



Criminal Law Act 1977

1977 CHAPTER 45

PART IV

MISCELLANEOUS PROVISIONS

50^{F1}

Textual Amendments

F1 S. 50 repealed by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54\), s. 3, Sch. 1 Pt. 1](#)

51 **Bomb hoaxes.**

- (1) A person who—
- (a) places any article in any place whatever; or
 - (b) dispatches any article by post, rail or any other means whatever of sending things from one place to another,

with the intention (in either case) of inducing in some other person a belief that it is likely to explode or ignite and thereby cause personal injury or damage to property is guilty of an offence.

In this subsection “article” includes substance.

- (2) A person who communicates any information which he knows or believes to be false to another person with the intention of inducing in him or any other person a false belief that a bomb or other thing liable to explode or ignite is present in any place or location whatever is guilty of an offence.
- (3) For a person to be guilty of an offence under subsection (1) or (2) above it is not necessary for him to have any particular person in mind as the person in whom he intends to induce the belief mentioned in that subsection.
- (4) A person guilty of an offence under this section shall be liable—

Status: Point in time view as at 14/10/1991.

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- (a) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding £1,000, or both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding five years.

52 Misuse of Drugs Act 1971: redefinition of cannabis. ^{X1}

In section 37(1) (interpretation) of the ^{M1}Misuse of Drugs Act 1971, for the definition of “cannabis” there shall be substituted—

““cannabis” (except in the expression “cannabis resin”) means any plant of the genus *Cannabis* or any part of any such plant (by whatever name designated) except that it does not include cannabis resin or any of the following products after separation from the rest of the plant, namely—

- (a) mature stalk of any such plant,
- (b) fibre produced from mature stalk of any such plant, and
- (c) seed of any such plant;”.

Editorial Information

X1 The text of ss. 5(10)(11), 15(2), 17, 30(1)(2), 31(10), 32(3), 46, 49, 52, 57, 63(1), 65(4)(5), Sch. 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M1 1971 c. 38.

53 Amendments of Obscene Publications Act 1959 with respect to cinematograph exhibitions. ^{X2}

- (1) In the proviso to section 1(3) of the ^{M2}Obscene Publications Act 1959 (which excludes from the scope of that Act anything done in the course of a cinematograph exhibition taking place otherwise than in a private house to which the public are not admitted and anything done in the course of television or sound broadcasting) the words from “a cinematograph exhibition” to “in the course of” shall be omitted.
- (2) In section 2 of that Act (prohibition of publication of obscene matter) at the end of subsection (3) there shall be inserted the following subsection:—

“(3A) Proceedings for an offence under this section shall not be instituted except by or with the consent of the Director of Public Prosecutions in any case where the article in question is a moving picture film of a width of not less than sixteen millimetres and the relevant publication or the only other publication which followed or could reasonably have been expected to follow from the relevant publication took place or (as the case may be) was to take place in the course of a cinematograph exhibition; and in this subsection “the relevant publication” means—

- (a) in the case of any proceedings under this section for publishing an obscene article, the publication in respect of which the defendant would be charged if the proceedings were brought; and

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- (b) in the case of any proceedings under this section for having an obscene article for publication for gain, the publication which, if the proceedings were brought, the defendant would be alleged to have had in contemplation.”
- (3) In section 2 of that Act after subsection (4) there shall be inserted the following subsection:—
 - “(4A) Without prejudice to subsection (4) above, a person shall not be proceeded against for an offence at common law—
 - (a) in respect of a cinematograph exhibition or anything said or done in the course of a cinematograph exhibition, where it is of the essence of the common law offence that the exhibition or, as the case may be, what was said or done was obscene, indecent, offensive, disgusting or injurious to morality; or
 - (b) in respect of an agreement to give a cinematograph exhibition or to cause anything to be said or done in the course of such an exhibition where the common law offence consists of conspiring to corrupt public morals or to do any act contrary to public morals or decency.”
- (4) F2
- (5) In section 3 of that Act (which among other things makes provision for the forfeiture of obscene articles kept for publication for gain) at the beginning of subsection (3) there shall be inserted the words “Subject to subsection (3A) of this section” and at the end of that subsection there shall be inserted the following subsection:—
 - “(3A) Without prejudice to the duty of a court to make an order for the forfeiture of an article where section 1(4) of the Obscene Publications Act 1964 applies (orders made on conviction), in a case where by virtue of subsection (3A) of section 2 of this Act proceedings under the said section 2 for having an article for publication for gain could not be instituted except by or with the consent of the Director of Public Prosecutions, no order for the forfeiture of the article shall be made under this section unless the warrant under which the article was seized was issued on an information laid by or on behalf of the Director of Public Prosecutions.”
- (6) In section 4 of that Act (defence of public good) at the beginning of subsection (1) there shall be inserted the words “Subject to subsection (1A) of this section” and at the end of that subsection there shall be inserted the following subsection:—
 - “(1A) Subsection (1) of this section shall not apply where the article in question is a moving picture film or soundtrack, but—
 - (a) a person shall not be convicted of an offence against section 2 of this Act in relation to any such film or soundtrack, and
 - (b) an order for forfeiture of any such film or soundtrack shall not be made under section 3 of this Act,if it is proved that publication of the film or soundtrack is justified as being for the public good on the ground that it is in the interests of drama, opera, ballet or any other art, or of literature or learning.”
- (7) At the end of section 4 of that Act there shall be added the following subsection:—

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“(3) In this section “moving picture soundtrack” means any sound record designed for playing with a moving picture film, whether incorporated with the film or not.”

