



Crime and Disorder Act 1998

1998 CHAPTER 37

PART V

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

117 General interpretation.

(1) In this Act—

“the 1933 Act” means the ^{M1}Children and Young Persons Act 1933;

“the 1969 Act” means the ^{M2}Children and Young Persons Act 1969;

“the 1973 Act” means the ^{M3}Powers of Criminal Courts Act 1973;

“the 1980 Act” means the ^{M4}Magistrates’ Courts Act 1980;

“the 1982 Act” means the ^{M5}Criminal Justice Act 1982;

“the 1984 Act” means the ^{M6}Police and Criminal Evidence Act 1984;

“the 1985 Act” means the ^{M7}Prosecution of Offences Act 1985;

“the 1989 Act” means the ^{M8}Children Act 1989;

“the 1991 Act” means the ^{M9}Criminal Justice Act 1991;

“the 1994 Act” means the ^{M10}Criminal Justice and Public Order Act 1994;

“the 1997 Act” means the ^{M11}Crime (Sentences) Act 1997;

“caution” has the same meaning as in Part V of the ^{M12}Police Act 1997;

“child” means a person under the age of 14;

^{F1}

“custodial sentence” has [^{F2}the meaning given by section 222 of the Sentencing Code];

“guardian” has the same meaning as in the 1933 Act;

[^{F3}“local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;]

“prescribed” means prescribed by an order made by the Secretary of State;

Changes to legislation: Crime and Disorder Act 1998, Section 117 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“young person” means a person who has attained the age of 14 and is under the age of 18;

“youth offending team” means a team established under section 39 above.

(2) In this Act—

“the 1993 Act” means the ^{M13}Prisoners and Criminal Proceedings (Scotland) Act 1993; and

“the 1995 Act” means the ^{M14}Criminal Procedure (Scotland) Act 1995.

(3) For the purposes of this Act, the age of a person shall be deemed to be that which it appears to the court to be after considering any available evidence.

Textual Amendments

- F1** S. 117(1): definition of "commission area" omitted (1.4.2005) by virtue of [The Courts Act 2003 \(Consequential Provisions\) Order 2005 \(S.I. 2005/886\)](#), art. 2, [Sch. para. 60](#)
- F2** Words in s. 117(1) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 159](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F3** S. 117(1): definition of “local probation board” inserted (1.4.2001) by [2000 c. 43](#), s. 74, [Sch. 7 Pt. II para. 152](#); [S.I. 2001/919](#), art. 2(f)(ii)

Marginal Citations

- M1** 1933 c.12.
M2 1969 c.54.
M3 1973 c.62.
M4 1980 c.43.
M5 1982 c.48.
M6 1984 c.60.
M7 1985 c.23.
M8 1989 c.41.
M9 1991 c.53.
M10 1994 c.33.
M11 1997 c.43.
M12 1997 c.50.
M13 1993 c.9.
M14 1995 c.46.

Changes to legislation:

Crime and Disorder Act 1998, Section 117 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1C) inserted by [2010 c. 17 s. 40\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 40 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A inserted by [2010 c. 17 s. 41\(3\)](#) (This amendment not applied to legislation.gov.uk. S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 8A repealed by [2014 c. 12 Sch. 11 para. 24\(c\)](#)
- s. 9(2)(d) and word inserted by [2010 c. 17 s. 41\(4\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2)(d) and word omitted by [2014 c. 12 Sch. 11 para. 26\(4\)\(a\)](#)
- s. 9(2AA) inserted by [2010 c. 17 s. 41\(4\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S. 41 repealed (23.3.2015) without ever being in force by 2014 c. 12, Sch. 11 para. 46; S.I. 2015/373, art. 4(f)(x))
- s. 9(2AA) repealed by [2014 c. 12 Sch. 11 para. 26\(5\)](#)
- s. 41(5)(i)(ii) words substituted by [2021 c. 11 Sch. 13 para. 37\(3\)](#)
- s. 47(A1) inserted by [2022 c. 35 s. 12\(2\)](#)
- s. 47(1)-(1F) substituted for s. 47(1) by [2022 c. 35 s. 12\(3\)](#)
- s. 47(4)(a) word substituted by [2022 c. 35 s. 12\(6\)\(b\)](#)
- s. 47(4)(a) words renumbered as s. 47(4)(a) by [2022 c. 35 s. 12\(6\)\(a\)](#)
- s. 47(4)(b) and word inserted by [2022 c. 35 s. 12\(6\)\(c\)](#)
- s. 47(4A) inserted by [2022 c. 35 s. 12\(7\)](#)
- s. 50A(6) inserted by [2022 c. 35 Sch. 2 para. 8\(2\)\(b\)](#)
- s. 51(2A)-(2E) inserted by [2022 c. 35 s. 10\(4\)](#)
- s. 51(3A)(3B) substituted for s. 51(3)-(12) by [2022 c. 35 s. 10\(5\)](#)
- s. 51A(A1) inserted by [2022 c. 35 s. 10\(7\)](#)
- s. 51A(3A)-(3E) inserted by [2022 c. 35 s. 10\(9\)](#)
- s. 51A(4A)(4B) substituted for s.0051A(4)-(10) by [2022 c. 35 s. 10\(10\)](#)
- s. 52(2A) inserted by [2022 c. 35 s. 10\(11\)](#)
- Sch. 3 para. 3(11A) inserted by [2003 c. 44 Sch. 3 para. 71\(d\)](#)