

SCHEDULES

SCHEDULE 1

Sections 46, 79.

APPLICATION OF THE MAINTENANCE ORDERS ACT 1958 TO ATTACHMENT OF EARNINGS ORDERS UNDER SECTION 46 OR 79.

- 1 The provisions of Part II of the Maintenance Orders Act 1958 and so much of Part III of that Act as relates to the said Part II shall apply in relation to an attachment of earnings order under section 46 or 79 of this Act as they apply in relation to an attachment of earnings order under section 6(1) of that Act, subject, however, to the exceptions and modifications specified in the following provisions of this Schedule.
- 2 Sections 6(1) and (2), 7, 8, 9(3) to (5) and 13(1) and (2) of that Act shall not apply in relation to an attachment of earnings order under section 46 or 79 of this Act.
- 3 Section 6(3) of that Act shall have effect in relation to any such order as if—
 - (a) it required the order to specify, in addition to the matters required to be specified by that subsection, the amount payment of which is to be secured by means of the order; and
 - (b) the normal deduction rate required by paragraph (a) of that subsection to be specified in an order under that section were the rate at which the court making or varying the order thinks it reasonable that the earnings to which the order relates should be applied from time to time in order to pay the said amount.
- 4 Section 9(1) of that Act shall have effect in relation to any such order as if for the reference to a person entitled to receive payments under the related maintenance order there were substituted a reference to the clerk Of the court.
- 5 Section 9(2) of that Act shall have effect in relation to an attachment of earnings order under section 46 or 79 of this Act as if for paragraphs (a) to (e) there were substituted the words " upon the payment of the whole of the amount payment of which is to be secured by means of the order or the issue of a warrant committing the offender to prison for default in paying it. "
- 6 In section 10(2) of that Act the reference to attachment of earnings orders shall be construed as including a reference to attachment of earnings orders under section 46 or 79 of this Act.
- 7 Section 20(5)(i) of that Act shall have effect in relation to an attachment of earnings order under section 46 or 79 of this Act as if for the reference to a sum due under the related maintenance order there were substituted a reference to a sum due to the clerk of the court and as if the subsection required the clerk to give to the person to whom the order is directed notice of any variation determined by a magistrates' court thereunder.

SCHEDULE 2

Section 59.

PROVISIONS AS TO PAROLE BOARD AND LOCAL REVIEW COMMITTEES.

The Parole Board

- 1 The Parole Board shall include among its members—
- (a) a person who holds or has held judicial office;
 - (b) a registered medical practitioner who is a psychiatrist;
 - (c) a person appearing to the Secretary of State to have know ledge and experience of the supervision or after-care of discharged prisoners ; and
 - (d) a person appearing to the Secretary of State to have made a study of the causes of delinquency or the treatment of offenders.
- 2 A person appointed to be a member of the Parole Board shall hold and vacate office under the terms of the instrument by which he is appointed, but may at any time resign his office ; and a person who ceases to hold office as a member of the Board shall be eligible for reappointment.
- 3 In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (bodies of which all members are disqualified under that Act), in its application to the House of Commons of the Parliament of the United Kingdom, there shall be inserted (at the appropriate point in alphabetical order) the entry " The Parole Board constituted under section 59 of the Criminal Justice Act 1967 ".
- 4 There shall be paid to the members of the Board such remuneration and allowances as the Secretary of State may with the consent of the Treasury determine.
- 5 The expenses of the Board under the last foregoing paragraph and any other expenses incurred by the Board in discharging its functions under section 59 of this Act shall be defrayed by the Secretary of State out of moneys provided by Parliament.
- 6 The Board shall as soon as practicable after the end of each year make to the Secretary of State a report on the performance of its functions during that year, and the Secretary of State shall lay a copy of each report so made before Parliament.

Local Review Committees

- 7 The Secretary of State may out of moneys provided by Parliament pay to members of local review committees, and to persons assisting in or concerned with the carrying out of the functions of any such committee, travelling or other allowances in accordance with such scales as may be determined by him with the consent of the Treasury, and may out of such moneys defray any other expenses of such committees to such amount as may be so determined.

Status: This is the original version (as it was originally enacted).

SCHEDULE 3

Section 92.

INCREASE OF FINES.

PART I

INCREASE OF FINES FIXED BY ENACTMENTS

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The London Hackney Carriage Act 1831, c. 22. Section 35	Cab driver refusing to go with any person desirous of hiring.	£2	£10
The Act 1 & 2 Wm. 4. c. 43 as incorporated by, and set out in, Schedule C to the Road and Bridges (Scotland) Act 1878. Section 81	Interfering with repair or use of turnpike road by taking away materials therefor from quarry or otherwise.	£5	£10
Section 90	Obstructing drainage of or encroaching upon turnpike road or damaging road surface by drains, etc.	£5	£20 for a first offence and £50 for a second or subsequent offence.
Section 96 (both as originally enacted and as modified by section 264 of, and Schedule 17 to, the Road Traffic Act 1960).	Miscellaneous offences of misusing, damaging or obstructing turnpike road, including riding or driving on footways.	£2 10s.	£20 for a first offence and £50 for a second or subsequent offence.
Section 97	Waggon-driver riding without control over reins, failing to keep to the left, and other offences.	£5	£20

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 103	Allowing cattle to stray on turnpike road.	5s. for each animal.	£20 for a first offence and £50 for a second or subsequent offence, irrespective of number of animals.
Section 108	Failure to have name and address of carriage, etc., and to permit name to be read.	£2	£20
The Game (Scotland) Act 1832, c. 68.			
Section 1	Day trespass in pursuit of game, etc.	£2, or £5 if in disguise or in group of five or more	£20 or £50 respectively.
The Highway Act 1835, c. 50.			
Section 72	Miscellaneous offences on the highway, including riding on the footpath, tethering animals and damaging or obstructing the highway.	£2	£10
Section 78	Miscellaneous offences by drivers of carriages on the highway, including negligent and furious driving and failing to keep to the left.	£5 where the driver is not the owner, and £10 where he is the owner.	£20
The Metropolitan Police Act 1839, c. 47.			
Section 44	Keepers of refreshment houses permitting drunkenness, disorderly conduct, etc., on the premises.	£5	£20
Section 54	Miscellaneous offences in thoroughfares, including furious	£2	£20

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The City of London Police Act 1839, c. xciv. Section 35	driving, obstructing a thoroughfare and discharging firearms. Miscellaneous offences in thoroughfares, including furious driving, obstructing a thoroughfare and discharging firearms.	£2	£20
The Pound Breach Act 1843, c. 30. Section 1	Releasing impounded cattle or damaging a pound.	£5	£20
The London Hackney Carriages Act 1843, c. 86. Section 10	Persons acting as drivers without licences and tickets, transferring or lending licences and tickets and proprietors suffering unlicensed persons to act as drivers.	£5 except for offences by proprietors and £10 for offences by proprietors.	£20 for a first offence and £50 for a second or subsequent offence.
Section 14	False representations, etc., in connection with applications for licences.	£5	£50
Section 17	Failure by driver to wear ticket.	£2	£10
Section 33	Miscellaneous offences by cab drivers including loitering, causing obstruction and overcharging.	£1	£10
The Railways Clauses			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Consolidation Act 1845, c. 20.			
Section 75	Failure to fasten gates on either side of railway.	£2	£20
The Railways Clauses Consolidation (Scotland) Act 1845, c. 33.			
Section 68	Failure to fasten gates on either side of railway.	£2	£20
The Harbours, Docks, and Piers Clauses Act 1847, c. 27.			
Section 28	Unjustified claims for exemption from harbour rates.	£10	£50
Section 38	Masters of ships giving no account, or false account, of cargo unshipped.	£10	£50
Section 39	Shippers of goods giving no account, or false account, of cargo shipped.	£10	£50
The Towns Improvement Clauses Act 1847, c. 34.			
Section 65	Occupier failing after notice to mark house with approved number or to renew approved number thereon.	£2	£20
The Cemeteries Clauses Act 1847, c. 65.			
Section 58	Wilful damage, daubing, etc., walls or posting bills in cemetery.	£5	£20

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 59	Playing games, etc., discharging firearms, disturbing persons assembled for burial, or committing nuisance in cemetery.	£5	£10
The Town Police Clauses Act 1847, c. 89.			
Section 21	Contravention of orders made for regulating traffic and preventing obstruction in streets.	£2	£20
Section 28	Miscellaneous offences in thoroughfares, including obstruction, furious driving and discharging firearms.	£2	£20
Section 35	Keepers of refreshment houses harbouring prostitutes and thieves.	£5	£20
Section 40	Mis-statements and omissions in applications for hackney carriage licences.	£10	£20
Section 45	Plying for hire without a licence.	£2	£20 for a first offence and £50 for a second or subsequent offence.
Section 47	Persons acting as cab drivers without a licence, lending licences and proprietors employing unlicensed drivers.	£1	£20 for a first offence and £50 for a second or subsequent offence.
Section 53	Cab driver refusing to drive.	£2	£10
Section 58	Cab proprietor or driver overcharging.	£2	£10

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The London Hackney Carriage Act 1853, c. 33.			
Section 11	Failure by drivers and others to hand in property left in cabs and omnibuses.	£10	£20
Section 17	Miscellaneous offences by drivers and conductors, including overcharging and refusing passengers or luggage.	£2	£10
Section 19	Offences for which no specific penalty is imposed.	£2	£10
The Inclosure Act 1857, c. 31.			
Section 12	Damaging or causing nuisances on town and village greens.	£2	£20
The Ecclesiastical Courts Jurisdiction Act 1860, c. 32.			
Section 2	Riotous or indecent behaviour in churches, burial grounds, etc., and harassing authorised preachers.	£5	£20
The Malicious Damage Act 1861, c. 97.			
Section 37	Tampering with telegraphs or obstructing communications.	£10	£100
Section 38	Attempts to tamper with telegraphs, etc.	£10	£100
The Offences Against the Person Act 1861, c. 100.			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 42 (as amended by section 39 of the Criminal Justice Act 1925).	Common assault or battery.	£5	£50
Section 43 (as so amended).	Aggravated assault or battery.	£50	£100
The Poaching (Prevention) Act 1862, c. 114.			
Section 2	Simple poaching	£5	£50
The Telegraph Act 1863, c. 112.			
Section 45	Post Office employee failing to transmit, etc., or delaying or preventing transmission of, or improperly disclosing, message.	£20	£100
The Trespass (Scotland) Act 1865, c. 56.			
Section 4	Miscellaneous offences of trespass.	£1 for a first offence and £2 for a second or subsequent offence.	£10
The Metropolitan Streets Act 1867, c. 134.			
Section 6	Obstruction by unnecessary deposit of goods, etc., on footways, etc.	£2	£20 for a first offence and £50 for a second or subsequent offence.
Section 9	Displaying unapproved advertisements.	10s. 0d.	£10
The Metropolitan Public Carriage Act 1869, c. 115.			
Section 7	Unlicensed hackney carriage plying for hire or using cab stand.	£5 for every day when carriage plies for hire or for every	£20 for a first offence and £50 for a second or subsequent offence.

