



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART I **E+W**

POWERS EXERCISABLE BEFORE SENTENCE

Deferment of sentence

^{F1} **Deferment of sentence** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F1} **1ZA Undertakings to participate in restorative justice activities** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F1} **1A Further provision about undertakings** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F1 1B Breach of undertakings **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F1 1C Conviction of offence during period of deferment **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F1 1D Deferment of sentence: supplementary **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Committal to Crown Court for sentence

F1 3 Committal for sentence on summary trial of offence triable either way. **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F1 3A Committal for sentence of dangerous adult offenders **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F1}3B **Committal for sentence of young offenders on summary trial of certain serious offences** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F1}3C **Committal for sentence of dangerous young offenders** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F1}4 **Committal for sentence on indication of guilty plea to offence triable either way.** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F1}4A **Committal for sentence on indication of guilty plea by child or young person with related offences** **E+W**

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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F15 Power of Crown Court on committal for sentence under sections 3 and 4. Power of Crown Court on committal for sentence under sections 3, 3A and 4 E+W

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F15A Power of Crown Court on committal for sentence under sections 3B, 3C and 4A E+W

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F16 Committal for sentence in certain cases where offender committed in respect of another offence. E+W

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F17 Power of Crown Court on committal for sentence under section 6. E+W

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Remission for sentence: young offenders etc.

F18 Power and duty to remit young offenders to youth courts for sentence. E+W

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F19 Power of youth court to remit offender who attains age of 18 to magistrates' court other than youth court for sentence. [E+W](#)

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F110 Power of magistrates' court to remit case to another magistrates' court for sentence. [E+W](#)

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Textual Amendments

F1 Ss. 1-10 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Remand by magistrates' court for medical examination

11 Remand by magistrates' court for medical examination. [E+W](#)

- (1) If, on the trial by a magistrates' court of an offence punishable on summary conviction with imprisonment, the court—
 - (a) is satisfied that the accused did the act or made the omission charged, but
 - (b) is of the opinion that an inquiry ought to be made into his physical or mental condition before the method of dealing with him is determined,the court shall adjourn the case to enable a medical examination and report to be made, and shall remand him.
- (2) An adjournment under subsection (1) above shall not be for more than three weeks at a time where the court remands the accused in custody, nor for more than four weeks at a time where it remands him on bail.
- (3) Where on an adjournment under subsection (1) above the accused is remanded on bail, the court shall impose conditions under paragraph (d) of section 3(6) of the ^{M1}Bail Act 1976 and the requirements imposed as conditions under that paragraph shall be or shall include requirements that the accused—
 - (a) undergo medical examination by a registered medical practitioner or, where the inquiry is into his mental condition and the court so directs, two such practitioners; and

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- (b) for that purpose attend such an institution or place, or on such practitioner, as the court directs and, where the inquiry is into his mental condition, comply with any other directions which may be given to him for that purpose by any person specified by the court or by a person of any class so specified.

Marginal Citations

M1 1976 c. 63.

PART II E+W+S

ABSOLUTE AND CONDITIONAL DISCHARGE

F²12 Absolute and conditional discharge. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F²13 Commission of further offence by person conditionally discharged. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

14 Effect of discharge. E+W+S

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Modifications etc. (not altering text)

- C1 S. 14 excluded (31.12.2020) by European Union (Future Relationship) Act 2020 (c. 29), ss. 6(2)(c), 40(7); S.I. 2020/1662, reg. 2(f)
- C2 S. 14 excluded (21.7.2022) by 1984 c. 42, Pt. 4B, s. 31R(6)(a) (as inserted (E.W.) by Domestic Abuse Act 2021 (c. 17), ss. 65, 90(6); S.I. 2022/840, regs. 1(2), 2(a) (with reg. 3))
- C3 S. 14 excluded (21.7.2022) by 2003 c. 39, Pt 7A s. 85F(6)(a) (as inserted (E.W.) by Domestic Abuse Act 2021 (c. 17), ss. 66, 90(6); S.I. 2022/840, regs. 1(2), 2(b) (with reg. 3))

F²15 Discharge: supplementary. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PART III E+W

MANDATORY AND DISCRETIONARY REFERRAL OF YOUNG OFFENDERS

Referral orders

F2 16 Duty and power to refer certain young offenders to youth offender panels. E
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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F2 17 The referral conditions. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F2 18 Making of referral orders: general. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F2 19 Making of referral orders: effect on court's other sentencing powers. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F220 Making of referral orders: attendance of parents etc. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Youth offender panels

F221 Establishment of panels. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F222 Attendance at panel meetings. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Youth offender contracts

F223 First meeting: agreement of contract with offender. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

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F²24 First meeting: duration of contract. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F²25 First meeting: failure to agree contract. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F²26 Progress meetings. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F²27 Final meeting. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Referrals back to court in the interests of justice

F²27A Revocation of referral order where offender making good progress etc. E+W

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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F²27B Extension of period for which young offender contract has effect **E+W**

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Further court proceedings

F²28 Offender or parent referred back to court: offender convicted while subject to referral order. **E+W**

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Supplementary

F²29 Functions of youth offending teams. **E+W**

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F²30 Regulations under Part III. **E+W**

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Textual Amendments

F2 Ss. 12-32 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

F²31 Rules of court. **E+W**

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Textual Amendments

- F2** Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F2}**32** Definitions for purposes of Part III. **E+W**

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Textual Amendments

- F2** Ss. 12-32 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PART IV U.K.

^{F3}**[YOUTH COMMUNITY ORDERS] AND REPARATION ORDERS**

Textual Amendments

- F3** Words in Pt. IV heading substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 94**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

Modifications etc. (not altering text)

- C4** Pt. IV applied (with modifications) (25.8.2000) by 1997 c. 43, s. 35(4)(b)(5) (as substituted (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 9 para. 184(3)**)

^{F4}**CHAPTER I E+W**

^{F5}**[YOUTH COMMUNITY ORDERS]: GENERAL PROVISIONS**

Textual Amendments

- F4** Pt. IV Ch. I repealed (30.11.2009 except for the repeal of ss. 33(1)(c), 36B) by Criminal Justice and Immigration Act 2008 (c. 4), ss. 6(1), 153(7), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(f)(u) (with art. 4)
- F5** Words in Pt. IV Ch. I heading substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 94**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

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[^{F4}33 Meaning of “youth community order” and “community sentence” E+W

(1) In this Act “youth community order” means any of the following orders—

- ^{F4}(a)
- ^{F4}(b)
- (c) an attendance centre order;
- ^{F4}(d)
- ^{F4}(e)

^{F4}(2)]

^{F6}34 Community orders not available where sentence fixed by law etc. E+W

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Textual Amendments

F6 Ss. 34-36A repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 37 Pt. 7; S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122, art. 2](#); and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111, art. 2](#); (3.12.2012) by [S.I. 2012/2905, art. 4](#); (3.12.2012) by [2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2\(l\)](#))

^{F6}35 Restrictions on imposing community sentences. E+W

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Textual Amendments

F6 Ss. 34-36A repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 37 Pt. 7; S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122, art. 2](#); and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111, art. 2](#); (3.12.2012) by [S.I. 2012/2905, art. 4](#); (3.12.2012) by [2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2\(l\)](#))

^{F6}36 Procedural requirements for community sentences: pre-sentence reports etc. E+W

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Textual Amendments

F6 Ss. 34-36A repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 37 Pt. 7; S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122, art. 2](#); and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111, art. 2](#); (3.12.2012) by [S.I. 2012/2905, art. 4](#); (3.12.2012) by [2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2\(l\)](#))

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F⁶36A Pre-sentence drug testing. E+W

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Textual Amendments

F6 Ss. 34-36A repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

**[F⁴]
F⁷36B Electronic monitoring of requirements in [F⁸youth community orders]. E+W**

- (1) Subject to subsections (2) [F⁹ and (3)] below, a [F¹⁰youth community order] may include requirements for securing the electronic monitoring of the offender’s compliance with any other requirements imposed by the order.
- (2) A court shall not include in a [F¹¹youth community order] a requirement under subsection (1) above unless the court—
 - (a) has been notified by the Secretary of State that electronic monitoring arrangements are available in the relevant areas specified in subsections (7) to (10) below; and
 - (b) is satisfied that the necessary provision can be made under those arrangements.
- (3) Where—
 - (a) it is proposed to include in an exclusion order a requirement for securing electronic monitoring in accordance with this section; but
 - (b) there is a person (other than the offender) without whose co-operation it will not be practicable to secure the monitoring,the requirement shall not be included in the order without that person’s consent.

F¹²(4)

- (5) An order which includes requirements under subsection (1) above shall include provision for making a person responsible for the monitoring; and a person who is made so responsible shall be of a description specified in an order made by the Secretary of State.
- (6) The Secretary of State may make rules for regulating—
 - (a) the electronic monitoring of compliance with requirements included in a [F¹³youth community order]; and
 - (b) without prejudice to the generality of paragraph (a) above, the functions of persons made responsible for securing the electronic monitoring of compliance with requirements included in the order.
- (7) In the case of a curfew order or an exclusion order, the relevant area is the area in which the place proposed to be specified in the order is situated.

In this subsection, “place”, in relation to an exclusion order, has the same meaning as in section 40A below.

F¹²(8)

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- (9) In the case of ^{F14}..., a supervision order or an action plan order, the relevant area is the [^{F15}local justice area] proposed to be specified in the order.
- (10) In the case of an attendance centre order, the relevant area is the [^{F15}local justice area] in which the attendance centre proposed to be specified in the order is situated.]]

Textual Amendments

- F7** S. 36B inserted (20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by 2000 c. 43, ss. 52, 80(1); S.I. 2001/2232, art. 2(e); S.I. 2004/2171, art. 2
- F8** Words in s. 36B heading substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 32 para. 96(2); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F9** Words in s. 36B(1) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 32 para. 96(3)(a); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F10** Words in s. 36B(1) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 32 para. 96(3)(b); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F11** Words in s. 36B(2) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 32 para. 96(4); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F12** S. 36B(4)(8) repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F13** Words in s. 36B(6)(a) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 32 para. 96(4); S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F14** Words in s. 36B(9) repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F15** Words in s. 36B(9)(10) substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 1, Sch. para. 66

Status: This version of this Act contains provisions that are prospective.