Editorial Information

X2 The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F2 S. 53(4) repealed by Cinemas Act 1985 (c. 13 SIF 45A), s. 24(2), Sch. 3

Marginal Citations

M2 1959 c. 66.

54 Inciting girl under sixteen to have incestuous sexual intercourse.

- (1) It is an offence for a man to incite to have sexual intercourse with him a girl under the age of sixteen whom he knows to be his grand-daughter, daughter or sister.
- (2) In the preceding subsection “man” includes boy, “sister” includes half-sister, and for the purposes of that subsection any expression importing a relationship between two people shall be taken to apply notwithstanding that the relationship is not traced through lawful wedlock.
- (3) The following provisions of section 1 of the ^{M3}Indecency with Children Act 1960, namely—

..... ^{F3}

 subsection (3) (references in ^{M4}Children and Young Persons Act 1933 to the offences mentioned in Schedule 1 to that Act to include offences under that section);
 subsection (4) (offences under that section to be deemed offences against the person for the purpose of section 3 of the ^{M5}Visiting Forces Act 1952),
 shall apply in relation to offences under this section.
- (4) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £1,000, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years.

Textual Amendments

F3 Words repealed by Police and Criminal Evidence Act 1984 (c. 60 SIF 95), s. 119(2), Sch. 7 Pt. V

Marginal Citations

M3 1960 c. 33.

M4 1933 c. 12.

M5 1952 c. 67.

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- 55 (1) F4
(4) F5

Textual Amendments

- F4 S. 55(1)–(3) repealed by Animal Health Act 1981 (c. 22 SIF 4:4), s. 96(2), sch. 6
F5 S. 55(4)–(6) repealed (N.I.) by S.I. 1981/1115, (N.I. 22). Sch. 7

- 56 F6

Textual Amendments

- F6 S. 56 repealed by Coroners Act 1988 (c. 13), s. 36(2), Sch. 4

57 Probation and conditional discharge: power to vary statutory minimum or maximum period.^{X3}

- (1) In section 2 of the ^{M6}Powers of the Criminal Courts Act 1973 (probation) there shall be added after subsection (8) the following subsections—

“(9) The Secretary of State may by order direct that subsection (1) above shall be amended by substituting, for the minimum or maximum period specified in that subsection as originally enacted or as previously amended under this subsection, such period as may be specified in the order.

(10) An order under subsection (9) above may make in paragraph 3(2)(a) of Schedule 1 to this Act any amendment which the Secretary of State thinks necessary in consequence of any substitution made by the order.”.

- (2) In section 7 of the said Act of 1973 (absolute and conditional discharge) there shall be added after subsection (4) the following subsection—

“(5) The Secretary of State may by order direct that subsection (1) above shall be amended by substituting, for the maximum period specified in that subsection as originally enacted or as previously amended under this subsection, such period as may be specified in the order.”.

- (3) In subsection (3) and (4) of section 54 of the said Act of 1973 (which require certain orders under that Act to be approved by a resolution of each House of Parliament, and provide for their revocation), before the word “14”, wherever it occurs, there shall be inserted the words “2 or 7 or”.

Editorial Information

- X3 The text of ss. 5(10)(11), 15(2), 17, 30(1)(2), 31(10), 32(3), 46, 49, 52, 57, 63(1), 65(4)(5), Sch. 13 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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Marginal Citations

M6 1973 c. 62

58 Proceedings involving persons under 17: increase of certain pecuniary limits. ^{X4}

- (1) ^{F7}
- (2) In section 2(13) of the ^{M7}Children and Young Persons Act 1969 (by virtue of which the maximum amount for which the parent or guardian of a child or young person can be required by an order under section 1 of that Act to enter into a recognisance to take proper care of and exercise proper control over him is £50), for the words “fifty pounds” there shall be substituted the words “£200”.
- ^{F8}(3)
- (4) ^{F7}
- (5) In section 15(4) of the said Act of 1969 (powers of a magistrates’ court other than a juvenile court in respect of failure by the supervised person to comply with certain requirements of a supervision order, if that person has attained the age of eighteen)—
 - (a) in paragraph (a) (under which, if the court does not discharge the supervision order, the maximum fine which it can impose on the supervised person is £20), for the words “twenty pounds” there shall be substituted the words “£50”; and
 - (b) for the words “four hundred pounds” (which specify the maximum fine which the court can impose if it discharges the supervision order in a case where the offence in consequence of which the order was made is of a kind which the court has no power to try or has no power to try without appropriate consents) there shall be substituted the words “£1,000”.
- (6) ^{F7}

Editorial Information

X4 The text of ss. 15(3), 37, 44, 53, 58, Schs. 1, 5, 6, 7, 9, 11, 12 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F7** S. 58(1)(4)(6) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [Sch. 9](#)
- F8** S. 58(3) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), [s. 108\(7\) Sch. 15](#); S.I. 1991/828, [art. 3\(2\)](#)

Marginal Citations

M7 1969 c. 54.

59— ^{F9}
61.

Textual Amendments

F9 Ss. 59–61 repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, [Sch. 9](#)

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62 F10

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Textual Amendments

F10 S. 62 repealed by Police and Criminal Evidence Act 1984 (c. 60 SIF 82), s. 119(2), Sch. 7 Pt. I

Status:

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