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 8 The Tramways Act 1870, c. 78.	Driving hackney or stage carriage when unlicensed.	occasion when found on the stand. £2	£20 for a first offence and £50 for a second or subsequent offence.
Section 51 The Explosives Act 1875, c. 17.	Non-payment of fares	£2	£20
Section 31	Sale of gunpowder to child apparently under thirteen.	£5	£20
Section 33	Contravention of general rules as to packing of gunpowder for conveyance.	£20	£100
Section 80 The Post Office (Protection) Act 1884, c. 76.	Throwing fireworks in the street.	£5	£20
Section 11 The Indecent Advertisements Act 1889, c. 18.	(a) Forgery, etc., of telegram. (b) Improper disclosure of telegram by employee of telegraphic company.	£10 £20	£100 £100
Section 3	Affixing, inscribing or exhibiting indecent or offensive matter in the public view.	£2	£20
Section 4	Delivering such matter to another with intent that it should be so affixed, etc.	£5	£50

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Infectious Diseases (Notification) Act 1889, c. 72.			
Section 3(2)	Failure to notify notifiable disease.	£2	£10
The Public Health Acts Amendment Act 1890, c. 59.			
Section 51(5)	Keeping or using a place for public music or dancing without a licence.	£5 for each day on which the offence is committed.	£200
Section 51(9)	Contravention etc., of conditions of entertainment licence.	£20 and in addition £5 for each day on which the offence is committed.	£200
The Military Lands Act 1892, c. 43.			
Section 17	Contravention of byelaws	£5	£20
The Burgh Police (Scotland) Act 1892, c. 55.			
Section 114	Persons other than scavengers removing rubbish, filth, etc.	£2	£10
Section 186	Using street closed for roadworks and extinguishing warning light.	£5	£100
Section 304(1)	Letting for hire any pleasure boat without a licence or contravening terms of licence.	£5	£50
Section 381	Miscellaneous offences in streets and public places.	£2	£20
Section 386	Allowing cattle to stray unattended in any street.	£2	£20 for a first offence and £50 for a second or subsequent offence.

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Schedule 5 (Offences against regulations for hackney carriages).			
Paragraph 2(b)	Making a false statement in application for a licence.	£10	£20
Paragraph 2(g)	Failure by licensee to notify change of address.	£2	£20
Paragraph 2(h)	Driver plying for hire in unlicensed carriage or without disclosing licence number and owner of such carriage employing driver.	£2	£20 for a first offence and £50 for a second or subsequent offence.
Paragraph 3(c)	Persons driving hackney carriages without a licence, lending licences, and proprietors employing unlicensed drivers.	£1	£20 for a first offence and £50 for a second or subsequent offence.
Paragraph 9	Driver refusing to drive.	£2	£10
Paragraphs 4, 8, 10 to 13 and 15.	Miscellaneous offences by licensees of carriages and drivers, including overcharging and refusing to carry or exceeding the authorised number of passengers.	£2	£10
Paragraph 19	Driver obstructing street or other carriage or preventing hire of another driver by force.	£1	£10
The Uniforms Act 1894, c. 45.			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 2	Wearing a military uniform, etc., without authority.	£5	£50
Section 3	Wearing a military or naval uniform, etc., without authority in a manner likely to bring contempt on the uniform, or employing another for that purpose.	£10	£50
The Friendly Societies Act 1896, c. 25.			
Section 89	Offence for which no express penalty is provided.	£5	£10
The London Cab Act 1896, c. 27.			
Section 1	Hirer defrauding cab driver.	£2	£10
The Public Health (Scotland) Act 1897, c. 38.			
Section 22 (as extended by section 1(5) of the Noise Abatement Act 1960).	Causing or negligently allowing nuisances.	£5	£20
Section 40	Failure to comply with notice requiring houses in filthy state to be purified.	10s. 0d. for each day on which offence continues.	£20
Section 56	Exposure by any person of others to risk of infection by himself or by a person in his care, and transmitting or exposure of infectious articles.	£5	£10
Section 163	Offences for which no pecuniary penalty is provided, obstruction	£5	£10 for a first offence and £20 for a second or subsequent offence.

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Dogs Act 1906, c. 32. Section 6	of persons executing Act, and contravention of regulations. Allowing carcasses of cattle to lie unburied in field to which dogs have access.	£2	£10
The Prevention of Corruption Act 1906, c. 34. Section 1	Giving or receiving bribes in respect of an agent's functions in relation to his principal's affairs, etc.	£50	£200
The Public Health Acts Amendment Act 1907, c. 53. Section 94	Letting for hire or carrying passengers in an unlicensed pleasure boat or exceeding authorised number of passengers.	£2	£50
The Commons Act 1908, c. 44. Section 1(2)	Owner turning out animal on a common in contravention of regulations and any person obstructing execution of regulations.	£2	£20
The Cinematograph Act 1909, c. 30. Section 3	Use of apparatus or premises in contravention of the Act or regulations thereunder, etc.	£20 and in addition £5 for each day on which the offence is committed.	£200

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Perjury Act 1911, c. 6.			
Section 3 (as extended and amended by section 28(1) and (3) of the Criminal Justice Act 1925).	Making false oaths and statements with reference to marriages.	£50	£100
Section 4 (as amended by section 28 (2) and (3) of the Criminal Justice Act 1925).	Making false statements with reference to births and deaths.	£50	£100
The Fabrics (Misdescription) Act 1913, c. 17.			
Section 1	Selling fabrics with misleading description as to inflammability.	£10 for a first offence and £50 for a second or subsequent offence.	£100 for a first offence and £400 for a second or subsequent offence.
The Ancient Monuments Consolidation and Amendment Act 1913, c. 32.			
Section 14	Damaging ancient monuments.	£5	£20
The Criminal Justice Administration Act 1914, c. 58.			
Section 14(1)(b)	Wilful or malicious damage where amount of damage is £5 or less.	£5	£20
The Ferries (Acquisition by Local Authorities) Act 1919, c. 75.			
Section 4	Fraudulent claims for exemption from payment of tolls.	£10	£20
The Land Settlement (Scotland) Act 1919, c. 97.			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 22(2) The Census Act 1920, c. 41.	Damaging crops in allotments.	£5	£20
Section 8(1) The Allotments Act 1922, c. 51.	Miscellaneous offences including making a false declaration, delivering a false document and giving a false answer.	£10	£50
Section 19 The Law of Property Act 1925, c. 20	Damaging allotments	£5	£20
Section 193(4) The Guardianship of Infants Act 1925, c. 45.	Unauthorised driving, camping, etc., on common land.	£2	£20
Section 8(1) The Criminal Justice Act 1925, c. 86.	Failure to notify change of address by person liable to make maintenance payments.	£2	£10
Section 37	Unlawful possession of pension documents as securities for debts.	£20	£100
Section 38(1)	Making or using imitation bank notes.	£5	£20
Section 38(2) The Home Counties (Music and Dancing)	Refusal by person whose name appears on an imitation bank note to give name and address of printer.	£10	£20

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Licensing Act 1926, c. 31.			
Section 3(7)	Keeping a place for entertainment purposes without a licence.	£5 for each day on which the offence is committed.	£200
Section 3(11) .	Contravention, etc., of conditions of entertainment licence.	£20 and in addition £5 for each day on which the offence continues after conviction thereof.	£200
The Parks Regulations (Amendment) Act 1926, c. 36.			
Section 2(1)	Contravention of regulations.	£5	£20
The Births and Deaths Registration Act 1926, c. 48.			
Section 1	Disposal of body without a registrar's certificate or coroner's order.	£10	£20
Section 4	Removal of body out of England without complying with the relevant requirements.	£10	£50
Section 11	Contravention of other provisions of Act.	£2	£10
The Auctions (Bidding Agreements) Act 1927, c. 12.			
Section 1	Dealer giving or any person accepting reward for abstention from bidding.	£100	£400
The Superannuation and Other Trust Funds (Validation) Act 1927, c. 41.			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 7	Default in complying with requirements of Act, including requirements as to accounts and reports.	£5	£10
The Agricultural Produce (Grading and Marking) Act 1928, c. 19.			
Section 2(3)	Forgery of grade designation marks and similar offences.	£20	£100
Section 2(4)	Unauthorised use of grade designation marks.	£20	£100
Section 3	Selling or exposing for sale unmarked preserved eggs.	£5 for a first offence and £20 for a second or subsequent offence.	£20 for a first offence and £100 for a second or subsequent offence.
Section 4(2) as amended by section 23 of the Agriculture (Miscellaneous Provisions) Act 1963.	Miscellaneous offences connected with the storage and marking of eggs.	£5 for a first offence and £20 for a second or subsequent offence.	In the case of an offence under paragraph (c) £20, and in any other case £20 for a first offence and £100 for a second or subsequent offence.
The Slaughter of Animals (Scotland) Act 1928, c. 29.			
Section 4	Preventing or obstructing inspection of slaughterhouse, etc. by authorised person.	£5	£20
The Petroleum (Consolidation) Act 1928, c. 32.			
Section 1(2)	Keeping petroleum-spirit without a licence.	£20 for each day on which the offence continues.	£100
Section 1(3)	Keeping petroleum-spirit in contravention	£20 for each day on which the offence continues.	£100

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 2(4)	of conditions of licence. Failure of occupier of licensed premises to post notice of conditions of licence on premises, interference with notice, and contravention by employee of conditions set out in notice.	£5 for each day on which the failure continues, and £5 for each other offence.	£20
Section 5(2)	Keeping, selling, etc., petroleum-spirit without proper labelling.	£5	£20
Section 6(2)	Contravention of regulations as to carriage of petroleum-spirit by road.	£20 for each day on which the offence continues.	£100
Section 7(6)	Contravention of harbour authority's byelaws as to loading and carrying of petroleum-spirit.	£50 for each day on which the offence continues.	£100
Section 8	Failure to give notice to harbour authority that cargo consists of petroleum-spirit.	£50	£100
Section 9(3)	Contravention of canal byelaws as to loading and carrying of petroleum-spirit.	£20 for each day on which the offence continues.	£100
Section 10(2)	Contravention of regulations as to keeping and use of petroleum-spirit for purpose of motor vehicles, etc.	£20 for each day on which the offence continues.	£100
The Ancient Monuments Act 1931, c. 16.			

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 7(2) The Agricultural Produce (Grading and Marking) Amendment Act 1931, c. 40.	Contravening regulations about access to monuments.	£5	£20
Section 4(1) The Grey Seals Protection Act 1932, c 23.	Use of mark or description calculated to deceive because of resemblance to grade designation mark.	£20	£100
Section 2(1) The Children and Young Persons Act 1933, c. 12.	Killing, wounding or taking grey seals during close season and related offences.	£5 for an offence under paragraph (a) and £10 for an offence under paragraph (b) or (c).	£20 for an offence under paragraph (a) and £50 for an offence under paragraph (b) or (c).
Section 5	Giving intoxicating liquor, or causing it to be given, to a child under five.	£3	£10
Section 10(1) (as amended by Schedule 8 to the Education Act 1944).	Vagrant preventing child or young person from receiving education.	£1	£10
Section 23 (as amended by section 64 (1) and Schedule 3 paragraph 5 to the Children and Young Persons Act 1963).	Any person procuring or parent allowing person under sixteen to take part in dangerous public performances.	£10 for a first offence and £50 for a second or subsequent offence.	£50 for a first offence and £100 for a second or subsequent offence.
Section 24(1)	Any person procuring or parent allowing person under twelve or unlicensed person under sixteen to be	£5 for a first offence and £20 for a second or subsequent offence.	£20 for a first offence and £50 for a second or subsequent offence.