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^{F16}CHAPTER II **E+W**

COMMUNITY ORDERS AVAILABLE FOR OFFENDERS OF ANY AGE

Textual Amendments

F16 Pt. IV Ch. II repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 6(1), 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); S.I. 2009/3074, art. 2(f)(u) (with art. 4)

^{F16}Curfew orders

^{F16}**37** Curfew orders. **E+W**

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^{F17}**38** Electronic monitoring of curfew orders. **E+W**

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Textual Amendments

F17 S. 38 repealed (20.6.2001 for specified purposes, otherwise 2.7.2001) by [2000 c. 43](#), ss. 74, 75, [Sch. 7 Pt. II para. 163](#), [Sch. 8](#); S.I. 2001/2232, art. 2(k)(m)(iv)(n)

^{F16}**39** Breach, revocation and amendment of curfew orders. **E+W**

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^{F16}**40** Curfew orders: supplementary. **E+W**

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^{F16}Exclusion orders

^{F16}**40A** Exclusion orders. **E+W**

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^{F16}**40B** Breach, revocation and amendment of exclusion orders. **E+W**

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^{F16}**40C** Exclusion orders: supplementary. **E+W**

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CHAPTER III U.K.

COMMUNITY ORDERS AVAILABLE ONLY WHERE OFFENDER AGED 16 OR OVER

Probation orders

^{F18}**41 Community rehabilitation orders.** E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

^{F18}**42 Additional requirements which may be included in community rehabilitation orders.** E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

^{F18}**43 Breach, revocation and amendment of community rehabilitation orders.** E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005)

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by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18 44 Offenders residing in Scotland or Northern Ireland. U.K.

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18 45 Community rehabilitation orders: supplementary. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

Community punishment orders

F18 46 Community punishment orders. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

^{F18} 47 Obligations of person subject to community punishment order. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

^{F18} 48 Breach, revocation and amendment of community punishment orders. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

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F18 49 Offenders residing in Scotland or Northern Ireland. U.K.

Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

F18 50 Community punishment orders: supplementary. E+W

Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

Community punishment and rehabilitation orders

F18 51 Community punishment and rehabilitation orders. U.K.

Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41,

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46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

Drug treatment and testing orders

F1852 Drug treatment and testing orders. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

F1853 The treatment and testing requirements. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

F1854 Provisions of order as to supervision and periodic review. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008](#)

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c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18⁵⁵ Periodic reviews. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18⁵⁶ Breach, revocation and amendment of drug treatment and testing orders. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18⁵⁷ Copies of orders. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7;

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S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18 58 Drug treatment and testing orders: supplementary. E+W

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Textual Amendments
F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

Drug abstinence orders

F18 58A Drug abstinence orders. E+W

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Textual Amendments
F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(i), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (3.4.2007) by S.I. 2007/391, art. 2; (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by S.I. 2008/912, art. 1, Sch. 1 para. 14

F18 58B Drug abstinence orders: supplementary. E+W

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), **Sch. 37 Pt. 7**; [S.I. 2005/950](#), art. 2(1), **Sch. 1 para. 22** (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

Orders for persistent petty offenders

F18⁵⁹ **Curfew orders and community punishment orders for persistent petty offenders.** **E+W**

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Textual Amendments

F18 Pt. IV Ch. III repealed (4.4.2005 except in relation to a person aged 16 or 17 convicted of an offence, 4.4.2009 otherwise) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(i), 336(3)(4), **Sch. 37 Pt. 7**; [S.I. 2005/950](#), art. 2(1), **Sch. 1 para. 22** (with Sch. 2 paras 7, 8, 12, 13) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (3.4.2007) by [S.I. 2007/391](#), art. 2; (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1)); and s. 46, in so far as it is still in force, amended (1.4.2006 for W.) by [Children Act 2004 \(c. 31\)](#), Sch. 5 Pt. 4; [S.I. 2005/394](#), art. 2(2)(g); [S.I. 2006/885](#), art. 2(h); and ss. 41, 46, 47, 54, 57, in so far as they are still in force, amended (1.4.2008) by [S.I. 2008/912](#), art. 1, Sch. 1 para. 14

F19 **CHAPTER IV** **E+W**

ATTENDANCE CENTRE ORDERS: OFFENDERS UNDER 21 AND DEFAULTERS

Textual Amendments

F19 Pt. IV Ch. IV repealed (30.11.2009 for the repeal of s. 60(1)(a)) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 6(1), 153(7), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); [S.I. 2009/3074](#), art. 2(f)(u) (with art. 4)

F19⁶⁰ **Attendance centre orders.** **E+W**

(1) Where—

^{F19}(a)

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: *Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes*

- (b) a court would have power, but for [F20 section 227 of the Sentencing Code (restriction on imposing imprisonment on persons under [F21 18])], to commit a person aged under 21 to prison in default of payment of any sum of money or for failing to do or abstain from doing anything required to be done or left undone, F22 ...
- F22(c)
- the court may, if it has been notified by the Secretary of State that an attendance centre is available for the reception of persons of his description, order him to attend at such a centre, to be specified in the order, for such number of hours as may be so specified.
- (2) An order under subsection (1) above is in this Act referred to as an “attendance centre order”.
- (3) The aggregate number of hours for which an attendance centre order may require a person to attend at an attendance centre shall not be less than 12 except where—
- (a) he is aged under 14; and
 - (b) the court is of the opinion that 12 hours would be excessive, having regard to his age or any other circumstances.
- (4) The aggregate number of hours shall not exceed 12 except where the court is of the opinion, having regard to all the circumstances, that 12 hours would be inadequate, and in that case—
- (a) shall not exceed 24 where the person is aged under 16; and
 - (b) shall not exceed 36 where the person is aged [F23 16 or 17].
- (5) A court may make an attendance centre order in respect of a person before a previous attendance centre order made in respect of him has ceased to have effect, and may determine the number of hours to be specified in the order without regard—
- (a) to the number specified in the previous order; or
 - (b) to the fact that that order is still in effect.
- (6) An attendance centre order shall not be made unless the court is satisfied that the attendance centre to be specified in it is reasonably accessible to the person concerned, having regard to his age, the means of access available to him and any other circumstances.
- (7) The times at which a person is required to attend at an attendance centre shall, as far as practicable, be such as to avoid—
- (a) any conflict with his religious beliefs or with the requirements of any other [F24 youth community order] to which he may be subject; and
 - (b) any interference with the times, if any, at which he normally works or attends school or any other educational establishment.
- (8) The first time at which the person is required to attend at an attendance centre shall be a time at which the centre is available for his attendance in accordance with the notification of the Secretary of State, and shall be specified in the order.
- (9) The subsequent times shall be fixed by the officer in charge of the centre, having regard to the person’s circumstances.
- (10) A person shall not be required under this section to attend at an attendance centre on more than one occasion on any day, or for more than three hours on any occasion.

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- (11) Where a court makes an attendance centre order, the [^{F25}[^{F26}designated officer] for] the court shall—
- (a) deliver or send a copy of the order to the officer in charge of the attendance centre specified in it; and
 - (b) deliver a copy of the order to the person in respect of whom it is made or [^{F27}serve a copy on that person in accordance with Criminal Procedure Rules].
- (12) Where a person (“the defaulter”) has been ordered to attend at an attendance centre in default of the payment of any sum of money—
- (a) on payment of the whole sum to any person authorised to receive it, the attendance centre order shall cease to have effect;
 - (b) on payment of a part of the sum to any such person, the total number of hours for which the defaulter is required to attend at the centre shall be reduced proportionately, that is to say by such number of complete hours as bears to the total number the proportion most nearly approximating to, without exceeding, the proportion which the part bears to the whole sum.]

Textual Amendments

- F20** Words in s. 60(1)(b) substituted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 162** (with Sch. 27); S.I. 2020/1236, reg. 2
- F21** Word in s. 60(1)(b) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 13 para. 2(2)(a)(4); S.I. 2022/520, reg. 5(q) (as amended by S.I. 2022/680, reg. 2(c))
- F22** S. 60(1)(c) and word omitted (28.6.2022) by virtue of Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 13 para. 2(2)(b)(4); S.I. 2022/520, reg. 5(q) (as amended by S.I. 2022/680, reg. 2(c))
- F23** Words in s. 60(4)(b) substituted (28.6.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), s. 208(1), Sch. 13 para. 2(3)(4); S.I. 2022/520, reg. 5(q) (as amended by S.I. 2022/680, reg. 2(c))
- F24** Words in s. 60(7) substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 32 para. 102(4)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F25** Words in s. 60(11) substituted (1.4.2001) by S.I. 2001/618, **art. 5(4)**
- F26** Words in s. 60(11) substituted (1.4.2005) by The Courts Act 2003 (Consequential Provisions) Order 2005 (S.I. 2005/886), art. 1, **Sch. para. 72**
- F27** Words in s. 60(11)(b) substituted (28.6.2022) by Judicial Review and Courts Act 2022 (c. 35), s. 51(3), **Sch. 1 para. 13(2)**

[^{F19}61 Breach, revocation and amendment of attendance centre orders. **E+W**

Schedule 5 to this Act (which makes provision for dealing with failures to comply with attendance centre orders, for revoking such orders with or without the substitution of other sentences and for amending such orders) shall have effect.]

^{F28}62 Provision, regulation and management of attendance centres. **E+W**

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Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F28 S. 62 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F29 CHAPTER V E+W

COMMUNITY ORDERS AVAILABLE ONLY WHERE OFFENDER AGED UNDER 18

Textual Amendments

F29 Pt. IV Ch. V repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 6(1), 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 15](#)); [S.I. 2009/3074](#), art. 2(f)(u) (with art. 4)

F29 Supervision orders

F29 63 Supervision orders. E+W

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F29 64 Selection and duty of supervisor and certain expenditure of his. E+W

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F29 64A Supervision orders and curfew orders E+W

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F29 65 Breach, revocation and amendment of supervision orders. E+W

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F29 66 Facilities for implementing supervision orders. E+W

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F29 67 Meaning of “local authority”, “reside” and “parent”. E+W

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F29 68 Isles of Scilly. E+W

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^{F29} *Action plan orders*

^{F29}69 **Action plan orders.** **E+W**

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^{F29}70 **Requirements which may be included in action plan orders and directions.** **E+W**

.....

