

SCHEDULES

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

The Criminal Justice Act 1967

- 16 In section 26 of the Criminal Justice Act 1967 (restrictions on passing sentence in the absence of the defendant), in subsection (1), for the words " section 40 of this Act" there shall be substituted the words " section 23 of the Powers of criminal Courts Act 1973 ".
- 17 In section 32 of that Act (amendments of Costs in Criminal Cases Act 1952), in subsection (3)(a), for the words " section 4 of the Criminal Justice Act 1948 " there shall be substituted the words " section 3 of the Powers of Criminal Courts Act 1973 ".
- 18 In section 48 of that Act (enforcement in Scotland of fines imposed by the Crown Court), in subsection (1), for the words "the last foregoing section " there shall be substituted the words " section 31 of the Powers of Criminal Courts Act 1973 ".
- 19 In section 54 of that Act (miscellaneous provisions as to probation orders), in subsection (8)—
- (a) in paragraph (a), for the words " section 4(2) of the Criminal Justice Act 1948" there shall be substituted the words " section 3(2) of the Powers of Criminal Courts Act 1973 ", and for the words " the said sections 3 and 4 " there shall be substituted the words " section 3 of the said Act of 1949 and section 3 of the said Act of 1973 ";
 - (b) in paragraph (b), for the words " the said section 4 " in the first place where they occur there shall be substituted the words " section 3 of the said Act of 1973 " and for those words in the second place where they occur there shall be substituted the words " that section ".
- 20 In section 56 of that Act (committal for sentence for offences tried summarily)—
- (a) in subsection (1)(a), for the words " section 41(1) of this Act" there shall be substituted the words " section 24(1) of the Powers of Criminal Courts Act 1973 "; and
 - (b) in subsection (2), for the words from " section 8(4)" to the end there shall be substituted the words " sections 28 and 29 of the Magistrates' Courts Act 1952 (committal for sentence), section 62(6) of this Act and sections 8(6) (probationer convicted of subsequent offence) and 24(2) (committal to be dealt with in respect of a suspended sentence) of the Powers of Criminal Courts Act 1973 ".
- 21 In section 62 of that Act (revocation of licences and conviction of prisoners on licence), in subsection (6), for the words " section 29 of the Criminal Justice Act 1948" there shall be substituted the words " section 42 of the Powers of Criminal Courts Act 1973 ".

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

- 22 In section 67 of that Act (computation of sentences of imprisonment passed in England and Wales), in subsection (2), for the words "section 40 of this Act" there shall be substituted the words " section 23 of the Powers of Criminal Courts Act 1973 ".
- 23 In section 73 of that Act (power to order legal aid to be given), there shall be inserted after subsection (8) (in place of the subsection inserted by Schedule 5 to the Criminal Justice Act 1972) the following subsection—
- “(8A) Where a person makes an application to a magistrates' court under section 37 of the Powers of Criminal Courts Act 1973 (review of compensation orders) the court may order that he shall be given legal aid for the purpose of the proceedings before the court”.
- 24 In section 74 of that Act (supplementary provisions as to legal aid orders), in subsection (12), for the words from " or 8 " to " this Act" there shall be substituted the words " 8, 16, 17(1) or (2), 23 or 27 of the Powers of Criminal Courts Act 1973 ".
- 25 In section 84(1) of that Act (interpretation of Part IV of that Act), in the definition of " committed for sentence " for the words from " section 6 " to " this Act" there shall be substituted the words " section 28 or 29 of the Magistrates' Courts Act 1952, section 67 of the Mental Health Act 1959, section 62(6) of the Criminal Justice Act 1967, or section 6, 8, 16, 17(2)(b) or 24 of the Powers of Criminal Courts Act 1973 ".
- 26 In section 104 of that Act (general provisions as to interpretation), in subsection (1)
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- (a) for the definition of " extended sentence certificate " there shall be substituted the following—
- “ extended sentence certificate ' means a certificate issued under section 28 of the Powers of Criminal Courts Act 1973 stating that an extended term of imprisonment was imposed on an offender under that section”; and
- (b) for the definition of " suspended sentence " there shall be substituted the following—
- “ suspended sentence ' means a sentence to which an order under section 22(1) of the Powers of Criminal Courts Act 1973 relates”.
- 27 In section 106(2)(b) of that Act (provisions extending to Scotland), for the words from " 38(7)" to " 54(6) to " there shall be substituted the words " 48, 54(6) and ".