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
	trained for dangerous performances.		
Section 72(5)	Failure to comply with summons to produce a child or young person to be sent to an approved school.	£5	£20
Section 82(5)	Failure to comply with summons to produce a child or young person who has escaped from approved school.	£5	£20
Section 88(2)(c)	Failure by putative father to notify change of address.	£2	£10
The Local Government Act 1933, c. 51.			
Section 289	Interference with local authority notice board, notice, etc.	£5	£20
The Public Health Act 1936, c. 49.			
Section 76(3)	Sorting over or disturbing dustbins or material deposited on a refuse tip.	£5	£10
Section 83(2)	Failure to comply with notice requiring cleansing of filthy or verminous premises.	£5	£20
Section 94(2)	Failure to abate or to remove danger of recurrence of nuisance.	£5	£20
Section 95(1) (both as originally enacted and as applied by s. 16(1) of the Clean Air Act 1956).	Contravention, etc., of nuisance order, including a smoke nuisance order.	£5 and in addition £2 for each day on which the offence continues after conviction thereof under the section as originally enacted, and £10 and £5	£50 and in addition £5 for each day on which the offence continues after conviction thereof.

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<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
		respectively under the section as so applied.	
Section 144(2)	Failure to notify notifiable disease.	£2	£10
Section 148	Exposure by any person of others to risk of infection by himself or by a person in his care, and transmitting or exposure of infectious articles.	£5	£10
Section 149	Carrying on of any trade or business by a person suffering from a notifiable disease.	£5	£10
Section 152(4)	Sending articles which have been exposed to infection to laundry or cleaners, and failure of an occupier of a building in which a person is suffering from a notifiable disease to furnish address of cleaners or laundry to local authority.	£5	£10
Section 154(2) (as extended by section 42 of the Public Health Act 1961).	Sale or delivery of food or living things, or of any article whatever to children under 14, by rag dealers and others from their shops or in the course of collection.	£5	£10
Section 159(3).	Entering or permitting another to travel in a public conveyance knowing that the person entering or travelling is suffering from a notifiable disease.	£5	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 160(4)	Offences by an owner, driver or conductor of a public conveyance in connection with the carriage of persons suffering from a notifiable disease.	£5	£10
Section 170(3)	Contravention by a person suffering from a notifiable disease of an order not to leave hospital.	£5	£10
Section 246	Offences in connection with common lodging houses, including failure to keep premises suitably equipped and false statements in application for registration.	£5	£10
Section 269(7).	Contravention of provisions and conditions of licences as to keeping and use of movable dwellings.	£5	£20
Section 288	Obstruction of persons executing Act or subordinate instruments.	£5 and in addition £5 for each day on which the offence continues after conviction thereof.	£10 for a first offence and £20 for a second or subsequent offence.
The Children and Young Persons (Scotland) Act 1937, c. 37.			
Section 16	Giving intoxicating liquor, or causing it to be given, to a child under five.	£3	£10
Section 21(1) (as amended by Schedule 4 to the	Vagrant preventing child or young person from receiving education.	£1	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Education (Scotland) Act 1945).			
Section 33 (as amended by Schedule 3 to the Children and Young Persons Act 1963).	Any person procuring or parent allowing person under sixteen to take part in dangerous public performances.	£10 for a first offence and £50 for a second or subsequent offence.	£50 for a first offence and £100 for a second or subsequent offence.
Section 34(1)	Any person procuring or parent allowing person under twelve or unlicensed person under sixteen to be trained for dangerous performances.	£5 for a first offence and £20 for a second or subsequent offence.	£20 for a first offence and £50 for a second or subsequent offence.
Section 76(5)	Failure to comply with order to produce a child or young person to be sent to an approved school.	£5	£20
Section 86(5)	Failure to comply with order to produce a child or young person who has escaped from an approved school.	£5	£20
Section 91(7)	Failure of person making payments under a contribution order to notify change of address to recipient.	£2	£10
Section 92(2)(b)	Failure to notify change of address by a father making payments under a decree for aliment to a person entitled by virtue of a contribution order.	£2	£10
The Trade Marks Act 1938, c. 22.			
Section 60	Falsely representing that a trade mark is registered and similar offences.	£5	£50

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Nursing Homes Registration (Scotland) Act 1938, c. 73. Section 8	Offences under the Act for which no express penalty is provided.	£5	£20
The Education Act 1944, c. 31. Section 34(1)	Parent's failure to comply with requirement to submit child for medical examination.	£5	£10
Section 40(1)	Offence against section 37 or 39 (parent's failure to comply with school attendance order or to secure child's regular attendance at school).	£1 for a first offence against the relevant section, £5 for a second offence against that section and £10 for a third or subsequent offence against that section.	£10 for a first offence against the relevant section and £20 for a second or subsequent offence against that section.
Section 48(2)	Parent's failure to comply with requirement to submit child for medical examination.	£5	£10
Section 57(2), as set out in Schedule 2 to the Mental Health Act 1959.	Parent's failure to comply with requirement to submit child for medical examination.	£5	£10
Section 69(2)	Parent's failure to comply with requirement to submit child for medical examination, and county college pupil's failure to submit himself for such examination.	£5	£10
The Fire Services Act 1947, c.41.			

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 31(1) The National Assistance Act 1948, c. 29.	Giving a false fire alarm.	£25	£50
Section 40(3) (both as originally enacted and as applied by section 19 of the Mental Health Act 1959 or section 19 of the Mental Health (Scotland) Act 1960).	Contravention of regulations as to conduct of disabled or old persons' homes.	£5 for a first offence and £20 for a second or subsequent offence.	£20
Section 55 The Children Act 1948, c. 43.	Obstruction	£5 for a first offence and £20 for a second or subsequent offence.	£10 for a first offence and £20 for a second or subsequent offence.
Section 10(4) The Employment and Training Act 1948, c. 46.	Parent's failure to give address for time being to local authority having his child in care.	£5	£10
Section 2(7). The Marriage Act 1949, c. 76.	Making a false statement for the purpose of obtaining employment or procuring employees.	£10	£20
Section 76(2) The Patents Act 1949, c. 87.	Refusal or failure to make and deliver a copy of entries in the marriage register book or a certificate that no entries have been made.	£10	£20
Section 91(1)	False claim or implication of patent	£5	£50

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Registered Designs Act 1949, c. 88.	rights in respect of article sold.		
Section 35	False claim or implication of registration in respect of design applied to article sold.	£5	£50
The National Parks Act 1949, c. 97.			
Section 57	Erecting a misleading notice likely to deter the public from using a public footpath.	£5	£20
The Army Reserve Act 1950, c. 32.			
Section 14(4) (as amended by Schedule 2 to the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955).	Failure to report for permanent service or annual training.	£25	£50
Section 15(1)	Inducing desertion or concealing or employing deserter, etc.	£30	£50
Section 15(2)	Inducing, etc., absence without leave.	£20	£50
Section 17(2) (as so amended).	Miscellaneous offences including insubordinate conduct and failure to comply with orders and regulations under the Act.	£25	£50
The Air Force Reserve Act 1950, c. 33.			

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 14(4) (as amended by Schedule 2 to the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955).	Failure to report for permanent service or annual training.	£25	£50
Section 15(1)	Inducing desertion or concealing or employing deserter, etc.	£30	£50
Section 15(2)	Inducing, etc., absence without leave.	£20	£50
Section 17(2) as so amended).	Miscellaneous offences including insubordinate conduct and failure to comply with orders and regulations under the Act.	£25	£50
The Diseases of Animals Act 1950, c.36.			
Section 79(1)	Various offences under the Act.	£50 under paragraph (a), £5 for each animal under paragraph (b), £50 and in addition £10 for each half ton after the first under paragraph (c).	£200 under paragraph (a), £20 for each animal under paragraph (b), £200 and in addition £50 for each half ton after the first under paragraph (c).
The Midwives Act 1951, c. 53.			
Section 8	Falsely using title of, or implying certification as, midwife.	£5	£10 for a first offence and £50 for a second or subsequent offence.
Section 15(4)	Omission to give notice of intention to practise as midwife, and false statements in any such notice.	£5	£10 for a first offence and £50 for a second or subsequent offence.

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Midwives (Scotland) Act 1951, c 54.			
Section 9	Falsely using title of, or implying certification as, midwife.	£5	£10 for a first offence and £50 for a second or subsequent offence.
Section 15(4)	Omission to give notice of intention to practise as midwife, and false statements in any such notice.	£5	£10 for a first offence and £50 for a second or subsequent offence.
The Prison Act 1952, c. 52.			
Section 40	Unlawful introduction of liquor or tobacco into prison.	£20	£50
Section 41	Unlawful conveyance of letters or other articles into prison.	£10	£50
The Prisons (Scotland) Act 1952, c. 61.			
Section 30	Unlawful introduction of tobacco, spirits or other articles into prison.	£5	£50
The Prevention of Crime Act 1953, c. 14.			
Section 1(1)	Carrying an offensive weapon in a public place without lawful authority or reasonable excuse.	£50	£200
The Births and Deaths Registration Act 1953, c. 20.			
Section 36	Failure to give information and similar offences.	£2	In the case of an offence under paragraph (c), £20 and in any other case £10.

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Dogs (Protection of Livestock) Act 1953, c. 28.			
Section 1	Owning or keeping a dog which worries livestock.	£10 for a first offence and £50 for a second or subsequent offence.	£20 for a first offence and £50 for a second or subsequent offence.
The Post Office Act 1953, c. 36.			
Section 11	Sending prohibited articles through the post.	£10	£100
Section 60	Damaging, committing nuisances and placing injurious substances, etc., in or against letter boxes or telephone kiosks.	£10	£100
Section 61	Fixing things on, painting or tarring, and disfiguring letter boxes and other property of the Postmaster General.	£2	£10
Section 62	Imitating post office stamps, envelopes, forms, marks, etc.	£2	£10
Section 64	Unauthorised use of descriptions likely to mislead the public, such as " post office ", " letter box ", and " Royal Mail ".	£2	£10
Section 66	Sending offensive messages or false telegrams, and making unnecessary telephone calls, for the purpose of causing annoyance.	£10	£50
The Auxiliary Forces Act 1953, c. 50.			
Section 27(2)	Inducing desertion or concealing or	£30	£50

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 31	employing deserter, etc. An offence under section 27(1) of failing to report for assembling on embodiment or for home defence service.	£20	£50
The Pharmacy Act 1954, c. 61.			
Section 19(3)	Unlawful use by an unqualified person of title " pharmaceutical chemist " or " chemist " or of a title, emblem, or description implying possession of a qualification which he does not possess.	£20	£100
Section 20(2)	Forgery or imitation of a certificate issued under the Pharmacy Acts.	£20	£100
Section 20(3)	Failure to surrender certificate of registration.	£5	£10
Food and Drugs Act 1955, c. 16.			
Section 18(4)	Failure of incoming occupier of registered premises to give notice of change of occupiers.	£5	£10
Section 22(1)	Failure of dealer in ice-cream or other food to which the section applies to display his name on stall, vehicle or container from which the food is sold.	£2	£10
Section 23(1)	Failure of manufacturer of or	£5	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
	dealer in ice cream to notify disease.		
Section 23(3)	Using or removing ice cream in contravention of a notice.	£10	£20
Section 27(1)	Using or removing food in contravention of a notice.	£10	£20
Section 55	Selling specified articles near a market in market hours without a hawker's licence.	£2	£10
Section 69(2)	Failure to display sign indicating licensed slaughterhouse or knacker's yard.	£2	£10
Section 105(1) other than proviso.	Obstruction of persons executing Acts or subordinate instruments.	£5	£20
Section 105 (1) proviso.	Obstruction with intent to prevent the discovery of some other offence, or obstruction within twelve months of previous conviction of obstruction.	£20	£50
Section 105(3)	Failure to give assistance or information, and making false statements.	£5	£20
The Clean Air Act 1956, c. 52.			
Section 27(1)	Allowing emission of dark smoke from chimney of private dwelling.	£10	£20
Section 27(2)	Offences under section 3(3) (installation of smoke	£10	£20