^{F29}71 **Action plan orders: power to fix further hearings.** **E+W**

.....

^{F29}72 **Breach, revocation and amendment of action plan orders.** **E+W**

.....

CHAPTER VI **E+W**

REPARATION ORDERS FOR YOUNG OFFENDERS

^{F30}73 **Reparation orders.** **E+W**

.....

Textual Amendments

F30 Ss. 73-77 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F30}74 **Requirements and provisions of reparation order, and obligations of person subject to it.** **E+W**

.....

Textual Amendments

F30 Ss. 73-77 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F30}75 **Breach, revocation and amendment of reparation orders.** **E+W**

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Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

Textual Amendments

F30 Ss. 73-77 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PART V E+W

CUSTODIAL SENTENCES ETC.

CHAPTER I E+W

GENERAL PROVISIONS

Meaning of “custodial sentence”

F3076 **Meaning of “custodial sentence”.** **E+W**

.....

Textual Amendments

F30 Ss. 73-77 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Liability to imprisonment on conviction on indictment

F3077 **Liability to imprisonment on conviction on indictment.** **E+W**

.....

Textual Amendments

F30 Ss. 73-77 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

General limit on magistrates’ courts’ powers

F3178 **General limit on magistrates’ court’s power to impose imprisonment or detention in a young offender institution.** **E+W**

[^{F32}.....]

Textual Amendments

F31 S. 78 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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F32 Ss. 78-82 repealed (4.4.2005 for the purpose of the repeals of ss. 79-82) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

General restrictions on discretionary custodial sentences

F3279 **General restrictions on imposing discretionary custodial sentences.** **E+W**

Textual Amendments

F32 Ss. 78-82 repealed (4.4.2005 for the purpose of the repeals of ss. 79-82) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F3280 **Length of discretionary custodial sentences: general provision.** **E+W**

Textual Amendments

F32 Ss. 78-82 repealed (4.4.2005 for the purpose of the repeals of ss. 79-82) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Procedural requirements for imposing discretionary custodial sentences

F3281 **Pre-sentence reports and other requirements.** **E+W**

Textual Amendments

F32 Ss. 78-82 repealed (4.4.2005 for the purpose of the repeals of ss. 79-82) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I.](#)

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2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F32} **82 Additional requirements in case of mentally disordered offender. E+W**

.....

Textual Amendments

F32 Ss. 78-82 repealed (4.4.2005 for the purpose of the repeals of ss. 79-82) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, [Sch. 26 para. 78](#), [Sch. 28 Pt. 2](#); S.I. 2008/1586, [Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, [Sch. 14 para. 17](#); S.I. 2012/2906, art. 2(l))

[^{F33} Life sentences]

Textual Amendments

F33 S. 82A and cross-heading inserted (30.11.2000) by 2000 c. 43, [ss. 60\(1\), 80\(3\)](#)

^{F34} **82A Determination of tariffs. E+W**

.....

Textual Amendments

F34 S. 82A repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

Other restrictions

^{F35} **83 Restriction on imposing custodial sentences on persons not legally represented. E+W**

.....

Textual Amendments

F35 S. 83 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\), 416\(7\), Sch. 27](#)); S.I. 2020/1236, [reg. 2](#)

^{F36} **84 Restriction on consecutive sentences for released prisoners. E+W**

.....

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Textual Amendments

- F36** S. 84 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Sexual and violent offences: licences etc.

- F37** **85 Sexual or violent offences: extension of certain custodial sentences for licence purposes.** **E+W**

.....

Textual Amendments

- F37** S. 85 repealed (4.4.2005 except in relation to a case in which the sentence of imprisonment is imposed in respect of an offence committed before 4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(ii), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

- F38** **86 Sexual offences committed before 30th September 1998.** **E+W**

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Textual Amendments

- F38** S. 86 repealed (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), ss. 121(4), 151(1); [S.I. 2012/2906](#), art. 2(d)

PROSPECTIVE

Crediting of periods of remand in custody

- F39** **87 Crediting of periods of remand in custody: terms of imprisonment and detention.** **E+W**

.....

Textual Amendments

- F39** S. 87 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(iii), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2;

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and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F40 88 **Meaning of “remand in custody”.** **E+W**

.....

Textual Amendments

F40 S. 88 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(iii), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

CHAPTER II **E+W**

DETENTION AND CUSTODY OF YOUNG OFFENDERS

Modifications etc. (not altering text)

C5 Pt. 5 Ch. 2 power to modify, amend or repeal conferred (30.9.2003) by Armed Forces Act 2001 (c. 19), ss. 31(1)(a)(3)(6)(7), 39(2); S.I. 2003/2268, art. 2

Restriction on imposing imprisonment on persons under 21

F41 89 **Restriction on imposing imprisonment on persons under 21.** **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Detention at Her Majesty’s pleasure or for specified period

F41 90 **Offenders who commit murder etc. when under 18: duty to detain at Her Majesty’s pleasure.** **E+W**

.....

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4191 Offenders under 18 convicted of certain serious offences: power to detain for specified period. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4192 Detention under sections 90 and 91: place of detention etc. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Custody for life

F4193 Duty to impose custody for life in certain cases where offender under 21. E+W

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4194 Power to impose custody for life in certain other cases where offender at least 18 but under 21. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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F4195 Custody for life: place of detention. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Detention in a young offender institution

F4196 Detention in a young offender institution for other cases where offender at least 18 but under 21. E+W

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4197 Term of detention in a young offender institution, and consecutive sentences. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F4198 Detention in a young offender institution: place of detention. E+W

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Conversion of sentence of detention to sentence of imprisonment

F4199 Conversion of sentence of detention to sentence of imprisonment E+W

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Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Detention and training orders

F41 100 Offenders under 18: detention and training orders. **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F41 101 Term of order, consecutive terms and taking account of remands. **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F41 102 The period of detention and training. **E+W**

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F41 103 The period of supervision. **E+W**

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F41 104 Breach of supervision requirements. **E+W**

.....

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 104A Application of sections 103 to 105 in relation to orders under section 104(3)
(aa) **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 104B Interaction of orders under section 104(3)(a) with other sentences **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 105 Offences during currency of order. **E+W**

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 106 Interaction with sentences of detention in a young offender institution. **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 106A Interaction with sentences of detention **E+W**

.....

Status: This version of this Act contains provisions that are prospective.

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Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 106B Further supervision after end of term of detention and training order **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F41 107 Meaning of “ youth detention accommodation” and references to terms. **E+W**

.....

Textual Amendments

F41 Ss. 89-107 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Detention of persons aged at least 18 but under 21 for default or contempt

108 Detention of persons aged at least 18 but under 21 for default or contempt. **E+W**

- (1) In any case where, but for [^{F42}section 227(2) of the Sentencing Code], a court would have power—
- (a) to commit a person aged at least 18 but under 21 to prison for default in payment of a fine or any other sum of money, or
 - (b) to make an order fixing a term of imprisonment in the event of such a default by such a person, or
 - (c) to commit such a person to prison for contempt of court or any kindred offence,

the court shall have power, subject to subsection (3) below, to commit him to be detained under this section or, as the case may be, to make an order fixing a term of detention under this section in the event of default, for a term not exceeding the term of imprisonment.

- (2) For the purposes of subsection (1) above, the power of a court to order a person to be imprisoned under section 23 of the ^{M2}Attachment of Earnings Act 1971 shall be taken to be a power to commit him to prison.
- (3) No court shall commit a person to be detained under this section unless it is of the opinion that no other method of dealing with him is appropriate; and in forming any such opinion, the court—

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- (a) shall take into account all such information about the circumstances of the default or contempt (including any aggravating or mitigating factors) as is available to it; and
 - (b) may take into account any information about that person which is before it.
- (4) Where a magistrates' court commits a person to be detained under this section, it shall—
- (a) state in open court the reason for its opinion that no other method of dealing with him is appropriate; and
 - (b) cause that reason to be specified in the warrant of commitment and to be entered in the register.
- (5) Subject to section 22(2)(b) of the ^{M3}Prison Act 1952 (removal to hospital etc.), a person in respect of whom an order has been made under this section is to be detained—
- (a) in a remand centre,
 - (b) in a young offender institution, or
 - (c) in any place in which a person aged 21 or over could be imprisoned or detained for default in payment of a fine or any other sum of money,
- as the Secretary of State may from time to time direct.

Textual Amendments

- F42** Words in s. 108(1) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 163](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Marginal Citations

- M2** 1971 c. 32.
M3 1952 c. 52.

