

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F110

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F111

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F112

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}13

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}14

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}15

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}16

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}17

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}18

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}19

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}20

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}21

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}22

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}23

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}24

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}25

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}26

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}27

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}28

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F129

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F130

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F131

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F132

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F133

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F134

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F135}

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F136}

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F137}

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F138}

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F139}

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F140

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F141

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F142

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F143

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

F144

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

45 In section 140 (enforcement of fines imposed and recognizances forfeited by Crown Court), in subsection (6), for “the Justices of the Peace Act 1997 and, in particular,

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

section 60 of that Act (application of fines and fees)” substitute “ section 38 of the Courts Act 2003 (application of receipts of designated officers) ”.

Commencement Information

I54 Sch. 2 para. 45 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

^{F1}46

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}47

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}48

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}49

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}50

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, **reg. 2**

F151

Textual Amendments

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F152

Textual Amendments

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F153

Textual Amendments

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PART 2 E+W

AMENDMENTS OF THE CRIMINAL JUSTICE ACT 2003

F154

Textual Amendments

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F155

Textual Amendments

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F156

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F157

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F160

Textual Amendments

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F161

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Textual Amendments

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^{F1}62

Textual Amendments

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^{F1}63

Textual Amendments

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^{F1}64

Textual Amendments

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^{F1}65

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^{F1}66

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F167

Textual Amendments

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F168

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F170

Textual Amendments

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F172

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Textual Amendments

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^{F1}73

Textual Amendments

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^{F1}74

Textual Amendments

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^{F1}75

Textual Amendments

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^{F1}76

Textual Amendments

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^{F1}77

Textual Amendments

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F178

Textual Amendments

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F179

Textual Amendments

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Textual Amendments

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F183

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^{F1}84

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}85

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^{F1}86

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Commencement Information

I55 Sch. 2 para. 88 in force at 1.12.2020 immediately before "the consolidation date" by S.I. 2020/1236, **reg. 2**

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F189

Textual Amendments

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Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}100

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}101

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}102

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}103

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

PART 3 E+W

AMENDMENTS OF THE CRIMINAL JUSTICE AND IMMIGRATION ACT 2008

^{F1}104

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}105

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}106

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}107

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}108

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}109

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}110

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}111

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}112

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

^{F1}113

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

PART 4 E+W

AMENDMENTS OF OTHER ACTS

Criminal Procedure (Insanity) Act 1964

- 114 (1) The Criminal Procedure (Insanity) Act 1964 is amended as follows.
- (2) In section 5 (powers to deal with person where special verdict returned or unfit to plead etc), after subsection (3) insert—
- “(3A) Where the court have power under subsection (2)(c) to make an order for the absolute discharge of the accused, they may do so where they think, having regard to the circumstances, including the nature of the offence charged and the character of the accused, that such an order would be most suitable in all the circumstances of the case.”

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

(3) In section 5A (orders made under or by virtue of section 5), omit subsection (6).

Commencement Information

I56 Sch. 2 para. 114 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Firearms Act 1968

115 In section 21 of the Firearms Act 1968 (possession of firearms by persons previously convicted of crime), in subsection (2C)(a), after "imprisonment" insert " , or detention in a young offender institution, ”.

Commencement Information

I57 Sch. 2 para. 115 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236](#), [reg. 2](#)

Magistrates' Courts Act 1980

^{F1}116

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236](#), [reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236](#), [reg. 2](#)

Protection of Military Remains Act 1986

^{F1}117

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236](#), [reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236](#), [reg. 2](#)

Protection from Harassment Act 1997

^{F1}118

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236](#), [reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, **reg. 2**

Crime and Disorder Act 1998

^{F1}119

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, **reg. 2**

Criminal Justice and Court Services Act 2000

^{F1}120

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, **reg. 2**

Proceeds of Crime Act 2002

- 121 In section 39 of the Proceeds of Crime Act 2002 (reconsideration etc: variation of prison term)—
- (a) in subsection (1)(b), for “section 139(4) of the Sentencing Act” substitute “section 35(2A)”;
 - (b) in subsection (5)—
 - (i) for “section 139(4) of the Sentencing Act” substitute “section 35(2A)”;
 - (ii) for “that Act” substitute “the Sentencing Act”.