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
	emitting furnaces without proper notice) and section 11 (contravention of smoke control order).		
The Affiliation Proceedings Act 1957, c. 55.			
Section 9(2)	Failure by putative father to notify change of address.	£2	£10
The Matrimonial Proceedings (Children) Act 1958, c. 40.			
Section 10(6)	Parent's failure to give address for time being to local authority having his child in care.	£5	£10
The Agricultural Marketing Act 1958, c. 47.			
Section 6(6)	Sale of regulated product by producer in contravention of a scheme under the section.	£5 and an additional fine not exceeding half the price at which the product was sold subject to a limit of £100 on the fines which may be imposed for any one offence under the subsection.	£20 and an additional fine not exceeding half the price at which the product was sold subject to a limit of £200 on the fines which may be imposed for any one offence under the subsection.
Section 45(6)	Failing to give information or giving false information to an agricultural marketing board.	£20	£50
The Slaughter of Animals Act 1958, c. 8.			
Section 8(2)	Obstructing inspection of slaughterhouse, etc., by authorised person.	£5	£20

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The County Courts Act 1959, c. 22.			
Section 30(1)	Assaulting an officer of the court.	£20	£50
The Highways Act 1959, c. 25 .			
Section 117	Miscellaneous offences involving damage to or interference with a highway or its ancillary equipment.	£2	£20 for a first offence and £50 for a second or subsequent offence.
Section 119(4)(a)	Failure to give notice to highway authority of intention to plough footpath.	£2	£10
Section 119(4)(b)	Failure to make good surface of footpath after ploughing.	£10	£50
Section 121(1)	Wilfully obstructing a highway.	£2	£50
Section 122.	Erecting a building or fence, or planting a hedge, in a highway without lawful authority.	£2	£50
Section 127	Depositing things, pitching booths, etc., or camping on a highway.	£2	£50
Section 130(3)	Failure to comply with notice requiring execution of works to prevent soil, etc., being washed into street.	£5	£20 for a first offence and £50 for a second or subsequent offence.
Section 135(2)	Allowing animals to stray or lie on or at the side of a highway.	5s. 0d. for each animal found straying or lying subject to a maximum of 30s. 0d. in any one case.	£20 for a 1 first offence and £50 for a second or subsequent offence.
Section 140(1)	Causing injury or danger by depositing things on highway.	£2	£100

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 140(2)	Causing injury, interruption or danger by lighting fires or discharging firearms or fireworks on a highway.	£2	£20 for a first offence and £50 for a second or subsequent offence.
Section 140(3)	Playing games on a highway to annoyance of user.	£2	£10
Section 140(4)	Allowing offensive matter to run on to a highway.	£2	£10
Section 142(4).	Failure to comply with notice requiring construction and maintenance of gutters, etc.	£5	£20
Section 147	Failure to comply with requirements about erection of hoardings around building or demolition works, provision of footways for pedestrians, etc.	£5	£100
Section 149	Altering or removing a barrier, or extinguishing a light, erected to prevent danger from street works.	£5	£100
The Mental Health Act 1959, c. 72.			
Section 12(3)	Parent's failure to comply with notice requiring child's daily attendance or residence at a training centre.	£1 for a first offence, £5 for a second offence, and £10 for a third or subsequent offence.	£10 for a first offence and £20 for a second or subsequent offence.
Section 15(3)	Breach of a condition of the registration of a mental nursing home.	£5 for a first offence and £20 for a second or subsequent offence.	£20
Section 16(2)	Offences against regulations as to	£5 for a first offence and £20 for a second	£20

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
Section 20(2)	conduct of mental nursing homes. Breach of a condition of the registration of a residential home.	or subsequent offence. £5 for a first offence and £20 for a second or subsequent offence.	£20
The Road Traffic Act 1960, c. 16.			
Section 147(2)	Contravention, etc., of regulations as to conduct of passengers in public service vehicles.	£5	£20
The Indecency with Children Act 1960, c. 33.			
Section 1(1)	Indecent conduct with or towards child under fourteen.	£100	£400
The Matrimonial Proceedings (Magistrates' Courts) Act 1960, c. 48.			
Section 3(5)	Parent's failure to notify change of address to local authority having his child in care under a matrimonial order.	£5	£10
Section 13(4)	Failure of person making payments under an order to notify change of address to recipient.	£5	£10
The Mental Health (Scotland) Act 1960, c. 61.			
Section 13(3)	Parent's failure to comply with notice requiring child's daily attendance or residence at a training centre.	£1 for a first offence, £5 for a second offence, and £10 for a third or subsequent offence.	£10 for a first offence and £20 for a second or subsequent offence.
Section 22(2)	Offences under Part III of the Act	£5 and in addition £2 for each day on	£20

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Public Health Act 1961, c. 64. Section 39(2)	(regulation of private hospitals and residential homes). Failure to give information, or giving false information, about notifiable diseases or food poisoning.	which the offence continues after conviction thereof. £5	£10
The Education (Scotland) Act 1962, c. 47. Section 43(1)	Offence under section 35, 41 or 42 (parent's failure without reasonable excuse to secure child's regular attendance at school or to comply with a school attendance order).	£1 for a first offence under the relevant section, £5 for a second offence under that section and £10 for a third or subsequent offence under that section.	£10 for a first offence under the relevant section and £20 for a second or subsequent offence under that section.
Section 58(2)	Parent's failure to comply with requirement to submit child for medical examination, and junior college pupil's failure to submit himself for such examination.	£5	£10
Section 63(2)	Parent's failure to comply with requirement to submit child for medical examination.	£5	£10
Section 69	Parent's failure to comply with requirement to submit child for medical examination, and junior college pupil's failure to submit himself for such examination.	£5	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Nursing Homes Act 1963, c. 13.			
Section 1(2)	Offences against regulations as to the conduct of nursing homes.	£5 for a first offence and £20 for a second or subsequent offence.	£20
The Weights and Measures Act 1963, c. 31.			
Section 52(1)	Minor offences under the Act, including offences under section 31 (failure to have road vehicle check-weighed) and section 49(1) (obstruction, etc., of inspector).	£20	£50 for an offence under section 31 or 49(1) and £20 for an offence against any other section specified.
The Children and Young Persons Act 1963, c. 37.			
Section 14	Failure of parent of child in approved school, etc., to notify that school of his address.	£5	£10
Section 30(5)	Failure of person liable to make payments under arrears order to notify address to recipient.	£5	£10
The Industrial and Provident Societies Act 1965, c. 12.			
Section 61	Failing to give required notices, etc., or to furnish required information, and making false returns.	£5	£10
The Matrimonial Causes Act 1965, c.72.			
Section 36(6)	Parent's failure to give address for time being to local	£5	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old fine or maximum fine</i>	<i>New maximum fine</i>
The Forestry Act 1967, c. 10.	authority having his child in care.		
Section 30(5)	Failure to give information or making misstatement as to interests in land.	£5	£10
Section 46(5)	Offences against byelaws.	£10 in the case of byelaws for the New Forest and £5 in other cases.	£20 in all cases.
Section 48(3)	Obstruction of officers of Forestry Commissioners.	£5	£20

PART II

INCREASE OF LIMIT ON FINES WHICH MAY BE IMPOSED BY SUBORDINATE INSTRUMENTS

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old maximum fine</i>	<i>New maximum fine</i>
The Harbours, Docks and Piers Clauses Act 1847, c. 27.			
Section 84	Contravention of byelaws.	£5	£50
The Dockyard Port Regulation Act 1865, c. 125.			
Section 6	Offences against port regulations.	£10	£50
The Metropolitan Public Carriage Act 1869, c. 115.			
Section 10	Contravention of regulations as to hackney and stage carriages.	£2	£20
The Tramways Act 1870, c. 78.			
Section 47	Contravention of byelaws regulating	£2	£20

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old maximum fine</i>	<i>New maximum fine</i>
	tramways and prohibiting nuisances on trams.		
The Explosives Act 1875, c. 17.			
Sections 11 and 19.	Breach of special rules for regulation of workmen in gunpowder factories and stores.	£2	£20
Section 34	Contravention of harbour authorities' bye-laws as to conveyance, loading and unloading of gunpowder.	£20	£100
Section 35	Contravention of railway byelaws as to conveyance, loading and unloading of gunpowder.	£20	£100
Section 36	Contravention of wharf byelaws as to loading and unloading of gunpowder.	£20	£100
Section 37	Contravention of byelaws as to conveyance by road, etc., and loading and unloading of gunpowder.	£20	£100
The Public Health Act 1875, c. 55.			
Section 183	Contravention of local authority's byelaws.	£5	£20
The Commons Act 1876, c. 56.			
Section 16	Contravention of byelaws for management, etc., of regulated pastures.	£2	£10

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old maximum fine</i>	<i>New maximum fine</i>
The Local Government Act 1933, c. 51. Section 251	Contravention of local authority's byelaws.	£5	£20
The Harbours, Piers and Ferries (Scotland) Act 1937, c. 28. Section 11(2)	Contravention of byelaws relating to marine works, made under section 83 of the Harbours, Docks and Piers Clauses Act 1847, as applied by section 10 of the said Act of 1937.	£5	£50
The Local Government (Scotland) Act 1947, c. 43. Section 302	Contravention of local authority's byelaws.	£5	£20
The Harbours Act 1964, c. 40. Section 22(2)	Contravention of byelaws for securing that a scheme for the safe movement of ships in a harbour is not impeded.	£20	£50
The Plant Health Act 1967, c. 8. Section 3(4)(a)	Contravention of orders made under section 3 for preventing the spread in Great Britain of the Colorado beetle.	£100 for an offence against any such order of keeping or distributing live specimens of the beetle and £50 for other offences.	£100 or, for an offence committed after a previous conviction of an offence against any such order, £200.

Status: This is the original version (as it was originally enacted).

<i>Enactment</i>	<i>Description of Offence</i>	<i>Old maximum fine</i>	<i>New maximum fine</i>
Section 3(4)(b)	Contravention of other orders under section 3.	£10 for a first offence against any such order and £50 for an offence committed after a previous conviction of an offence against that order.	£100 or, for an offence committed after a previous conviction of an offence against any such order, £200.

PART III

AMENDMENT OF SECTION 24 OF THE PUBLIC HEALTH (SCOTLAND) ACT 1897 (C. 38)

In section 24 of the Public Health (Scotland) Act 1897 (failure to comply with decree and knowing infringement of interdict relating to nuisances under section 16, including nuisances under subsections (6) and (8) of that section arising from the conduct of factories, businesses, etc.) the provision imposing a penalty for such a failure or infringement shall have effect as if £20 were substituted for five pounds and £50 for ten pounds in the case of nuisances under the said subsection (6) or (8) of section 16, and as if £2 were substituted for ten shillings in respect of such a failure and £5 for twenty shillings in respect of such an infringement in the case of any other nuisance under that section.

PART IV

AMENDMENTS EXTENDING TO NORTHERN IRELAND

Section 92 and Parts I and II of this Schedule shall extend to Northern Ireland so far as they amend the following enactments :—

- section 45 of the Telegraph Act 1863 ;
- section 6 of the Dockyard Ports Regulation Act 1865 ;
- section 11 of the Post Office (Protection) Act 1884 ;
- section 17 of the Military Lands Act 1892 ;
- sections 2 and 3 of the Uniforms Act 1894 ;
- section 60 of the Trade Marks Act 1938 ;
- section 91(1) of the Patents Act 1949 ;
- section 35 of the Registered Designs Act 1949 ;
- sections 14(4), 15(1) and (2), and 17(2) of the Army Reserve Act 1950;
- sections 14(4), 15(1) and (2), and 17(2) of the Air Force Reserve Act 1950;
- sections 11, 60, 61, 62, 64 and 66 of the Post Office Act 1953;
- sections 27(2) and 31 of the Auxiliary Forces Act 1953 ;
- sections 6(6) and 45(6) of the Agricultural Marketing Act 1958.