CHAPTER III E+W

REQUIRED CUSTODIAL SENTENCES FOR CERTAIN OFFENCES

^{F43}**109 Life sentence for second serious offence.** E+W

Textual Amendments

- F43** S. 109 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 303(d)(iv), 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 22](#) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1))

Modifications etc. (not altering text)

- C6** S. 109 saving for effects of [2003 c. 44](#), s. 303(d)(iv) by [S.I. 2005/950](#), Sch. 2 para. 5(2) (as modified (1.12.2020) immediately before the consolidation date (see [2020 c. 9](#), ss. 3, 5(2)(3) and [2020 c. 17](#), ss.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), s. 5(2)(3), **Sch. 2 para. 136**; S.I. 2012/1236, reg. 2)

F44 110 Minimum of seven years for third class A drug trafficking offence. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F44 111 Minimum of three years for third domestic burglary. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F44 112 Appeals where previous convictions set aside. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F44 113 Certificates of convictions for purposes of Chapter III. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F44 114 Offences under service law. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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F44 115 Determination of day when offence committed. E+W

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Textual Amendments

F44 Ss. 110-115 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 214(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

CHAPTER IV E+W

RETURN TO PRISON ETC. WHERE OFFENCE COMMITTED DURING ORIGINAL SENTENCE

Modifications etc. (not altering text)

C7 Pt. 5 Ch. 4 modified (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), [ss. 244\(1\)\(2\)\(5\)](#), 416(1) (with ss. 2, 244(3), 398(1), 406, [Sch. 27](#)); S.I. 2020/1236, reg. 2

F45 116 Power to order return to prison etc. where offence committed during original sentence. E+W

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Textual Amendments

F45 S. 116 repealed (4.4.2005 except in relation to a person in a case in which the sentence of imprisonment is imposed in respect of an offence committed before 4.4.2005, or is for a term of less than twelve months) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 32 para. 116](#), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), [Sch. 1 paras. 42\(34\)44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), [Sch. 26 para. 78](#), [Sch. 28 Pt. 2](#); S.I. 2008/1586, [Sch. 1 paras. 48\(s\)](#), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by [2012 c. 10](#), [Sch. 14 para. 17](#); S.I. 2012/2906, art. 2(1)); s. 116(1)(b), in so far as it is still in force, amended (9.6.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 26 para. 45\(a\)](#); S.I. 2008/1466, art. 2(c)(iv); s. 116(7), in so far as it is still in force, amended (14.7.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 26 para. 45\(b\)](#); S.I. 2008/1586, art. 2(1), [Sch. 1 para. 48\(o\)](#)

F46 117 Treatment for purposes of section 116(1) of person serving two or more sentences or extended sentence. E+W

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Textual Amendments

F46 S. 117 repealed (4.4.2005 except in relation to a person in a case in which the sentence of imprisonment is imposed in respect of an offence committed before 4.4.2005, or is for a term of less than twelve months) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 32 para. 116](#), [Sch. 37 Pt. 7](#); S.I. 2005/950, art. 2(1), [Sch. 1 paras. 42\(34\)44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), [Sch. 26 para. 78](#), [Sch. 28 Pt. 2](#); S.I.

Status: This version of this Act contains provisions that are prospective.

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2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

CHAPTER V **E+W**

SUSPENDED SENTENCES OF IMPRISONMENT

Suspended sentences of imprisonment

^{F47} 118 Suspended sentences of imprisonment. **E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F47} 119 Power of court on conviction of further offence to deal with suspended sentence. **E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F47} 120 Court by which suspended sentence may be dealt with. **E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

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^{F47} **121 Procedure where court convicting of further offence does not deal with suspended sentence. E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

Suspended sentence supervision orders

^{F47} **122 Suspended sentence supervision orders. E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F47} **123 Breach of requirement of suspended sentence supervision order. E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

^{F47} **124 Suspended sentence supervision orders: revocation, amendment and cessation. E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1

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paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

Suspended sentences: supplementary

^{F47} **125 Suspended sentences: supplementary.** **E+W**

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Textual Amendments

F47 Pt. V Ch. V repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), ss. 303(d)(v), 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 22 (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

PART VI **E+W**

FINANCIAL PENALTIES AND ORDERS

Financial circumstances orders

^{F48} **126 Powers to order statement as to offender's financial circumstances.** **E+W**

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Textual Amendments

F48 Ss. 126-129 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

Fines: general

^{F48} **127 General power of Crown Court to fine offender convicted on indictment.** **E+W**

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Textual Amendments

F48 Ss. 126-129 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch.

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1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

^{F48}**128 Fixing of fines.** **E+W**

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Textual Amendments

F48 Ss. 126-129 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, [Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

^{F48}**129 Remission of fines.** **E+W**

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Textual Amendments

F48 Ss. 126-129 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, [Sch. 28 Pt. 2](#); [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Compensation orders

^{F49}**130 Compensation orders against convicted persons.** **E+W**

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

^{F49}**131 Limit on amount payable under compensation order of magistrates' court in case of young offender.** **E+W**

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Status: This version of this Act contains provisions that are prospective.

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F49 132 Compensation orders: appeals etc. E+W

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F49 133 Review of compensation orders. E+W

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F49 134 Effect of compensation order on subsequent award of damages in civil proceedings. E+W

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Young offenders

F49 135 Limit on fines imposed by magistrates' courts in respect of young offenders. E+W

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

F49 136 Power to order statement as to financial circumstances of parent or guardian. E+W

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Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F49} 137 Power to order parent or guardian to pay fine, costs , compensation or surcharge. **E+W**

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F49} 138 Fixing of fine , compensation or surcharge to be paid by parent or guardian. **E+W**

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Textual Amendments

F49 Ss. 130-138 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Miscellaneous powers and duties of Crown Court in relation to [^{F50}recognizances] etc.

Textual Amendments

F50 Word in s. 139 cross-heading substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 164](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

139 Powers and duties of Crown Court in relation to ^{F51}... forfeited recognizances. **E+W**

- (1) Subject to the provisions of this section, if the Crown Court [^{F52}forfeits a person's recognizance], the court may make an order—
 - (a) allowing time for the payment of ^{F53}... the amount due under the recognizance;
 - (b) directing payment of that amount by instalments of such amounts and on such dates as may be specified in the order;
 - (c) ^{F54}... discharging the recognizance or reducing the amount due under it.
- (2) Subject to the provisions of this section, if the Crown Court [^{F55}forfeits a person's recognizance], the court shall make an order fixing a term of imprisonment or of detention under section 108 above (detention of persons aged 18 to 20 for default) which he is to undergo if any sum which he is liable to pay is not duly paid or recovered.

Status: This version of this Act contains provisions that are prospective.

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- (3) No person shall on the occasion when ^{F56}... his recognizance is forfeited by the Crown Court be committed to prison or detained in pursuance of an order under subsection (2) above unless—
- (a) in the case of an offence punishable with imprisonment, he appears to the court to have sufficient means to pay the sum forthwith;
 - (b) it appears to the court that he is unlikely to remain long enough at a place of abode in the United Kingdom to enable payment of the sum to be enforced by other methods; or
 - (c) on the occasion when the order is made the court sentences him to immediate imprisonment, custody for life or detention in a young offender institution for that or another offence, or so sentences him for an offence in addition to forfeiting his recognizance, or he is already serving a sentence of custody for life or a term—
 - (i) of imprisonment;
 - (ii) of detention in a young offender institution; or
 - (iii) of detention under section 108 above.
- (4) The periods set out in the second column of the following Table shall be the maximum periods of imprisonment or detention under subsection (2) above applicable respectively to the amounts set out opposite them.

Table

An amount not exceeding £200	7 days
An amount exceeding £200 but not exceeding £500	14 days
An amount exceeding £500 but not exceeding £1,000	28 days
An amount exceeding £1,000 but not exceeding £2,500	45 days
An amount exceeding £2,500 but not exceeding £5,000	3 months
An amount exceeding £5,000 but not exceeding £10,000	6 months
An amount exceeding £10,000 but not exceeding £20,000	12 months
An amount exceeding £20,000 but not exceeding £50,000	18 months
An amount exceeding £50,000 but not exceeding £100,000	2 years
An amount exceeding £100,000 but not exceeding £250,000	3 years
An amount exceeding £250,000 but not exceeding £1 million	5 years
An amount exceeding £1 million	10 years

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- (5) Where any person liable for the payment of ^{F57}... a sum due under a recognizance to which this section applies is sentenced by the court to, or is serving or otherwise liable to serve, a term of imprisonment or detention in a young offender institution or a term of detention under section 108 above, the court may order that any term of imprisonment or detention fixed under subsection (2) above shall not begin to run until after the end of the first-mentioned term.
- (6) The power conferred by this section to discharge a recognizance or reduce the amount due under it shall be in addition to the powers conferred by any other Act relating to the discharge, cancellation, mitigation or reduction of recognizances or sums forfeited under recognizances.
- (7) Subject to subsection (8) below, the powers conferred by this section shall not be taken as restricted by any enactment which authorises the Crown Court to deal with an offender in any way in which a magistrates' court might have dealt with him or could deal with him.
- ^{F58}(8)
- ^{F59}(9)
- (10) For the purposes of any reference in this section, however expressed, to the term of imprisonment or other detention to which a person has been sentenced or which, or part of which, he has served, consecutive terms and terms which are wholly or partly concurrent shall, unless the context otherwise requires, be treated as a single term.
- (11) Any reference in this section, however expressed, to a previous sentence shall be construed as a reference to a previous sentence passed by a court in Great Britain.

Textual Amendments

- F51** Words in s. 139 heading omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(2\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F52** Words in s. 139(1) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(3\)\(a\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F53** Words in s. 139(1)(a) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(3\)\(b\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F54** Words in s. 139(1)(c) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(3\)\(c\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F55** Words in s. 139(2) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(4\)\(a\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F56** Words in s. 139(3) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(5\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F57** Words in s. 139(5) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(6\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F58** S. 139(8) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(7\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F59** S. 139(9) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 165\(7\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

- C8** S. 139(2)-(4) applied (with modifications) (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), [ss. 35\(2\)](#), 458(1); S.I. 2003/333, [art. 2](#), [Sch.](#) (with [arts. 10-13](#))

Status: This version of this Act contains provisions that are prospective.

