

SCHEDULES

SCHEDULE 7

PRE-CONSOLIDATION AMENDMENTS: POWERS OF CRIMINAL COURTS

Crime (Sentences) Act 1997 (c. 43)

- 51 (1) In subsection (3) of section 37 of the 1997 Act (community sentences for persistent petty offenders)—
- (a) in paragraph (a), for the words “(4) and (6)” there shall be substituted the words “(4), (5A) and (6)”; and
 - (b) in paragraph (b), for the words “(5) and (6)” there shall be substituted the words “(5), (5A) and (6)”.
- (2) For subsections (4) and (5) of that section there shall be substituted the following subsections—
- “(4) In this section “community service order” has the same meaning as in the 1973 Act and—
- (a) section 14(2) of that Act; and
 - (b) so far as applicable, the other provisions of that Act relating to community service orders and the provisions of Part I of the 1991 Act so relating,
- shall have effect in relation to an order under subsection (3)(a) above as they have effect in relation to a community service order made under the 1973 Act in respect of an offender.
- (5) In this section “curfew order” has the same meaning as in Part I of the 1991 Act and—
- (a) section 12(6) of that Act; and
 - (b) so far as applicable, the other provisions of that Part relating to curfew orders,
- shall have effect in relation to an order under subsection (3)(b) above as they have effect in relation to a curfew order made under that Act in respect of an offender.
- (5A) A court shall not make an order under subsection (3)(a) or (b) above in respect of a person who on conviction is under 16.”