SCHEDULE 4

Section 98.

MISCELLANEOUS AMENDMENTS OF ENACTMENTS RELATING TO CRIMINAL APPEAL.

THE CRIMINAL APPEAL ACT 1907 (C. 23)

- 1 In section 4(2) (consequence of appeal being allowed), the words " and direct a judgment and verdict of acquittal to be entered " shall be omitted, and the following shall be added at the end of the subsection:—
- “An order of the criminal division of the Court of Appeal quashing a conviction shall, except when under section 1 of the Criminal Appeal Act 1964 the appellant is ordered to be retried, operate as a direction to the court before whom the appellant was convicted to enter, instead of the record of conviction, a judgment and verdict of acquittal.”
- 2 In section 5 (powers of court in special cases of wrong conviction, etc.) the following subsection shall be substituted for subsection (1):—
- “(1) Where a person appeals under this Act against conviction on an indictment containing two or more counts, and the criminal division of the Court of Appeal allow the appeal in respect of part of the indictment, they may in respect of any count on which he remains convicted pass such sentence, in substitution for any sentence passed thereon at the trial, as they think proper and is authorised by law for the offence of which he remains convicted on that count, subject however to section 4(2) of the Criminal Appeal Act 1966 (which restricts the power to increase sentence on appeal).”
- 3 In section 6 (re-vesting and restitution of property), for the word " after ", where occurring in paragraph (a) and (b) there shall be substituted the word " from " ; and in paragraph (b) for the words " leave to appeal " there shall be substituted the words " of application for leave to appeal ".
- 4 In section 7(1) (time for appealing and applying for leave to appeal), for the words from " within twenty-eight days " to " considered by the court " there shall be substituted the words " within twenty-eight days from the date of the conviction, verdict or finding appealed against, or in the case of appeal against sentence, from the date on which sentence was passed, or in the case of an order made or treated as made on conviction, from the date of the making of the order ".
- 5 In section 9 (supplemental powers of court),
- (a) for the words " at the trial " where first occurring in paragraph (b) of the section there shall be substituted the words " in the proceedings from which the appeal lies ", and for those words where occurring for the second time in that paragraph there shall be substituted the words " in those proceedings ";
 - (b) for the words " at the trial " in paragraph (c) of the section there shall be substituted the words " in the proceedings from which the appeal lies "; and
 - (c) the words from " and exercise in relation to " to the end of the section shall be omitted.
- 6 In section 11(1) (right of appellant to be present at hearing), the words " rules of court provide that he shall have the right to be present, or where " shall be omitted.
- 7 In section 15 (duties of registrar with respect to appeals), the following subsection shall be substituted for subsections (3) and (4):

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“(3) Rules of court may enable an appellant to obtain from the registrar any documents or things, including copies or reproductions of documents, required for his appeal and may authorise the registrar to make charges for them in accordance with scales and rates fixed from time to time by the Treasury.”

8 For section 21 (definitions) there shall be substituted the following section:—

“21 In this Act, unless the context otherwise requires.—

' appellant ' includes a person who has given notice of application for leave to appeal; and

' sentence ' in relation to an offence, includes any order made by a court when dealing with an offender (including a hospital order under Part V of the Mental Health Act 1959, with or without an order restricting discharge) and also includes a recommendation for deportation made under Part II of the Commonwealth Immigrants Act 1962 or under any order made under the Aliens Restriction Act 1914”.

THE CRIMINAL APPEAL (NORTHERN IRELAND) ACT 1930 (C. 45)

9 In section 3(2) (consequences of appeal against conviction being allowed) for the words " direct a judgment and verdict of acquittal to be entered " there shall be substituted the words " an order of the Court quashing a conviction shall, except when under section 17 of the Criminal Justice Act (Northern Ireland) 1966 the appellant is ordered to be retried, operate as a direction to the clerk of the Crown and peace acting for the court before whom the appellant was convicted to enter, instead of the record of conviction, a judgment and verdict of acquittal ".

10 In section 4 (powers of court on appeal in special cases) the following shall be substituted for subsection (1) :—

“(1) Where a person appeals under this Act against conviction on an indictment containing two or more counts and the Court allow the appeal in respect of part of the indictment, they may in respect of any count on which he remains convicted pass such sentence, in substitution for the sentence passed thereon at the trial, as they think proper and is authorised by law for the offence of which he remains convicted on that count”.

11 In section 5(1) (re-vesting and restitution of property) for the words (in paragraph (a)) " ten days after " there shall be substituted the words " twenty-eight days from ";

and for the words (in paragraph (b)) " leave to appeal is given within ten days after " there shall be substituted the words " of application for leave to appeal is given within twenty-eight days from ".

12 In section 7(1) (time for appealing or applying for leave to appeal), the word " convicted " shall be omitted and for the words from " within ten days " to " against sentence " there shall be substituted the words " within twenty-eight days from the date of the conviction, verdict or finding appealed against or, in the case of appeal against sentence, from the date on which sentence was passed or, in the case of an order made or treated as made on conviction, from the date of the making of the order. "

13 In section 12 (costs of appeal)—

(a) the following shall be substituted for subsection (1):—

“(1) Except as may be provided by any enactment of the Parliament of Northern Ireland, no costs shall be allowed on the hearing or determination of an appeal under this Act, or of any proceedings preliminary or incidental to such an appeal”;

(b) in subsection (2), for the words " in the same manner as the expenses of a prosecution in cases of felony " there shall be substituted the words " by the Ministry " .

14 In section 13(4) (time spent on bail pending appeal not to count as part of sentence) for the words from " and subject to " to the end of the subsection there shall be substituted the words " shall not count as part of any term of imprisonment under his sentence " .

15 In section 20 (definitions) for the words " a person who has been convicted and desires to appeal under this Act " there shall be substituted the words " a person who has given notice of application for leave to appeal " .

THE COURTS-MARTIAL (APPEALS) ACT 1951 (C. 46)

16 In section 3 (right of appeal) the following shall be added as a proviso to subsection (2):—

“Provided that if a person presents a petition for the purposes of paragraph (a) of this subsection but fails to do so within the period prescribed for those purposes, and subsequently applies for leave to appeal, the Court may direct that he be treated as not having thereby lost his right of appeal if they think there is a reasonable explanation of the failure and that it is in the interests of justice that he should be so treated”.

17 In section 11 (appeal to be heard in absence of appellant) the words " rules of court provide that he shall have the right to be present or " shall be omitted.

18 In section 17 (removal of prisoners for purposes of appeal from courts-martial) the following shall be substituted for paragraph (f):—

“(f) section 13 of the Prison Act (Northern Ireland) 1953”.

19 In section 21 (powers of single judge of Courts-Martial Appeal Court), the following paragraph shall be inserted after paragraph (a):—

“(aa) to give a direction under the proviso to section 3(2) of this Act that a person be treated as not having lost his right of appeal”.

THE COSTS IN CRIMINAL CASES ACT 1952 (C. 48)

20 (1) In section 3 (costs on appeal to criminal division of Court of Appeal), the following shall be inserted at the end of subsection (1):—

“Any amount ordered to be paid under this subsection shall, except where it is a specific amount ordered to be paid towards the said costs as a whole, be ascertained as soon as practicable by the registrar of criminal appeals and shall be payable to such person as may be named in the order.”

(2) In section 3(2) after the word " payment " there shall be inserted the words " to the appellant " and for the words from " The amount " to the end of the subsection there shall be substituted the following:—

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“Any amount ordered to be paid under this subsection shall, except where it is a specific amount ordered to be paid towards the appellant's expenses as a whole, be ascertained as soon as practicable by the registrar of criminal appeals”;

(3) For section 3(3) there shall be substituted the following subsection—

“(3) Where an appellant who is not in custody appears before the criminal division of the Court of Appeal, either on the hearing of his appeal or in any proceedings preliminary or incidental thereto, the Court may direct that there be paid to him out of local funds the expenses of his appearance; and any amount ordered to be paid to him under this subsection shall be ascertained as soon as practicable by the registrar of criminal appeals.”

21 In section 4 (costs on appeal to House of Lords in criminal cases)—

- (a) in subsection (1), after the word " payment " there shall be inserted the words " to the accused "; and
- (b) in subsection (2), for the words from the beginning to " shall " there shall be substituted the words " Any amount ordered to be paid under this section shall, except where it is a specific amount ordered to be paid towards the accused's expenses as a whole ".

22 In section 8 (payment of costs from local funds), at the end of subsection (1) there shall be added the following:—

“In relation to costs ordered to be paid out of local funds under section 3(2) of this Act, ' the proper officer' in this subsection means the registrar of criminal appeals.”

23 In section 16 (savings, with exclusion of Act in relation to offence of highway obstruction etc.) subsection (3) shall be omitted.

THE ADMINISTRATION OF JUSTICE ACT 1960 (C. 65)

24 In section 4 (power to grant bail pending appeal to the House of Lords) as it applies to England and Wales.—

- (a) in subsection (1), after the word " appellant " there shall be inserted the words " under section 1 of this Act, or a person applying for leave to appeal thereunder "; and
- (b) in subsection (2) for the words " an appellant pending an appeal under section one of this Act in such proceedings " there shall be substituted the words " an appellant under section 1 of this Act, or a person applying for leave to appeal thereunder, pending the appeal ".

25 In section 4, as it applies to Northern Ireland—

- (a) in subsection (1) after the word " appellant ", there shall be inserted the words " under section 1 of this Act, or a person applying for leave to appeal thereunder "; and
- (b) in subsection (2)—
 - (i) for the words " seeking to appeal " there shall be substituted the words " appealing or applying for leave to appeal ";
 - (ii) for the words " section three of the Summary Jurisdiction Act 1857 " there shall be substituted the words " section 148 of the Magistrates' Courts Act (Northern Ireland) 1964 "; and

- (iii) for the words " section twenty-six of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 " there shall be substituted the words " section 4 of the County Courts Appeals Act (Northern Ireland) 1964 ".
- 26 In section 5 (power to order detention of defendant pending appeal by Crown) as it applies to England and Wales and also as it applies to Northern Ireland.—
- (a) in subsection (1) after the word " bail " there shall be inserted the words " (which may be granted by the court as under section 4 above) "; and
- (b) subsection (2) shall be omitted.
- 27 In section 5(4) as it applies to Northern Ireland, for the reference to the enactments for the time being in force in Northern Ireland with respect to prisoners or other persons suffering from mental illness or other mental disorder there shall be substituted a reference to the Mental Health Act (Northern Ireland) 1961.
- 28 In section 8(3) (costs on application for leave to appeal to House of Lords), as it applies to England and Wales, after the word " payment " in paragraph (a) there shall be inserted the words " to the defendant " ; and the following shall be added at the end of the subsection:—
- “Any amount ordered to be paid under this subsection shall, except where it is a specific amount ordered to be paid towards the defendant's expenses as a whole or, as the case may be, towards the costs of his application as a whole, be ascertained as soon as practicable—
- (i) where the order is made by the criminal division of the Court of Appeal, by the registrar of criminal appeals ; and
- (ii) where it is made by the House of Lords, by such officer or officers, and in such manner, as may be prescribed by order of that House ;
- and, in the case of an order under paragraph (b), the said amount shall be payable to such person as may be named in the order.”
- 29 In section 8, as it applies to Northern Ireland by virtue of section 18(4) of, and Schedule 2 to, the Act.—
- (a) for subsection (3) there shall be substituted the following subsection:—
- “(3) Where the Court of Criminal Appeal in Northern Ireland or the House of Lords dismiss an application for leave to appeal from that Court, that Court or the House may, if it thinks fit—
- (a) where the application was made by the prosecutor, order the payment to the defendant by the Ministry of Home Affairs of such sums as appear to it reasonably sufficient to compensate the defendant for any expenses properly incurred by him in resisting the application ;
- (b) where the application was made by the defendant, order him to pay the whole or any part of the costs of the application.