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- C9 S. 139(2)-(4) applied (with modifications) (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 36(2), 458(1); S.I. 2003/333, art. 2, Sch. (with arts. 10-13)
- C10 S. 139(2)(3) applied (with modifications) by 2002 c. 29, s. 35(2) (as amended) (1.6.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), Sch. 4 para. 30; S.I. 2015/820, reg. 3(q)(iii)
- C11 S. 139(4) applied by 2006 c. 52, s. 269A(2) (as inserted (1.11.2013) by Armed Forces Act 2011 (c. 18), ss. 16(1), 32(3); S.I. 2013/2501, art. 3(c)
- C12 S. 139(4) applied by 2006 c. 52, s. 269B(4) (as inserted (1.11.2013) by Armed Forces Act 2011 (c. 18), ss. 16(1), 32(3); S.I. 2013/2501, art. 3(c)
- C13 S. 139(9) applied (with modifications) (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 36(2), 458(1); S.I. 2003/333, art. 2, Sch. (with arts. 10-13)
- C14 S. 139(9) applied (with modifications) (24.3.2003) by Proceeds of Crime Act 2002 (c. 29), ss. 35(2), 458(1); S.I. 2003/333, art. 2, Sch. (with arts. 10-13)
- C15 S. 139(9) applied (with modifications) by 2002 c. 29, s. 35(2) (as amended) (1.6.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), Sch. 4 para. 30; S.I. 2015/820, reg. 3(q)(iii)

140 Enforcement of ^{F60}... recognizances forfeited by Crown Court. E+W

- (1) Subject to subsection (5) below, ^{F61}... a recognizance forfeited by the Crown Court shall be treated for the purposes of collection, enforcement and remission of the ^{F62}... sum as having been ^{F63}... forfeited—
 - (a) by a magistrates' court specified in an order made by the Crown Court, or
 - (b) if no such order is made, by the magistrates' court by which the offender [^{F64}was committed to the Crown Court to be tried or dealt with or by which he] was sent to the Crown Court for trial under section 51 [^{F65}or 51A] of the ^{M4}Crime and Disorder Act 1998,

^{F66}...
- (2) Subsection (3) below applies where a magistrates' court issues a warrant of commitment on a default in the payment of—
 - ^{F67}(a)
 - (b) a sum due under a recognizance forfeited by the Crown Court.
- (3) In such a case, the term of imprisonment or detention under section 108 above specified in the warrant of commitment as the term which the offender is liable to serve shall be—
 - (a) the term fixed by the Crown Court under section 139(2) above, or
 - (b) if that term has been reduced under section 79(2) of the ^{M5}Magistrates' Courts Act 1980 (part payment) or section 85(2) of that Act (remission), that term as so reduced,

^{F68}...
- (4) Subsections (1) to (3) above shall apply in relation to a ^{F69}... recognizance forfeited by the criminal division of the Court of Appeal, or by the [^{F70}Supreme Court] on appeal from that division, as they apply in relation to a ^{F69}... recognizance forfeited by the Crown Court; and references in those subsections to the Crown Court (except the references in subsection (1)(b)) shall be construed accordingly.
- (5) A magistrates' court shall not, under section ^{F71}... 120 of the ^{M6}Magistrates' Courts Act 1980 as applied by subsection (1) above, remit the whole or any part of a ^{F72}... sum due under a recognizance forfeited by—
 - (a) the Crown Court,
 - (b) the criminal division of the Court of Appeal, or

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(c) the [^{F70}Supreme Court] on appeal from that division,
 without the consent of the Crown Court.

(6) Any ^{F73}... sum the payment of which is enforceable by a magistrates' court by virtue of this section shall be treated for the purposes of [^{F74}section 38 of the Courts Act 2003 (application of receipts of designated officers)]^{F75}... as being due under a recognizance forfeited by [^{F76}a magistrates' court].

Textual Amendments

- F60** Words in s. 140 heading omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(2\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F61** Words in s. 140(1) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(3\)\(a\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F62** Words in s. 140(1) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(3\)\(b\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F63** Words in s. 140(1) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(3\)\(c\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F64** Words in s. 140(1)(b) repealed (18.6.2012 for specified purposes; 5.11.2012 for specified purposes; 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 74\(4\)\(a\)](#), [Sch. 37 Pt. 4](#); S.I. 2012/1320, art. 4(1)(c)(d)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4); S.I. 2012/2574, art. 2(2)(2)(c)(3), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2) (with S.I. 2013/1103, art. 4); S.I. 2013/1103, art. 2(1)(c)(d)(2)(3) (with arts. 3, 4)
- F65** Words in s. 140(1)(b) inserted (9.5.2005 for specified purposes, 18.6.2012 for specified purposes; 5.11.2012 for specified purposes; 28.5.2013 for specified purposes) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 3 para. 74\(4\)\(b\)](#); S.I. 2005/1267, art. 2(1)(2)(b), [Sch. Pt. 2](#); S.I. 2012/1320, art. 4(1)(c)(2)(3) (with art. 5) (see S.I. 2012/2574, art. 4(2) and S.I. 2013/1103, art. 4); S.I. 2012/2574, art. 2(2)(2)(c)(d)(3), [Sch.](#) (with arts. 3, 4) (as amended (4.11.2012) by S.I. 2012/2761, art. 2) (with S.I. 2013/1103, art. 4); S.I. 2013/1103, art. 2(1)(c)(2)(3) (with arts. 3, 4)
- F66** Words in s. 140(1) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(3\)\(d\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F67** S. 140(2)(a) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(4\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F68** Words in s. 140(3) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(5\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F69** Words in s. 140(4) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(6\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F70** Words in s. 140(4)(5) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 9 para. 69](#); S.I. 2009/1604, art. 2(d)
- F71** Words in s. 140(5) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(7\)\(b\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F72** Words in s. 140(5) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(7\)\(a\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F73** Words in s. 140(6) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(8\)\(a\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F74** Words in s. 140(6) substituted (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), s. 5(2)(3), [Sch. 2 para. 45](#); S.I. 2012/1236, reg. 2
- F75** Words in s. 140(6) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(8\)\(b\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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F76 Words in s. 140(6) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 166\(8\)\(c\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

C16 S. 140(1)-(4) applied (with modifications) (24.3.2003) by [Proceeds of Crime Act 2002 \(c. 29\)](#), [ss. 35\(2\)](#), 458(1); S.I. 2003/333, [art. 2](#), [Sch.](#) (with [arts. 10-13](#))

Marginal Citations

M4 1998 c. 37.

M5 1980 c. 43.

M6 1980 c. 43.

F77 **141 Power of Crown Court to allow time for payment, or payment by instalments, of costs and compensation.** **E+W**

.....

Textual Amendments

F77 S. 141 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with [ss. 413\(4\)\(5\)](#), [416\(7\)](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

142 Power of Crown Court to order search of persons before it. **E+W**

(1) Where—

[^{F78}(za) the Crown Court orders a person to pay a surcharge under [^{F79}section 42 of the Sentencing Code],]

- (a) the Crown Court imposes a fine on a person or forfeits his recognizance,
- (b) the Crown Court makes against a person any such order as is mentioned in paragraph 3, 4 or 9 of Schedule 9 to the Administration of Justice Act 1970 (orders for the payment of costs),

[^{F80}(ba) the Crown Court makes an order against a person under [^{F81}section 46 of the Sentencing Code] (criminal courts charge),]

(c) the Crown Court makes [^{F82}an order under Chapter 2 of Part 7 of the Sentencing Code (compensation orders)] against a person,

[^{F83}(ca) the Crown Court makes an unlawful profit order under section 4 of the Prevention of Social Housing Fraud Act 2013 against a person,]

(d) the Crown Court makes against a person an order under [^{F84}section 380(1) of the Sentencing Code] (order for parent or guardian to pay fine, costs [^{F85}, compensation or surcharge]), or

(e) on the determination of an appeal brought by a person under section 108 of the ^{M7}Magistrates' Courts Act 1980 a sum is payable by him, whether by virtue of an order of the Crown Court or by virtue of a conviction or order of the magistrates' court against whose decision the appeal was brought,

then, if that person is before it, the Crown Court may order him to be searched.

(2) Any money found on a person in a search under this section may be applied, unless the court otherwise directs, towards payment of the fine or other sum payable by him; and the balance, if any, shall be returned to him.

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Textual Amendments

- F78** S. 142(1)(za) inserted (1.4.2007) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, [Sch. 10 para. 53\(a\)](#); S.I. 2007/602, art. 2(c)
- F79** Words in s. 142(1)(za) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 167\(2\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F80** S. 142(1)(ba) inserted (13.4.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 12 para. 10](#); S.I. 2015/778, art. 3, [Sch. 1 para. 78](#)
- F81** Words in s. 142(1)(ba) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 167\(3\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F82** Words in s. 142(1)(c) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 167\(4\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F83** S. 142(1)(ca) inserted (15.10.2013 for E.; 5.11.2013 for W.) by [Prevention of Social Housing Fraud Act 2013 \(c. 3\)](#), s. 12, [Sch. para. 10](#); S.I. 2013/2622, art. 2; S.I. 2013/2861, art. 2
- F84** Words in s. 142(1)(d) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 167\(5\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F85** Words in s. 142(1)(d) substituted (1.4.2007) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, [Sch. 10 para. 53\(b\)](#); S.I. 2007/602, art. 2(c)

Marginal Citations

- M7** 1980 c. 43.

PART VII **E+W**

FURTHER POWERS OF COURTS

Powers to deprive offender of property used etc. for purposes of crime

^{F86} **143 Powers to deprive offender of property used etc. for purposes of crime. **E+W****

.....

Textual Amendments

- F86** Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

^{F86} **144 Property which is in possession of police by virtue of section 143. **E+W****

.....

Textual Amendments

- F86** Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 28](#) (with ss. 413(4)(5), 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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F86 145 Application of proceeds of forfeited property. E+W

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Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

Driving disqualifications

F86 146 Driving disqualification for any offence. E+W

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

F86 147 Driving disqualification where vehicle used for purposes of crime. E+W

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

F86 147A Extension of disqualification where custodial sentence also imposed E+W

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

F86 147B Effect of custodial sentence in other cases E+W

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Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), **Sch. 27**); S.I. 2020/1236, reg. 2

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Restitution orders

^{F86} **148 Restitution orders.** **E+W**

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

^{F86} **149 Restitution orders: supplementary.** **E+W**

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Young offenders

^{F86} **150 Binding over of parent or guardian.** **E+W**

.....

Textual Amendments

F86 Ss. 143-150 repealed (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PART VIII U.K.

MISCELLANEOUS AND SUPPLEMENTARY

Factors to be taken into account in sentencing

^{F87} **151 Effect of previous convictions and of offending while on bail.** **E+W**

.....

Textual Amendments

F87 Ss. 151-153 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch.

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1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F87 152 Reduction in sentences for guilty pleas. E+W

.....

Textual Amendments

F87 Ss. 151-153 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F87 153 Increase in sentences for racial or religious aggravation. E+W

.....

Textual Amendments

F87 Ss. 151-153 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

Commencement and alteration of Crown Court sentence

F88 154 Commencement of Crown Court sentence. E+W

.....

Textual Amendments

F88 S. 154 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F89 155 Alteration of Crown Court sentence. E+W

.....