Commencement Information

I58 Sch. 2 para. 121 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

Constitutional Reform Act 2005

^{F1}122

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

- F1** Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, reg. 2, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Armed Forces Act 2006

- 123 (1) The Armed Forces Act 2006 is amended as follows.
- (2) In section 178 (service community orders), in subsection (1)(b), for the words after "Wales" substitute " or the locality in Scotland where the offender resides or will reside, or that the offender resides or will reside in Northern Ireland ".
- (3) In section 209 (offenders under 18 convicted of certain serious offences)—
- (a) in the heading, for "power to detain" substitute "detention";
- (b) in subsection (2), after paragraph (b) insert—
- "and the case does not fall within section 221 or 227 (see subsections (4), (5B) and (5C)).";
- (c) in subsection (3), after paragraph (d) insert—
- "and the case does not fall within section 221 (see subsection (5B)).";
- (d) in subsection (4), for "it falls within section 227(1) (certain firearms offences)" substitute "—
- (a) it falls within section 227(1) (certain firearms offences), and
- (b) the court is of the opinion mentioned in section 227(2) (exceptional circumstances justifying not imposing the required sentence).";
- (e) after subsection (5) insert—
- "(5A) Subsection (5D) (duty to pass sentence of detention) applies where—
- (a) a person aged under 18 is convicted by the Court Martial of an offence under section 42 (criminal conduct); and
- (b) the case is within subsection (5B) or (5C).
- (5B) The case is within this subsection if it falls within section 221 (life sentence for certain dangerous offenders aged under 18).
- (5C) The case is within this subsection if—
- (a) it falls within section 227(1) (certain firearms offences), and
- (b) the Court Martial is not of the opinion mentioned in section 227(2) (exceptional circumstances justifying not imposing the required sentence).
- (5D) Where this subsection applies, the court must pass a sentence of detention under this section.";
- (f) in subsection (7)—
- (i) after "(5)" insert " , (5D) ";

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(ii) omit from “sections 224A” to “offences); and”.

(4) In section 211, in subsection (4), omit “218A.”.

(5) In section 212 (term of detention and training order: general), at the end insert—

“(3) An order under section 211 takes effect at the beginning of the day on which it is made, unless the court provides otherwise under section 101(3) of the Sentencing Act (as applied by section 213 of this Act).”

^{F1}(6)

(7) In section 270A (exception to restrictions on community punishments), in subsection (6)—

(a) before paragraph (a) insert—

“(za) a criminal courts charge order (or an order under section 21A of the Prosecution of Offences Act 1985 (criminal courts charge));”

(b) after paragraph (d) insert—

“(e) a slavery and trafficking reparation order under section 8 of the Modern Slavery Act 2015.”.

^{F1}(8)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

Commencement Information

I59 Sch. 2 para. 123 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

Tribunals, Courts and Enforcement Act 2007

^{F1}124

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); [S.I. 2020/1236, reg. 2](#)

Education and Skills Act 2008

^{F1}125

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

Coroners and Justice Act 2009

^{F1}126

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

Anti-social Behaviour, Crime and Policing Act 2014

^{F1}127

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

PART 5 U.K.

MODIFICATIONS OF ACTS

^{F1}128

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}129

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114,

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115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}130

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}131

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}132

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}133

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F1}134

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

PART 6 **E+W**

AMENDMENTS AND MODIFICATIONS OF STATUTORY INSTRUMENTS

^{F1}135

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with ss. 413(4)(5), 416(7), Sch. 27); [S.I. 2020/1236, reg. 2](#)

136 Schedule 2 to the Criminal Justice Act 2003 (Commencement No. 8 and Transitional and Saving Provisions) Order 2005 (S.I. 2005/950) (transitional and saving provisions) has effect as if, in paragraph 5(2), after paragraph (a) there were inserted—
“(aa) section 303(d)(iv) (repeal of section 109 of the Sentencing Act);”.

Commencement Information

I60 Sch. 2 para. 136 in force at 1.12.2020 immediately before "the consolidation date" by [S.I. 2020/1236, reg. 2](#)

^{F1}137

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with ss. 413(4)(5), 416(7), Sch. 27); [S.I. 2020/1236, reg. 2](#)

^{F1}138

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and [S.I. 2020/1236, reg. 2](#), is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by [Sentencing Act 2020 \(c. 17\), s. 416\(1\), Sch. 28](#) (with ss. 413(4)(5), 416(7), Sch. 27); [S.I. 2020/1236, reg. 2](#)

PART 7 **E+W**

TRANSITORY AMENDMENTS FOR OFFENDERS AGED AT LEAST 18 BUT UNDER 21

^{F1}139

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

Changes to legislation: There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020. (See end of Document for details)

Textual Amendments

F1 Sch. 2, which is commenced on 1.12.2020 immediately before "the consolidation date", see s. 5(1)-(3) and S.I. 2020/1236, **reg. 2**, is then repealed immediately afterwards (except for Sch. 2 paras. 45, 114, 115, 121, 123(1)-(5)(7), 136) (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, **reg. 2**

^{F1}140

Textual Amendments

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Status:

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

Changes to legislation:

There are currently no known outstanding effects for the Sentencing (Pre-consolidation Amendments) Act 2020.