Any amount ordered to be paid under this subsection shall, except where it is a specific amount ordered to be paid towards the defendant's expenses as a whole or, as the case may be, towards the costs of his application as a whole, be ascertained as soon as practicable—

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- (i) where the order is made by the Court of Criminal Appeal in Northern Ireland, by that court; and
- (ii) where it is made by the House of Lords, by such officer or officers, and in such manner, as may be prescribed by order of that House ;
- and, in the case of an order under paragraph (b), the said amount shall be payable to such person as may be named in the order.”
- (b) at the end of subsection (3A) there shall be added the following:—
- “The amount of any costs ordered to be paid under this subsection shall, except where it is a specific amount ordered to be paid towards the costs as a whole, be ascertained as soon as practicable by such officer or officers, and in such manner, as may be prescribed by order of the House of Lords”.
- 30 In section 9(3) (provision as to presence of defendant on hearing of appeal), as it applies to England and Wales, for the words " or rules of court as the case may be authorise " there shall be substituted the word " authorises ".
- 31 In section 10 (application of provisions giving right of appeal to House of Lords from decisions of Courts-Martial Appeal Court), after the words " provisions of this Act " there shall be inserted the words " except section 4 " ; and at the end of the section there shall be added the following three subsections:—
- “(2) When a person to whom this subsection applies appeals, or applies for leave to appeal, under section 1 of this Act to the House of Lords from a decision of the Courts-Martial Appeal Court or is the subject of an order of that Court under section 5(1) of this Act as applied by this section, the Court shall have power to grant him bail pending the appeal.
- (3) Subsection (2) above applies to any person who.—
- (a) not being subject to the Naval Discipline Act 1957, to military law or to air force law, is liable by virtue of any provision of the said Act of 1957, or the Army Act 1955 or the Air Force Act 1955 to be tried as if he were so subject; or
- (b) is subject to the said Act of 1957 by virtue only of section 119(1) of it (sentenced offenders).
- (4) In sections 1 to 9 of this Act as applied by this section ' the accused' means, in relation to an appeal from the Courts-Martial Appeal Court, the person who was the accused in the court-martial proceedings from which the appeal lay to that court”.
- 32 In Schedule 1 (modifications of sections 1 to 9 in relation to appeals from courts-martial).—
- (a) the following paragraphs shall be substituted for paragraph 1 :—
- “1 (1) In section 1(1), for the words ' at the instance of the defendant or the prosecutor' there shall be substituted the words ' at the instance of the accused or the Defence Council'.
- (2) In sections 2(3) and 5(3) and (5), for the words ' the defendant' there shall be substituted the words 'the accused'.
- (3) In section 9(3), for the words ' A defendant who is detained pending an appeal under section one of this Act' there shall be

substituted the words ' Where the accused is detained pending an appeal under section 1 of this Act, he'.

1A (1) In section 5, the following shall be substituted for subsection (1):—

“(1) Where the accused would, but for the decision of the Courts-Martial Appeal Court, be liable to be detained and immediately after that decision the Defence Council are granted, or give notice that they intend to apply for, leave to appeal, the Court may make an order providing for the detention of the accused or directing that he shall not be released except on bail (which may in the case of a person to whom section 10(2) of this Act applies, be granted as under that subsection) so long as any appeal under section 1 of this Act is pending.

(2) In section 5(4), for the words " a defendant " there shall be substituted the words " a person " , and the references to any provision of the Mental Health Act 1959 shall include references to any provision of the Mental Health (Scotland) Act 1960 or the Mental Health Act (Northern Ireland) 1961”

(b) in paragraph 2(3), for the words " the Admiralty " there shall be substituted the words " the Defence Council "; and

(c) in paragraph 3(3), for the words " the defendant " (wherever occurring) there shall be substituted the words " the accused " ,

and for the words from the beginning of paragraph (a) to " may require " there shall be substituted the words " where the application was made by the Secretary of State, direct the payment by him " .

THE CRIMINAL PROCEDURE (INSANITY) ACT 1964 (C. 84)

33 In section 3 (sentence where appeal against verdict of not guilty by reason of insanity is allowed).—

(a) in subsection (1)(a), for the words " and shall have " there shall be substituted the words " and, subject to subsection (1A) below, shall have ";

(b) the proviso to subsection (1) shall be omitted ; and

(c) the following subsections shall be added after subsection (1): —

“(1A) The criminal division of the Court of Appeal shall not by virtue of subsection (1)(a) of this section sentence any person to death; but where under that paragraph they substitute a verdict of guilty of an offence for which apart from this subsection they would be required to sentence the appellant to death, their sentence shall (whatever the circumstances) be one of imprisonment for life.

(1B) An order of the criminal division of the Court of Appeal allowing an appeal in accordance with section 2 of this Act shall operate as a direction to the court before which the appellant came for trial to amend the record to conform with the order.”

34 In section 4(6) (application of appeal provisions in section 2 to finding of unfitness to plead), after the words " such a finding " there shall be inserted the words " and

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references to a person's trial were references to the determination of a question of his fitness to be tried ".

THE CRIMINAL APPEAL ACT 1966 (C. 31)

35 In section 4 (powers of Court of Appeal on determination of appeals) the following shall be substituted for subsection (2) :—

“(2) Section 5(1) of the 1907 Act shall not authorise the Court of Appeal to pass any sentence such that the appellant's sentence on the indictment as a whole will, in consequence of the appeal, be of greater severity than the sentence (taken as a whole) which was passed at the trial for all offences of which he was convicted on the indictment.”

36 In section 5 (duty to admit evidence on appeal) for the words " at the trial " where they occur in paragraph (a) of the section there shall be substituted the words " in the proceedings from which the appeal lies "; and for those words where they occur in paragraph (b) of the section there shall be substituted the words " in those proceedings ".

37 In section 7 (record of proceedings at trial)—

- (a) in subsection (1) the words " at assizes or quarter sessions " shall be omitted ; and
- (b) in subsection (3) for the words " at a court of assize or quarter sessions " there shall be substituted the words " at any court ".

38 In section 8(2) (ascertainment of witnesses' expenses) for the words " the proper officer " there shall be substituted the words " the registrar of Criminal appeals ".

39 In section 12(5) (construction of Act as applying to Northern Ireland), after the word " Ireland " there shall be inserted the words " and proceedings from which such appeals lie ".

40 In paragraph 8(2) of Schedule 1 (witnesses' costs on appeal to Courts-Martial Appeal Court), for the words " the proper officer " there shall be substituted the words " the registrar ".

THE CRIMINAL JUSTICE ACT (NORTHERN IRELAND) 1966 (C. 20)

41 At the end of section 16 (provisions relating to disposal of appeal against verdict of not guilty on the ground of insanity) there shall be added the following subsection—

“(5) An order of the Court of Criminal Appeal allowing an appeal in accordance with subsection (4) shall operate as a direction to the clerk of the Crown and peace acting for the court before which the appellant was tried to amend the record to conform with the order”.

SCHEDULE 5

Section 102.

TRANSITIONAL PROVISIONS AND SAVINGS.

Juries

- 1 Section 13 of this Act shall not apply to the verdict of a jury on the trial of any person who was arraigned before the commencement of that section.
- 2 Section 14 of this Act shall not apply to any person summoned to serve on a jury in any criminal proceedings before the commencement of that section.

Prisoners sentenced to corrective training or preventive detention

- 3 A person sentenced to corrective training or preventive detention in England and Wales who was or ought to have been detained in pursuance of his sentence immediately before the commencement of section 60 of this Act shall be treated for purposes of detention, release, recall and otherwise as having been sentenced to a term of imprisonment of the same length as the term of his original sentence and, if he was originally sentenced to preventive detention, he shall also be so treated as if an extended sentence certificate had been issued in respect of him.
- 4 A person sentenced to corrective training who immediately before the commencement of the said section 60 was subject to a licence under section 26 of the Prison Act 1952 (release on licence of prisoner sentenced to corrective training or preventive detention) shall be treated for all purposes as if his sentence had expired.
- 5 A person sentenced to preventive detention who immediately before the commencement of the said section 60 was subject to a licence as aforesaid shall be treated for the purposes of Part III of this Act as if he had been released on licence under subsection (3)(a) of that section and as if the requirements specified in the licence under the said section 26 were conditions specified in a licence under the said paragraph (a).

Release of prisoners, etc. on licence

- 6 A person serving any part of a sentence of imprisonment after the commencement of section 67 of this Act, being a sentence which fell to be reduced under section 17(2) of the Criminal Justice Administration Act 1962 (duration of sentence), shall, for the purpose of determining under section 60(1) of this Act whether he has served one-third of his sentence, be treated as if any period spent in custody between conviction and sentence and taken into account under the said section 17(2) were included in his sentence and as if he had served that period as part of that sentence.
- 7 A person sentenced to a term of imprisonment within the meaning of section 60 of this Act for eighteen months or more and subject immediately before the commencement of that section to a licence under section 25 of the Prison Act 1952 or section 20 of the Prisons (Scotland) Act 1952 (release on licence instead of remission in the case of prisoners under twenty-one) shall be treated as if he had been released on licence under section 60(3)(b) of this Act and as if the requirements specified in the licence under the said section 25 or 20 were conditions specified in a licence under the said paragraph (b).

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- 8 A person sentenced to a term of imprisonment for less than eighteen months and subject immediately before the commencement of the said section 60 to a licence under the said section 25 shall be subject to supervision under Schedule 1 to the Criminal Justice Act 1961 (supervision of persons released from detention centres) until the expiration of the period for which he would have been subject to supervision under the said section 25 and as if the requirements specified in the licence under the said section 25 had been specified in a notice given to him under that Schedule; and that Schedule and section 63(2) of this Act shall apply to any such person as they apply to a person mentioned in section 63(1) of this Act with the substitution for any reference in that Schedule to a period of twelve months from the date of a person's release of a reference to the period between his release and the expiration of the time for which he would have been subject to supervision as aforesaid.
- 9 Where a person was sentenced to a term of imprisonment for less than eighteen months and was immediately before the commencement of section 60 of this Act in prison by reason of having been recalled under the said section 25, the said Schedule 1 and section 63(2) shall apply to him as they apply to a person mentioned in the said section 63(1) subject to the modification mentioned in the last foregoing paragraph, and he shall be treated for the purposes of that Schedule as if he had been recalled thereunder.
- 10 A person subject immediately before the commencement of section 61 of this Act to a licence under any of the following enactments, that is to say, section 27 of the Prison Act 1952, section 21 of the Prisons (Scotland) Act 1952 (persons serving imprisonment for life), section 53(4) of the Children and Young Persons Act 1933 or section 57(4) of the Children and Young Persons (Scotland) Act 1937 (young offenders convicted of grave crimes), shall be treated as if he had been released on licence under the said section 61 and as if the conditions contained in a licence under any of the said enactments had been specified in a licence under the said section 61 and, in the case of a person released after being sentenced under section 53(2) of the said Act of 1933 or section 57(2) of the said Act of 1937 to be detained otherwise than for life, as if a licence granted to him under the said section 61 had specified the date of the expiration of his sentence as the date until which the licence is to remain in force.
- 11 Where any person sentenced to imprisonment for life or sentenced under section 53 of the Children and Young Persons Act 1933 or section 57 of the Children and Young Persons (Scotland) Act 1937 to be detained was notified before the commencement of section 61 of this Act that the Secretary of State proposed to release him under any enactment mentioned in the last foregoing paragraph, the Secretary of State may release him on licence under the said section 61, whether or not recommended to do so by the Parole Board or the Parole Board for Scotland.
- 12 Any person who immediately before the commencement of sections 60 to 62 or section 69 of this Act was unlawfully at large or liable to be arrested without warrant under any enactment superseded by any provision of those sections shall, so long as he is at large, be (or continue to be) unlawfully at large.