Textual Amendments

F89 S. 155 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

Disclosure of pre-sentence reports etc.

F90 156 Disclosure of pre-sentence reports. E+W

.....

Textual Amendments

F90 Ss. 156-158 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F90 157 Other reports of officers of local probation boards and members of youth offending teams E+W

.....

Textual Amendments

F90 Ss. 156-158 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Supplementary

F90 158 Savings for powers to mitigate sentences and deal appropriately with mentally disordered offenders. E+W

.....

Textual Amendments

F90 Ss. 156-158 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(r\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

159 Execution of process between England and Wales and Scotland. E+W+S

[^{F91}Section 4 of the ^{M8}Summary Jurisdiction (Process) Act 1881 (execution of process of English and Welsh courts in Scotland) shall apply to any process issued under—

[^{F92}section 1(7), 1B(3), 1C(4),] 13(1), 104(1) ^{F93}... above,

paragraph 3(2) of Schedule 1 to this Act [^{F94}or],

^{F95}...

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

F93

paragraph 1(1) of Schedule 5 to this Act,

F96

...
paragraph 6(2) of Schedule 8 to this Act,]

as it applies to process issued under the ^{M9}Magistrates' Courts Act 1980 by a magistrates' court.

Textual Amendments

F91 S. 159 repealed (1.12.2020 for specified purposes) by Sentencing Act 2020 (c. 17), s. 416(1)(9), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F92 Words in s. 159 substituted (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 23 para. 2**; S.I. 2005/950, art. 2(1), Sch. 1 para. 20 (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F93 Words in s. 159 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F94 Word in s. 159 inserted (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 4 para. 59(a)** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(p)(x)

F95 Words in s. 159 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), Sch. 4 para. 59(b), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(p)(u)(x)

F96 Words in s. 159 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), Sch. 4 para. 59(d), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(p)(u)(x)

Marginal Citations

M8 1881 c. 24.

M9 1980 c. 43.

F97 **160 Rules and orders.** **E+W**

.....

Textual Amendments

F97 S. 160 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Interpretation

F98 **161 Meaning of “associated offence”, “sexual offence”, “violent offence” and “protecting the public from serious harm”.** **E+W**

.....

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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) View outstanding changes

Textual Amendments

F98 S. 161 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F99 **162** **Meaning of “pre-sentence report”.** **E+W**

.....

Textual Amendments

F99 S. 162 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), **Sch. 1** para. 44(4)(r) (with **Sch. 2**) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l)); in so far as it is still in force, amended (1.4.2006 for W.) by Children Act 2004 (c. 31), Sch. 5 Pt. 4; S.I. 2005/394, art. 2(2)(g); S.I. 2006/885, art. 2(h)

163 **General definitions.** **E+W**

[^{F100}(1)] In this Act, except where the contrary intention appears—

[^{F101}“action plan order” means an order under section 69(1) above;]

[^{F101}[^{F102}“affected person” —

(a) in relation to an exclusion order, has the meaning given by section 40A(13) above;

(b) ^{F103}

(c) ^{F103}]]

^{F103}

^{F104}

[^{F101}“attendance centre” has the meaning given by [^{F105}section 221(2) of the Criminal Justice Act 2003];]

[^{F101}“attendance centre order” means an order under section 60(1) above (and, except where the contrary intention is shown by paragraph 8 of Schedule 3 or paragraph 4 of Schedule 7 or 8 to this Act, includes orders made under section 60(1) by virtue of paragraph 4(1)(c) or 5(1)(c) of Schedule 3 or paragraph 2(2)(a) of Schedule 7 or 8);]

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[^{F101}“community sentence” has the meaning given by section 33(2) above;]

^{F104}

“court” does not include [^{F107}the Court Martial];

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[^{F101}“curfew order” means an order under section 37(1) above (and, except where the contrary intention is shown by section 59 above or paragraph 3 of Schedule 7 or 8 to this Act or section 35 of the ^{M10}Crime (Sentences) Act 1997, includes orders made under section 37(1) by virtue of section 59 or paragraph 2(2)(a) of Schedule 7 or 8 or the said section 35);]

“custodial sentence” has the meaning given by section 76 above;

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[^{F101}[^{F102}“ exclusion order ” means an order under section 40A(1) above]]

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“the register” means the register of proceedings before a magistrates’ court required by [^{F109}Criminal Procedure Rules] to be kept by the ^{F110}[^{F111}designated officer] for] the court;

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[^{F101}“supervision order” means an order under section 63(1) above;]

[^{F101}“supervisor”, in relation to a supervision order, has the meaning given

by section 63(3) above;]

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[^{F101}[^{F112}“youth community order” has the meaning given by section 33(1) above.]]

F104

^{F113}(2)

Textual Amendments

- F100** S. 163(1): s. 216 renumbered s. 216(1) (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007](#) (c. 15), s. 148, **Sch. 13 para. 133(2)** (with s. 89); S.I. 2014/768, art. 2(1)(b)
- F101** Words in s. 163 repealed (30.11.2009 for specified purposes) by [Criminal Justice and Immigration Act 2008](#) (c. 4), s. 153(7), Sch. 4 para. 61(a), **Sch. 28 Pt. 1** (with Sch. 27 paras. 15); S.I. 2009/3074, art. 2(p)(u)(xii)
- F102** Words in s. 163 inserted (1.4.2001, 20.6.2001, 2.7.2001 and 2.9.2004 for specified purposes) by [2000 c. 43](#), s. 74, **Sch. 7 Pt. II para. 197(f)**; S.I. 2001/919, **art. 2(f)(iii)**; S.I. 2001/2232, **art. 2(m)(vii)**; S.I. 2004/2171, art. 2
- F103** Words in s. 163 repealed (4.4.2005) by [Criminal Justice Act 2003](#) (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7**; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(r) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F104** Words in s. 163(1) omitted (1.12.2020) by virtue of [Sentencing Act 2020](#) (c. 17), s. 416(1), **Sch. 24 para. 168(2)** (with Sch. 27); S.I. 2020/1236, reg. 2
- F105** Words in s. 163 substituted (4.4.2005) by [Criminal Justice Act 2003](#) (c. 44), s. 336(3)(4), **Sch. 32 para. 123(2)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F106** Definitions of “combination order”, “probation order” and “probation period” in s. 163 repealed (1.4.2001) by [2000 c. 43](#), ss. 74, 75, Sch. 7 Pt. II para. 197(b), **Sch. 8**; S.I. 2001/919, **art. 2(f)(iii)(g)**
- F107** Words in s. 163 substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006](#) (c. 52), s. 383(2), **Sch. 16 para. 168**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F108** Words in s. 163(1) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012](#) (c. 10), s. 151(1), **Sch. 9 para. 1** (with s. 68(7)); S.I. 2012/2906, art. 2(g)
- F109** Words in s. 163 substituted (1.9.2004) by [The Courts Act 2003 \(Consequential Amendments\) Order 2004](#) (S.I. 2004/2035), art. 2(1), **Sch. para. 44** (with art. 2(2))
- F110** S. 163: words in the definition of “the register” substituted (1.4.2001) by S.I. 2001/618, **art. 5(5)**
- F111** Words in s. 163 substituted (1.4.2005) by [The Courts Act 2003 \(Consequential Provisions\) Order 2005](#) (S.I. 2005/886), art. 1, **Sch. para. 80**
- F112** Words in s. 163 inserted (4.4.2005) by [Criminal Justice Act 2003](#) (c. 44), s. 336(3)(4), **Sch. 32 para. 123(8)**; S.I. 2005/950, art. 2(1), Sch. 1 para. 42(34) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))
- F113** S. 163(2) omitted (1.12.2020) by virtue of [Sentencing Act 2020](#) (c. 17), s. 416(1), **Sch. 24 para. 168(3)** (with Sch. 27); S.I. 2020/1236, reg. 2

Marginal Citations

- M10** 1997 c. 43.

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164 Further interpretive provisions. E+W

- (1) For the purposes of any provision of this Act which requires the determination of the age of a person by the court or the Secretary of State, his age shall be deemed to be that which it appears to the court or (as the case may be) the Secretary of State to be after considering any available evidence.
- (2) Any reference in this Act to an offence punishable with imprisonment shall be construed without regard to any prohibition or restriction imposed by or under this or any Act on the imprisonment of young offenders.

^{F114}(3)

Textual Amendments

F114 S. 164(3) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 169](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Final provisions

165 Consequential amendments, transitory modifications, transitional provisions and repeals. E+W

- (1) Schedule 9 to this Act (which contains amendments consequential on this Act) shall have effect.
- (2) Schedule 10 to this Act (which contains transitory modifications of this Act) shall have effect.
- (3) Schedule 11 to this Act (which contains transitional provisions) shall have effect.
- (4) The enactments mentioned in Part I of Schedule 12 to this Act and the instruments mentioned in Part II of that Schedule are hereby repealed or revoked to the extent specified in the third column of those Parts.

166 Short title. E+W

This Act may be cited as the Powers of Criminal Courts (Sentencing) Act 2000.

167 Extent. U.K.

- (1) Subject to subsections (2) to (4) below, this Act extends to England and Wales only.
- (2) The following provisions also extend to Scotland, namely—
 - section 14;
 - sections 44, 49 and 51(6);
 - section 121(3);
 - section 159;
 - this section; and
 - Schedule 4.
- (3) The following provisions also extend to Northern Ireland, namely—

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sections 44, 49 and 51(6);
 this section; and
 Schedule 4.

- (4) The extent of any amendment, repeal or revocation made by this Act is the same as that of the enactment amended, repealed or revoked.
- (5) For the purposes of the ^{M11}Scotland Act 1998, any provision of this Act which extends to Scotland is to be taken to be a pre-commencement enactment within the meaning of that Act.

Marginal Citations

M11 1998 c. 46.

168 Commencement. **E+W**

- (1) Subject ^{F115}... to paragraph 11 of Schedule 11 (special provisions relating to referral orders), this Act shall come into force at the end of the period of three months beginning with the day on which it is passed (and references to the commencement of this Act are to its coming into force then).