Non-payment of fines, etc.

- 13 Notwithstanding anything in this Act, sections 69 and 70 of the Magistrates' Courts Act 1952, as in force immediately before the commencement of sections 44 to 46 of this Act, shall continue to apply, and the last-mentioned sections shall not apply, to a sum adjudged to be paid by a conviction of a magistrates' court if before the

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commencement of the last-mentioned sections a magistrates' court has fixed a term of imprisonment for default in paying that sum.

- 14 Section 93 of this Act shall not apply to a term of imprisonment to be served by a defaulter which has been fixed or imposed before the commencement of that section.

Legal aid

- 15 Where free legal aid has been granted in connection with any criminal proceedings under the enactments superseded by Part IV of this Act, those enactments shall continue to apply, and the said Part IV shall not apply, in relation to those proceedings and the legal aid so granted:

Provided that section 74(7) of this Act shall apply in relation to free legal aid granted under any enactment so superseded as it applies in relation to legal aid ordered to be given under section 73(4) of this Act.

- 16 Where legal aid is ordered to be given under Part IV of this Act to a person who applied for it before the commencement of the said Part IV, so much of that Part as relates to contributions towards costs of legal aid shall not apply to the legal aid so ordered, and the court which orders legal aid to be so given shall not be obliged to require him under section 75(4) of this Act to furnish a written statement of his means.

Criminal appeals

- 17 The repeal by this Act of sections 20(5)(d) and 29(3)(d) of the Criminal Justice Act 1948 and section 69 of the Mental Health Act 1959 shall be without prejudice to appeals thereunder in the case of persons dealt with at quarter sessions before the commencement of section 97 of this Act.

SCHEDULE 6

Section 103.

MINOR AND CONSEQUENTIAL AMENDMENTS.

THE VAGRANCY ACT 1824 (C. 83)

- 1 In section 5 (committal of incorrigible rogues to quarter sessions) for the words from " to the house of correction " onwards there shall be substituted the words " to quarter sessions, either in custody or on bail ".

THE PROSECUTION OF OFFENCES ACT 1879 (C. 22)

- 2 In section 2 (duty of Director of Public Prosecutions), for the words " (whether in the Court for Crown Cases Reserved, before sessions' of oyer and terminer of the peace, before magistrates, or otherwise)" there shall be substituted the words " (whether in the criminal division of the Court of Appeal or in the House of Lords on appeal under section 1 of the Administration of Justice Act 1960 from the criminal division or from a Divisional Court of the Queen's Bench Division of the High Court, or at assizes or quarter sessions or before a magistrates' court, or otherwise) ".

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THE CORONERS ACT 1887 (C. 71)

- 3 In section 19(5) for the words " this section " in the first and third places where they occur there shall be respectively substituted the words " section 49 of the Criminal Justice Act 1967 ".

THE CRIMINAL APPEAL ACT 1907 (C. 23)

- 4 In section 3(c) (right of appeal against sentence) for the words " against the sentence passed on his conviction, unless the sentence is one fixed by law " there shall be substituted the words " against any sentence (not being a sentence fixed by law) passed on him for the offence of which he was convicted, whether passed on his conviction or in subsequent proceedings ".

THE CHILDREN AND YOUNG PERSONS ACT 1933 (C. 12)

- 5 In section 55(4) (manner in which fine, etc., ordered to be paid by parent or guardian of young offender may be recovered) the words " by distress or imprisonment " shall be omitted.

THE CRIMINAL JUSTICE ACT 1948 (C. 58)

- 6 In section 29(2) after the words " 1952 " (being words inserted by the Magistrates' Courts Act 1952) there shall be inserted the words " or section 62 of the Criminal Justice Act 1967 ".

THE LEGAL AID AND ADVICE ACT 1949 (C. 51)

- 7 In section 1(1) (proceedings excluded from the provisions of the Act relating to legal aid), for the words from " free legal aid " onwards there shall be substituted the words " legal aid may be given under Part IV of the Criminal Justice Act 1967 ".

THE PRISON ACT 1952 (C. 52)

- 8 In section 43(4)(a) (application of provisions of that Act) for the words from " subsections ", where it first occurs to " thirty " there shall be substituted the words " section twenty-eight ".

THE MAGISTRATES' COURTS ACT 1952 (C. 55)

- 9 In section 14(3) (adjournment for inquiries after conviction and before sentence) after the word " so " there shall be inserted the words " the adjournment shall not be for more than four weeks at a time unless the court remands the accused in custody and where it so remands him ".
- 10 In section 26(1) (remand for medical examination) at the end there shall be inserted the words " where the court remands him in custody nor for more than four weeks at a time where it remands him on bail ".
- 11 In section 28 (committal for borstal sentence), in subsection (1) after the word " custody " there shall be inserted the words " or on bail " and in subsection (4) after the word " committed " where it first occurs, there shall be inserted the words " in custody ".

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- 12 In section 29 (committal for sentence for indictable offence tried summarily) after the word " custody " there shall be inserted the words " or on bail " .
- 13 In section 70(2) (summons requiring appearance of offender at means inquiry or warrant for his arrest), for the words " this section " there shall be substituted the words " section 44 of the Criminal Justice Act 1967 " .
- 14 In section 72A(2) (court of summary jurisdiction in Scotland to be specified in a transfer of fine order) for the words " twenty pounds or more " there shall be substituted the words " more than fifty pounds or is a fine originally imposed by a court of assize or quarter sessions " .
- 15 In section 72A(3) (termination of functions of convicting court) for the words " convicting court " there shall be substituted the words " court which made the order " .
- 16 In section 72B (powers of magistrates' court under transfer of fine order from Scotland) there shall be added the following subsection :—
- “(3) Where a transfer of fine order under section 44 of the Summary Jurisdiction (Scotland) Act 1954 provides for the enforcement in a petty sessions area in England and Wales of a fine originally imposed by a court of assize or quarter sessions, a magistrates' court acting for that area shall have all the like functions under this Part of this Act, exercisable subject to the like restrictions, as if it were the magistrates' court by which payment of the fine fell to be enforced by virtue of section 44(3) of the Criminal Justice Act 1967 and as if any order made under the said Act of 1954 in respect of the fine before the making of the transfer of fine order had been made by that court.”
- 17 In section 96(4) (payment of a forfeited recognizance to be enforced as if it were a fine imposed on summary conviction), after the words " summary conviction " there shall be inserted the words " of an offence not punishable with imprisonment and so much of section 44(10) of the Criminal Justice Act 1967 as empowers a court to remit fines shall not apply to the sum but so much thereof as relates to remission after a term of imprisonment has been imposed shall so apply " and in the proviso to the said section 96(4) for the words " reduce or remit the sum " there shall be substituted the words " remit the whole or any part of the sum either " ,
- 18 In section 98(2) and (3) (constitution and place of sitting of magistrates' court) for the words " section 70 of this Act " there shall be substituted the words " section 44 of the Criminal Justice Act 1967 " .
- 19 In section 110(1) (detention of offenders for one day in courthouse or police station), for the words " sixty-nine, seventy or " there shall be substituted the words " thirty-nine or forty-four of the Criminal Justice Act 1967 or section " .
- 20 In section 111(1) (committal to custody overnight at police station for non-payment of fine &c.) for the word " seventy " there shall be substituted the words " forty-four of the Criminal Justice Act 1967 or section " .

THE SUMMARY JURISDICTION (SCOTLAND) ACT 1954 (C. 48)

- 21 Section 44 (transfer of fine orders within and from Scotland) shall be amended as follows, that is to say—
- (a) in subsection (2) for the words " fine was imposed " there shall be substituted the words " order is made " ;

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- (b) in subsection (3) for the words " imposing the fine " there shall be substituted the words " which made the order "; and
- (c) at the end there shall be added the following subsection:—

“(5) Where a transfer of fine order under section 72A of the Magistrates' Courts Act 1952 or this section provides for the enforcement by a sheriff court in Scotland of a fine imposed by a court of assize or quarter sessions, the proviso to the last foregoing subsection shall not apply, but the term of imprisonment which may be imposed under this Act shall be the term fixed in pursuance of section 47 of the Criminal Justice Act 1967 by that court of assize or quarter sessions or a term which bears the same proportion to the term so fixed as the amount of the fine remaining due bears to the amount of the fine imposed by that court, notwithstanding that the term exceeds the period applicable to the case under section 49(1) of this Act.”

THE GENEVA CONVENTIONS ACT 1957 (C. 52)

- 22 In section 4(1) (appeals by protected persons), for the words " ten days " (where first occurring) there shall be substituted the words " twenty-eight days " ; and for the words from " and in a case to which " to the end of the subsection there shall be substituted the following:—

“and in a case to which the foregoing provisions of this subsection apply, a reference to the period aforesaid shall be substituted for the references in section 6(1) of the Criminal Appeal Act 1907 and section 5(1) of the Criminal Appeal (Northern Ireland) Act 1930 (revesting and restitution of property on conviction) to the period of twenty-eight days from the date of conviction”.

THE ROAD TRAFFIC ACT 1960 (C. 16)

- 23 In section 105 (appeals against order of disqualification), the following subsections shall be substituted for subsection (1):—

“(1) A person disqualified by an order of a magistrates' court under section 5(1) or 5(3) of the Road Traffic Act 1962 (compulsory disqualification) may appeal against the order in the same manner as against a conviction.

(1A) Any court (whether a magistrates' court or another) which makes an order disqualifying a person for holding or obtaining a licence may, if it thinks fit, suspend the disqualification pending an appeal against the order”.

THE CRIMINAL JUSTICE ACT 1961 (C. 39)

- 24 For section 32(2) (enactments about supervision and recall of persons released from prison which are to apply throughout the United Kingdom, etc.), there shall be substituted the following subsection :—

“(2) The following are the enactments extended by this section, that is to say :—

- (a) section 45 of the Prison Act 1952 ;
- (b) sections 19 and 33 of the Prisons (Scotland) Act 1952;

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- (c) section 55(4) of the Children and Young Persons Act (Northern Ireland) 1950;
- (d) sections 20, 21, 22 and 23 of the Prison Act (Northern Ireland) 1953, and Schedules 1, 2 and 3 to that Act;
- (e) section 13 of and Schedule 1 to this Act;
- (f) sections 11, 12 and 14 of the Criminal Justice (Scotland) Act 1963 and Schedule 1 to that Act; and
- (g) sections 60 to 63 of the Criminal Justice Act 1967.”

25 In section 40 (Northern Ireland) at the end there shall be added the following subsection—

“(2) Any reference in this Act to an enactment of the Parliament of Northern Ireland, or to an enactment which that Parliament has power to amend, shall be construed, in relation to Northern Ireland, as a reference to that enactment as amended by any Act of that Parliament, whether passed before or after this Act, and to any enactment of that Parliament passed after this Act and re-enacting the said enactment with or without modifications.”

THE CRIMINAL JUSTICE (SCOTLAND) ACT 1963 (C. 39)

26 In section 12(1) (supervision of persons released from young offenders institutions), after the word " more " there shall be inserted the words " but less than eighteen months ".

THE CRIMINAL APPEAL ACT 1964 (C. 43)

27 In section 2(5) (evidence from previous committal proceedings and trial which may be given on retrial), after the word " trial ", in the first place where it occurs, there shall be inserted the words " or to any written statement by any such person tendered under section 2 of the Criminal Justice Act 1967 in the committal proceedings before the original trial " and for the words " the shorthand notes " there shall be substituted the words " the record ".

THE FORESTRY ACT 1967 (C. 10)

28 In section 46(5)(c) (penalty for contravention of byelaws by the Forestry Commissioners) for the words " either case " there shall be substituted the words " the case of a continuing offence falling within either of the foregoing paragraphs ".

Status: This is the original version (as it was originally enacted).

SCHEDULE 7

Section 103.

ENACTMENTS REPEALED.

PART I

REPEALS APPLYING TO ENGLAND AND WALES

Chapter	Short Title	Extent of Repeal
3 Geo. 4. c. 46.	The Levy of Fines Act 1822.	The whole Act.
4 Geo. 4. c. 37.	The Lew of Fines Act 1823.	The whole Act.
5 Geo. 4. c. 83.	The Vagrancy Act 1824.	In section 10, the words from " the house " to " general or ", and the word " further ".
6 Geo. 4. c. 50.	The Junes Act 1825.	In section 53, the words from " and every such sheriff " onwards.
3 & 4 Will. 4. c. 99.	The Fines Act 1833.	Sections 34 to 40. Section 47.
2 & 3 Vict. c. 47.	The Metropolitan Police Act 1839.	In section 58, the words from the beginning to " and also ".
2 & 3 Vict. c. xciv.	The City of London Police Act 1839.	In section 37, the words from " every person " where first occurring to " and also ".
10 & 11 Vict. c. 89.	The Town Police Clauses Act 1847.	In section 29, the words from the beginning to " and also ".
12 & 13 Vict. c. 45.	The Quarter Sessions Act 1849.	Section 17.
16 & 17 Vict. c. 30.	The Criminal Procedure Act 1853.	In section 2, the words from " and if such recognizance " onwards.
22 & 23 Vict. c. 21.	The Queen's Remembrancer Act 1859.	Sections 30 to 39.
35 & 36 Vict. c. 94.	The Licensing Act 1872.	In section 12, the words from " who in any highway " to " behaviour or ".
45 & 46 Vict. c. 50.	The Municipal Corporations Act 1882.	Section 222.
50 & 51 Vict. c. 71.	The Coroners Act 1887.	Section 19(4).
7 Edw. 7. c. 23.	The Criminal Appeal Act 1907.	In section 4(2), the words " and direct a judgment and verdict of acquittal to be entered "; and section 4(3);

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Chapter	Short Title	Extent of Repeal
		Section 8. In section 9, paragraphs (d) and (e) and the words from " and exercise " to the end of the section. Section 10. In section 11(1), the words " rules of court provide that he shall have the right to be present, or where ". Section 12. In section 15, in subsection (1), the words " relating to the proceedings in the court before which the appellant or applicant was tried " ; and subsection (5). In section 17, the words " to assign legal aid to an appellant ". Section 18. Section 27.
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act 1914.	Section 27.
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act 1925.	Section 29.
20 & 21 Geo. 5. c. 32.	The Poor Prisoners' Defence Act 1930.	The whole Act.
20 & 21 Geo. 5. c. 45.	The Criminal Appeal (Northern Ireland) Act 1930.	In section 7(1), the word " convicted ".
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 53(4).
23 & 24 Geo. 5. c. 38.	The Summary Jurisdiction (Appeals) Act 1933.	Section 2. Section 6.
1 Edw. 8 & 1 Geo. 6. c. 12.	The Firearms Act 1937.	In section 12(3), paragraph (c) and the words " in each case ".
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	Section 5(2) and (3). In section 8, in subsection (4) the words " and dealt with " and in subsection (5) the

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Chapter	Short Title	Extent of Repeal
		words " and dealt with in respect " . In section 9 (as substituted by the Criminal Justice (Scotland) Act 1949), subsection (3) and in subsection (4) the words " to (3) " . Section 14(2) from " and (subject " onwards. Section 15. Section 20(5)(d). Section 21. Section 23. Section 29(3)(d) and (5). In section 37, in subsection (1) paragraphs (a) and (c) and in paragraph (b) the words " the High Court or " and in subsection (6) the word " (c) " . Section 38(3) and (4). In Schedule 5, paragraph 4(2) and the proviso to paragraph 5(1).
12, 13 & 14 Geo. 6. c. 51.	The Legal Aid and Advice Act 1949.	Part II.
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	Section 7(3). In Schedule 11, the amendment of section 23 of the Criminal Justice Act 1948.
14 & 15 Geo. 6. c. 46.	The Courts-Martial (Appeals) Act 1951.	Section 10. Section 21(c).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 48.	The Costs in Criminal Cases Act 1952.	Section 16(1) and (3). Section 17(6).
15 & 16 Geo. 6. & 1 Eliz. 2. c. 52.	The Prison Act 1952.	In section 5(2)(c), the words from " with particulars " to the end of the section. Section 15. Section 18.

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Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6. & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	<p>Section 25(2) to (6).</p> <p>Section 26.</p> <p>Section 27.</p> <p>In section 43, in subsection (3)(b), the words " subsection (1) of section eight-teen ", and in subsection (4)(b) the words " remand centres or ".</p> <p>In section 47(4), paragraphs (a), (b) and (c) and in paragraph (d) the word " other ".</p> <p>In section 49, the words " corrective training, preventive detention " in both places where they occur.</p> <p>In section 52(2) the words from " and a draft " to " Act ", in the second place where it occurs.</p> <p>Section 4(2).</p> <p>In section 15(2), proviso (a).</p> <p>Section 69.</p> <p>Section 70(1).</p> <p>Section 113(2).</p> <p>In section 114 subsection (1) (c) to (e) and subsection (2).</p> <p>In Schedule 4, the following headings and all entries therein, that is to say, " Committal for trial ", " Summary trial ", " Conviction ", " Examination ", " Extradition Act 1873 (36 & 37 Vict. c. 60) s.5 ", "Information " and " Recognizance "; in the heading " Attendance " the words " or to take an examination elsewhere than in court "; in the heading " Copy " the first two entries and the word " other " in the third entry; in the heading "</p>

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Chapter	Short Title	Extent of Repeal
		Order " the entry beginning " Order in case "; in the heading " Summons " the words from " to include " to " time "; in the heading " Warrant ", in the entry beginning " To commit ", the words " conviction or " in both places where they occur; and in the Note the words " for re-swearing any person to any examination, or ".
3 & 4 Eliz. 2. c. 18.	The Army Act 1955.	Section 99(2).
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	Section 99(2).
4 & 5 Eliz. 2. c. 34.	The Criminal Justice Administration Act 1956.	In section 19(1), the words " rules of court under the Criminal Appeal Act 1907 and "; and section 19(2), except as it applies to rules under the Indictments Act 1915.
4 & 5 Eliz. 2. c. 44.	The Magistrates' Courts (Appeals from Binding Over Orders) Act 1956.	In section 1(2)(b) the words from the beginning to " aid " and ".
5 & 6 Eliz. 2. c. 29.	The Magistrates' Courts Act 1957.	In proviso (iii) to section 1(2), the words from " and shall not " onwards.
6 & 7 Eliz. 2. c. 48.	The Metropolitan Police Act 1839 (Amendment) Act 1958.	The whole Act.
7 & 8 Eliz. 2. c. 72.	The Mental Health Act 1959.	In section 67(3), the words from " and the Poor " onwards. Section 69.
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act 1960.	Section 5(2). Section 6(2). Section 8(1) and (2). In section 9, subsection (1) subsection (4)(c). In Schedule 1, paragraph 3(2).
9 & 10 Eliz. 2. c. 39.	The Criminal Justice Act 1961.	Section 20. Schedule 3.

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Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 15.	The Criminal Justice Administration Act 1962.	Section 17(2). In Schedule 3, paragraph 3.
1963 c. 37.	The Children and Young Persons Act 1963.	In Schedule 1, paragraph 13.
1964 c. 42.	The Administration of Justice Act 1964.	Section 20.
1964 c. 43.	The Criminal Appeal Act 1964.	In section 2(4), the words from " Section 1 " to " Court of Criminal Appeal; and " In paragraph 6 of Schedule 1, the words " or any enactment of the Parliament of Northern Ireland amending or replacing the said Part III".
1964 c. 84.	The Criminal Procedure (Insanity) Act 1964.	In section 2, in subsection (4) (a), the words " 8 " and " 18(1)". In section 3, the proviso to subsection (1); and in subsection (2) the words from " In relation to " to the end of the subsection.
1965 c. 44.	The Firearms Act 1965.	In section 9(2), the words from " and (b)" onwards.
1965 c. 71.	The Murder (Abolition of Death Penalty) Act 1965.	Section 2.
1966 c. 31.	The Criminal Appeal Act 1966.	In section 7(1), the words " at assizes or quarter sessions "
1967 c. 58.	The Criminal Law Act 1967.	In Schedule 1, in Division II of List A, paragraph 5(c)(ii) and (iii).

PART II

REPEALS EXTENDING TO SCOTLAND

Chapter	Short Title	Extent of Repeal
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act 1914.	Section 27.
11 & 12 Geo. 6. c. 58.	The Criminal Justice Act 1948.	In section 9 (as substituted by the Criminal Justice (Scotland) Act 1949), subsection (3) and in

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Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 94.	The Criminal Justice (Scotland) Act 1949.	subsection (4) the words " to (3) ". Section 7(3). In Schedule 11, the amendment of section 23 of the Criminal Justice Act 1948.
14 & 15 Geo. 6. c. 46.	The Courts-Martial (Anneals) Act 1951.	Section 10. Section 21(c).
15 & 16 Geo. 6. and 1 Eliz. 2. c. 61.	The Prisons (Scotland) Act 1952.	Section 20(2) to (6). Section 21.
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act 1960.	In Schedule 1, paragraph 3(2).
1963 c. 39.	The Criminal Justice (Scotland) Act 1963.	In Schedule 5, the amendment of section 32(2) of the Criminal Justice Act 1961. In Schedule 6, the reference to section 20(2) to (6) of the Prisons (Scotland) Act 1952.
1965 c. 44.	The Firearms Act 1965.	In section 9(2), the words from " and (b) " onwards.
1965 c. 71.	The Murder (Abolition of Death Penalty) Act 1965.	Section 2.

PART III

REPEALS EXTENDING TO NORTHERN IRELAND

Chapter	Short Title	Extent of Repeal
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act 1914.	Section 27.
14 & 15 Geo. 6. c. 46.	The Courts-Martial (Appeals) Act 1951.	Section 10. Section 21(c).
8 & 9 Eliz. 2. c. 65.	The Administration of Justice Act 1960.	Section 5(2). Section 6(2). In Schedule 1, paragraph 3(2). In Part I of Schedule 2, the modification of section 6.

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Chapter	Short Title	Extent of Repeal
1964 c. 43.	The Criminal Appeal Act 1964.	In paragraph 6 of Schedule 1, the words " or any enactment of the Parliament of Northern Ireland amending or replacing the said Part III".
1966 c. 31.	The Criminal Appeal Act 1966.	In section 7(1), the words " at assizes or quarter sessions ".
1966 c. 20. (N.I.).	The Criminal Justice Act (Northern Ireland) 1966.	In section 16(3) the words from " In relation to " onwards.