^{F116}(2)

^{F116}(3)

Textual Amendments

F115 Words in s. 168(1) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 7**; [S.I. 2005/950](#), art. 2(1), **Sch. 1 para. 44(4)(r)** (with **Sch. 2**) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1))

F116 [S. 168\(2\)\(3\)](#) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), **Sch. 37 Pt. 7**; [S.I. 2005/950](#), art. 2(1), **Sch. 1 para. 44(4)(r)** (with **Sch. 2**) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1))

Status:

This version of this Act contains provisions that are prospective.

Changes to legislation:

Powers of Criminal Courts (Sentencing) Act 2000 is up to date with all changes known to be in force on or before 26 August 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 3 substituted by [2003 c. 44 Sch. 3 para. 22](#) (This amendment not applied to legislation.gov.uk. Sch. 3 para. 22 repealed (8.5.2008) by 2008 c. 4, s. 153(1)(a), Sch. 13 para. 7, Sch. 28)
- s. 6(4)(a) repealed by [2003 c. 44 Sch. 37 Pt. 9](#)
- s. 12(1)(b) restricted by [2019 c. 9 s. 8\(4\)](#)
- s. 17(1)(b)(ii) and word omitted by [S.I. 2019/780 reg. 25\(2\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 40(3) words substituted by [2003 c. 44 Sch. 32 para. 99](#) (This amendment not applied to legislation.gov.uk. S.I. 2005/950, art. 4 (which commenced this effect) was amended by S.I. 2007/391, art. 2 (which S.I. was revoked by S.I. 2009/616, art. 3) and by SI 2009/616, art. 2 (which S.I. was in turn revoked by S.I. 2009/3111, art. 3) before being omitted (30.11.2009) by virtue of S.I. 2009/3111, art. 2(c). Sch. 32 para. 99 repealed (30.11.2009) without ever being in force by Criminal Justice and Immigration Act 2008 (c. 4), ss. 149, 153, {Sch. 28 Pt. 1}; S.I. 2009/3074, art. 2(u) (xxxi))
- s. 41(7)(c) words substituted by [2000 c. 43 Sch. 7 para. 165\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 165 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 45(2) words substituted by [2000 c. 43 Sch. 7 para. 167](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 167 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 52(4) by [2000 c. 43 Sch. 7 para. 170](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 170 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 60(1)(b) word substituted by [2003 c. 44 Sch. 32 para. 102\(2\)\(b\)](#)
- s. 60(1)(b) words inserted by [2000 c. 43 Sch. 7 para. 173](#)
- s. 60(1)(c) and word repealed by [2003 c. 44 Sch. 32 para. 102\(2\)\(c\)](#)[Sch. 37 Pt. 7](#)
- s. 60(4) words substituted for paras (a)(b) by [2003 c. 44 Sch. 32 para. 102\(3\)](#)
- s. 76(1)(c)(d) repealed by [2000 c. 43 Sch. 7 para. 176](#)[Sch. 8](#)
- s. 78 words repealed by [2000 c. 43 Sch. 7 para. 177](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 177 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 82A(3) words inserted by [2008 c. 4 s. 19\(2\)](#)
- s. 82A(4A) words inserted by [2008 c. 4 s. 19\(4\)](#)
- s. 87(12)(b) and word repealed by [2000 c. 43 Sch. 7 para. 179](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 177 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 89 words substituted by [2000 c. 43 Sch. 7 para. 180](#)
- s. 91(1)(a)(3) words substituted by [2000 c. 43 Sch. 7 para. 181](#)
- s. 91(1A)(a)(i) words inserted by [2019 c. 17 Sch. 2 para. 7\(2\)](#) (This amendment not applied to legislation.gov.uk. Sch. 2 paras. 7, 8 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2)

- s. 91(1B)(a) words inserted by [2019 c. 17 Sch. 2 para. 7\(3\)](#) (This amendment not applied to legislation.gov.uk. Sch. 2 paras. 7, 8 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2)
- s. 93-98 repealed by [2000 c. 43 Sch. 7 para. 182](#)[Sch. 8](#)
- s. 99(2) repealed by [2000 c. 43 Sch. 7 para. 183](#)[Sch. 8](#)
- s. 100(1) words substituted by [2000 c. 43 Sch. 7 para. 184](#)
- s. 101(1) words substituted by [2003 c. 44 s. 298\(2\)](#)
- s. 101(2) word substituted by [2000 c. 43 Sch. 7 para. 185](#)
- s. 102(1) words repealed by [2007 c. 21 Sch. 5 Pt. 3](#)
- s. 104(1) words substituted by [S.I. 2005/886 Sch. para. 77\(a\)](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- s. 104(2) words substituted by [S.I. 2005/886 Sch. para. 77\(b\)](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- s. 104(2)(a) words substituted by [S.I. 2005/886 Sch. para. 77\(b\)](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- s. 105(1)(a) word substituted by [2000 c. 43 Sch. 7 para. 186](#)
- s. 106(1) repealed by [2000 c. 43 Sch. 7 para. 187\(a\)](#)[Sch. 8](#)
- s. 106(3) words repealed by [2000 c. 43 Sch. 7 para. 187\(b\)](#)[Sch. 8](#)
- s. 106(4) words substituted by [2000 c. 43 Sch. 7 para. 187\(c\)](#)
- s. 106(6) words substituted by [2000 c. 43 Sch. 7 para. 187\(d\)](#)
- s. 108 repealed by [2000 c. 43 Sch. 7 para. 188](#)[Sch. 8](#)
- s. 108 restricted by [2000 c. 43 s. 61\(2\)](#)
- s. 108 restricted by [2008 c. 25 s. 56-58](#)
- s. 109(2) words substituted for s. 109(2)(a)(b) by [2000 c. 43 Sch. 7 para. 189](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 189 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 110(1)(b) words substituted by [S.I. 2019/780 reg. 25\(3\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 110(2) words substituted by [2000 c. 43 Sch. 7 para. 190](#)
- s. 110(2A) omitted by [S.I. 2019/780 reg. 25\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 110(6) repealed by [2000 c. 43 Sch. 7 para. 190](#)[Sch. 8](#)
- s. 111(2) words substituted by [2000 c. 43 Sch. 7 para. 191](#)
- s. 111(2A)(a)(ii) words omitted by [S.I. 2019/780 reg. 25\(4\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 111(2A)(b)(ii) words substituted by [S.I. 2019/780 reg. 25\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 111(6) repealed by [2000 c. 43 Sch. 7 para. 191](#)[Sch. 8](#)
- s. 113(1A) substituted by [S.I. 2019/780 reg. 25\(5\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 113(2A) substituted by [S.I. 2019/780 reg. 25\(5\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 113(3) words omitted by [S.I. 2019/780 reg. 25\(5\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)

- s. 114(1A) omitted by [S.I. 2019/780 reg. 25\(6\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 114(1B) omitted by [S.I. 2019/780 reg. 25\(6\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 114(3) words substituted by [2007 c. 27 Sch. 5 para. 3](#)
- s. 114(4) omitted by [S.I. 2019/780 reg. 25\(6\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Regs. 21, 25, 26, 27, 30 revoked (1.12.2020) by 2020 c. 17, Sch. 28; S.I. 2020/1236, reg. 2)
- s. 123(1)(2) words substituted by [S.I. 2005/886 Sch. para. 78](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- s. 137(2)(a) repealed by [2000 c. 43 Sch. 7 para. 192Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 192 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- s. 139(2) words inserted by [2020 c. 9 Sch. 2 para. 44](#) (This pre-consolidation amendment comes into force immediately before the consolidation date on 1.12.2020 (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416) to facilitate the sentencing consolidation and then is repealed immediately afterwards on 1.12.2020 by the Sentencing Act 2020 (c. 17), Sch. 28; S.I. 2020/1236, reg. 2)
- s. 139(2) words omitted by [2020 c. 17 Sch. 24 para. 165\(4\)\(b\)](#)
- s. 139(2) words repealed by [2000 c. 43 Sch. 7 para. 193\(a\)Sch. 8](#)
- s. 139(3) words repealed by [2000 c. 43 Sch. 7 para. 193\(b\)Sch. 8](#)
- s. 139(3)(c) words repealed by [2000 c. 43 Sch. 7 para. 193\(c\)Sch. 8](#)
- s. 139(4) words repealed by [2000 c. 43 Sch. 7 para. 193\(d\)Sch. 8](#)
- s. 139(5) words repealed by [2000 c. 43 Sch. 7 para. 193\(e\)Sch. 8](#)
- s. 140(3) words repealed by [2000 c. 43 Sch. 7 para. 194Sch. 8](#)
- s. 147A(6) words omitted by [2012 c. 10 Sch. 13 para. 12\(a\)](#)
- s. 159 words repealed by [2008 c. 4 Sch. 4 para. 59\(c\)Sch. 28 Pt. 1](#)
- s. 159 words substituted by [2003 c. 44 Sch. 32 para. 122](#) (This amendment not applied to legislation.gov.uk. S.I. 2005/950, art. 4 (which commenced this effect) was amended by S.I. 2007/391, art. 2 (which S.I. was revoked by S.I. 2009/616, art. 3) and by SI 2009/616, art. 2 (which S.I. was in turn revoked by S.I. 2009/3111, art. 3) before being omitted (30.11.2009) by virtue of S.I. 2009/3111, art. 2(c). Sch. 32 para. 122 repealed (30.11.2009) without ever being in force by Criminal Justice and Immigration Act 2008 (c. 4), ss. 149, 153, {Sch. 28 Pt. 1}; S.I. 2009/3074, art. 2(u)(xxxi))
- s. 159 words substituted by [2003 c. 44 Sch. 36 para. 98](#)
- s. 163 words inserted by [2000 c. 43 Sch. 7 para. 197\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 192 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- s. 163 words substituted by [2000 c. 43 Sch. 7 para. 197\(a\)](#)
- s. 163 words substituted by [2000 c. 43 Sch. 7 para. 197\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 197(c) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 163 words substituted by [2003 c. 44 Sch. 32 para. 123\(3\)](#) (S.I. 2005/950, art. 4 (which commenced this effect) was amended by S.I. 2007/391, art. 2 (which S.I. was revoked by S.I. 2009/616, art. 3) and by SI 2009/616, art. 2 (which S.I. was in turn revoked by S.I. 2009/3111, art. 3) before being omitted (30.11.2009) by virtue of S.I. 2009/3111, art. 2(c))
- s. 163 words substituted by [2003 c. 44 Sch. 32 para. 123\(5\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2005/950, art. 4 (which commenced this effect) was amended by S.I. 2007/391, art. 2 (which S.I. was revoked by S.I. 2009/616, art. 3) and by SI 2009/616, art. 2 (which S.I. was in turn revoked by S.I. 2009/3111, art. 3) before being omitted (30.11.2009) by virtue of S.I. 2009/3111, art. 2(c). Sch. 32 para. 123(5) repealed (30.11.2009) without ever being in force by Criminal Justice

- and Immigration Act 2008 (c. 4), ss. 149, 153, {Sch. 28 Pt. 1}; S.I. 2009/3074, art. 2(u)(xxxi))
- Sch. 3 para. 25(2) repealed by [2000 c. 43 Sch. 7 para. 199\(25\)\(b\)](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(25)(a)(b) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 substituted by [2003 c. 44 Sch. 32 para. 125](#) (This amendment not applied to legislation.gov.uk. S.I. 2005/950, art. 4 (which commenced this effect) was amended by S.I. 2007/391, art. 2 (which S.I. was revoked by S.I. 2009/616, art. 3) and by SI 2009/616, art. 2 (which S.I. was in turn revoked by S.I. 2009/3111, art. 3) before being omitted (30.11.2009) by virtue of S.I. 2009/3111, art. 2(c). Sch. 32 para. 125 repealed (30.11.2009) without ever being in force by Criminal Justice and Immigration Act 2008 (c. 4), ss. 149, 153, {Sch. 28 Pt. 1}; S.I. 2009/3074, art. 2(u)(xxxi))
 - Sch. 3 para. 3(2)(b) substituted by [2004 c. 28 Sch. 5 para. 5\(3\)](#) (Effect not applied as it relates to a version of Sch. 3 para. 3 prospectively substituted but not brought into force)
 - Sch. 3 para. 8(2) words inserted by [2000 c. 43 Sch. 7 para. 199\(11\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(11)(b)(ii) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 3(1) words omitted by [2004 c. 28 Sch. 5 para. 5\(2\)](#) (Effect not applied as it relates to a version of Sch. 3 para. 3 prospectively substituted but not brought into force)
 - Sch. 3 para. 9(2) words repealed by [2000 c. 43 Sch. 7 para. 199\(12\)\(b\)](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(12) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 25(3) words repealed by [2000 c. 43 Sch. 7 para. 199\(25\)\(c\)](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(25)(a)(b) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 4(2) words substituted by [2000 c. 43 Sch. 7 para. 199\(7\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(7) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 4(3) words substituted by [2000 c. 43 Sch. 7 para. 199\(7\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(7) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 4(4) words substituted by [2000 c. 43 Sch. 7 para. 199\(7\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(7) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 4(6) words substituted by [2000 c. 43 Sch. 7 para. 199\(7\)\(d\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(7) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 5(2) words substituted by [2000 c. 43 Sch. 7 para. 199\(8\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(8) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 5(3) words substituted by [2000 c. 43 Sch. 7 para. 199\(8\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(8) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
 - Sch. 3 para. 7(1) words substituted by [2000 c. 43 Sch. 7 para. 199\(10\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(10)(a) repealed

- (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 7(2) words substituted by [2000 c. 43 Sch. 7 para. 199\(10\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(10)(b) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 8(1) words substituted by [2000 c. 43 Sch. 7 para. 199\(11\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(11)(a) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 8(3) words substituted by [2000 c. 43 Sch. 7 para. 199\(11\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(11)(c) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 9(1) words substituted by [2000 c. 43 Sch. 7 para. 199\(12\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(12) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 9(3) words substituted by [2000 c. 43 Sch. 7 para. 199\(12\)\(c\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(12) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 16 words substituted by [2000 c. 43 Sch. 7 para. 199\(19\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(12) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 21(7) words substituted by [2000 c. 43 Sch. 7 para. 199\(19\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(12) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 3(1) words substituted by [S.I. 2005/886 Sch. para. 82\(b\)](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- Sch. 5 para. 1(1) words substituted by [S.I. 2005/886 Sch. para. 83\(a\)](#) (This amendment not applied to legislation.gov.uk. It was superseded by the effect of 2004 c. 28, Sch. 5 para. 2(2))
- Sch. 7 para. 7(7)(a) repealed by [2000 c. 43 Sch. 7 para. 201\(3\)\(a\)](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 201(3) repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- Sch. 7 para. 7(7)(b) words repealed by [2000 c. 43 Sch. 7 para. 201\(3\)\(b\)](#)[Sch. 8](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 201(3) repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- Sch. 7 para. 3(5)(a) words substituted by [2000 c. 43 Sch. 7 para. 201\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 201(2)(b) repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- Sch. 8 para. 6(7)(a) repealed by [2000 c. 43 Sch. 7 para. 202\(3\)\(a\)](#)[Sch. 8](#)
- Sch. 8 para. 6(7)(b) words repealed by [2000 c. 43 Sch. 7 para. 202\(3\)\(b\)](#)[Sch. 8](#)
- Sch. 8 para. 3(5)(a) words substituted by [2000 c. 43 Sch. 7 para. 202\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 201(3) repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))
- Sch. 9 para. 5(3) repealed by [2000 c. 43 Sch. 7 para. 203\(2\)](#)[Sch. 8](#)
- Sch. 9 para. 9 repealed by [2000 c. 43 Sch. 7 para. 203\(2\)](#)[Sch. 8](#)
- Sch. 9 para. 10 repealed by [2000 c. 43 Sch. 7 para. 203\(2\)](#)[Sch. 8](#)
- Sch. 9 para. 12 repealed by [2000 c. 43 Sch. 7 para. 203\(2\)](#)[Sch. 8](#)

- Sch. 9 para. 14 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 15 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 17 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 19 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 20 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 22 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 56 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 57 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 66 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 68 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 70 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 77 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 78 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 111(4) repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 143(b) repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 152 repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 166(3) repealed by 2000 c. 43 Sch. 7 para. 203(2)Sch. 8
- Sch. 9 para. 183(2)(b) and word repealed by 2000 c. 43 Sch. 7 para. 203(5)Sch. 8
- Sch. 9 para. 183(3)(b)(c) repealed by 2000 c. 43 Sch. 7 para. 203(5)Sch. 8
- Sch. 9 para. 8 repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 9 para. 13 repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 9 para. 18 repealed by 2001 c. 19 Sch. 7 Pt. 2
- Sch. 9 para. 7 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 24(a) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 26(2) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 28 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 29 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 52 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 54(3) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 55 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 61 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 76 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 81 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 82 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 87(b) repealed by 2003 c. 44 Sch. 37 Pt. 2
- Sch. 9 para. 89(2) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 90(2) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 94 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 102 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 137-145 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 147(2) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 147(3)(a)-(d) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 147(3)(e)(i) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 151 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 174 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 176(2)-(5) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 176(7) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 177(2)(3) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 184 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 185 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 186(3)(4) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 187(2)(3) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 187(5) repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 196 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 202 repealed by 2003 c. 44 Sch. 37 Pt. 7
- Sch. 9 para. 133 repealed by 2004 c. 28 Sch. 11
- Sch. 9 para. 60 repealed by 2006 c. 38 Sch. 5
- Sch. 9 para. 199 repealed by 2006 c. 48 Sch. 15 Pt. 3

- Sch. 10 para. 12(2)(d) and word repealed by 2000 c. 43 Sch. 7 para. 204 Sch. 8 (This amendment not applied to legislation.gov.uk. Sch. 7 para. 204 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u) (xxix))
- Sch. 10 para. 12(2)(c) words substituted by 2000 c. 43 Sch. 7 para. 204 (This amendment not applied to legislation.gov.uk. Sch. 7 para. 204 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u) (xxix))

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 12(1A)(g) inserted by 2019 c. 17 s. 13(6)
- s. 41(9A) inserted by 2000 c. 43 Sch. 7 para. 165(b) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 165 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 41(12) inserted by 2000 c. 43 Sch. 7 para. 165(c) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 165 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 58(2) inserted by 2000 c. 43 Sch. 7 para. 172 (This amendment not applied to legislation.gov.uk. Sch. 7 para. 172 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- s. 82A(3A)-(3C) inserted by 2008 c. 4 s. 19(3)
- s. 83(2)(aa) substituted for s. 83(2)(b)(c) by 2000 c. 43 Sch. 7 para. 178
- s. 101(2A) inserted by 2003 c. 44 s. 298(3)
- s. 147A(6)(a) words substituted by 2012 c. 10 Sch. 13 para. 12(b)
- s. 147A(6)(b) words inserted by 2012 c. 10 Sch. 13 para. 12(c)
- Sch. 2 para. 8 and cross-heading inserted by 2000 c. 43 s. 51 (This amendment not applied to legislation.gov.uk. S. 51 repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 6A and cross-heading inserted by 2000 c. 43 Sch. 7 para. 199(9) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(9) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 26 inserted by 2000 c. 43 Sch. 7 para. 199(26) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(26) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 3 para. 4(4A) inserted by 2004 c. 28 Sch. 5 para. 5(4) (Effect not applied as it relates to a version of Sch. 3 para. 4 prospectively substituted but not brought into force)
- Sch. 3 para. 7(4)-(7) substituted for Sch. 3 para. 7(4)-(6) by 2000 c. 43 Sch. 7 para. 199(10)(c) (This amendment not applied to legislation.gov.uk. Sch. 7 para. 199(10)(c) repealed (4.4.2005) without ever being in force by 2003 c. 44, Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t))
- Sch. 10 para. 12(2)(e)(f) inserted by 2000 c. 43 Sch. 7 para. 204 (This amendment not applied to legislation.gov.uk. Sch. 7 para. 204 repealed (30.11.2009) without ever being in force by 2008 c. 4, Sch. 28 Pt. 1; S.I. 2009/3074, art. 2(u)(xxix))