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SCHEDULES

SCHEDULE 7

Section 74.

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

NEW NAMES

Community rehabilitation orders

F11

Textual Amendments

- F1** Sch. 7 paras. 1-3 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Community punishment orders

F12

Textual Amendments

- F1** Sch. 7 paras. 1-3 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Community punishment and rehabilitation orders

F13

Textual Amendments

- F1** Sch. 7 paras. 1-3 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch.

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1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Officers of local probation boards

- 4 (1) In the following enactments—
- (a) for “a probation officer” there is substituted “ an officer of a local probation board ”,
 - (b) for “the probation officer” there is substituted “ the officer of a local probation board ”.
- (2) The enactments are—
- In the ^{M1}Children and Young Persons Act 1969—
 - section 23(4) (as it has effect pursuant to section 98(3) of the ^{M2}Crime and Disorder Act 1998 (alternative provision for 15 and 16 year old boys)),
 - in section 34, subsections (2) and (3).
 - In the ^{M3}Criminal Procedure (Insanity and Unfitness to Plead) Act 1991—
 - in Schedule 2, in paragraph 3, sub-paragraphs (1)(b) and (3).
 - In the ^{M4}Criminal Justice Act 1991—
 - section 37(4A)(a),
 - section 43(5),
 - in section 65, subsections (1)(a) and (1A) (in both places),
 - in Schedule 3, paragraph 11(5)(b).
 - In the ^{M5}Prisoners and Criminal Proceedings (Scotland) Act 1993—
 - sections 12(2)(a) and 15(4).
 - In the ^{M6}Criminal Procedure (Scotland) Act 1995—
 - sections 209(3)(a) and 234(1)(a).
 - In the ^{M7}Crime (Sentences) Act 1997—
 - section 31(2A)(a).
 - In the Crime and Disorder Act 1998—
 - sections 8(8)(a), 18(3) (in both places) and 39(5)(a).
 - In the ^{M8}Powers of Criminal Courts (Sentencing) Act 2000—
 - in section 41, subsections (4), (5)(a), (6) and (9)(a) and (b),
 - in section 46, subsections (5)(a) and (b) and (11)(a) and (b),
 - in section 54, subsections (2) and (3),
 - in section 57, subsections (1) to (4),
 - sections 63(1)(b) and 64(2) (in both places),
 - in section 69, subsections (4)(a), (6)(a) and (9),
 - section 73(5),
 - in section 74, subsections (5)(a) and (6),
 - in section 103, subsections (3)(a) and (4) (in both places),
 - in section 122, subsections (2) and (5),
 - sections 157(1)(a) and 162(2)(a) and (b),
 - in Schedule 2—
 - paragraph 2(2)(a)(i) and (ii),
 - paragraph 3(2)(a) and (b).

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Marginal Citations

- M1** 1969 c. 54.
M2 1998 c. 37.
M3 1991 c. 25.
M4 1991 c. 53.
M5 1993 c. 9.
M6 1995 c. 46.
M7 1997 c. 43.
M8 2000 c. 6.

PART II

GENERAL

PROSPECTIVE

Children and Young Persons Act 1933 (c. 12)

- 5 In section 49(6)(c) of the Children and Young Persons Act 1933 (restrictions on reports of proceedings), for “21” there is substituted “ 18 ”.

Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)

- 6 In Part I of the Second Schedule to the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (capacities in respect of which payments may be made under Part V, and paying authorities), for paragraphs 6 and 7 there is substituted—

“6. Member of the staff of a local probation board or of two or more local probation boards established under section 4 of the Criminal Justice and Court Services Act 2000	The local probation board or, as the case may be, the local probation boards acting jointly.
7. Chief officer of a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000	The Secretary of State.”

PROSPECTIVE

Prison Act 1952 (c. 52)

- 7 The Prison Act 1952 is amended as follows.
- 8 In section 13(2) (legal custody of prisoner), for “section 95, 98, 99 or 108(5) of the Powers of Criminal Courts (Sentencing) Act 2000” there is substituted “ section 99

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of the ^{M9}Powers of Criminal Courts (Sentencing) Act 2000 or section 61 of the Criminal Justice and Court Services Act 2000 ”.

Marginal Citations

M9 2000 c. 6.

- 9 In section 37(4) (closing of prisons), “remand centre” is omitted.
- 10 In section 43 (remand centres, detention centres and youth custody centres)—
- (a) in subsection (2)—
 - (i) in paragraph (a), for “21” there is substituted “ 18 ” and “a remand centre or” is omitted,
 - (ii) paragraphs (b) and (c) are omitted,
 - (b) subsection (3) is omitted,
 - (c) in subsection (4), “remand centres” is omitted,
 - (d) subsection (7) is omitted.
- 11 In section 47 (rules for the management of prisons, remand centres, detention centres and borstal institutions)—
- (a) in subsection (1) and the sidenote, “remand centres” is omitted,
 - (b) in subsection (5), “remand centre” is omitted.

Army Act 1955 (c. 18)

- 12 The Army Act 1955 is amended as follows.

PROSPECTIVE

- 13 In section 57(2A) (offences in relation to courts-martial), for “twenty-one” there is substituted “ eighteen ”.
- 14 In section 71(1) (punishments which may be awarded by sentence of a court-martial), after paragraph (bb) there is inserted—
- “(bc) order that the convicted person be disqualified from working with children”.
- 15 (1) In section 71A (juveniles)—
- (a) in subsections (1), (1D) and (1E)(i), for “21” there is substituted “ 18 ”,
 - (b) subsections (1A) to (1C) are omitted,
 - (c) in subsection (1D), paragraph (b) and the “and” preceding it are omitted,
 - (d) in subsection (1E), paragraph (b) and the “or” preceding it are omitted,
 - (e) in subsection (3), after “murder” there is inserted “ or any other offence the sentence for which is fixed by law as life imprisonment ”,
 - (f) in subsection (4), for “an adult” (in both places) there is substituted “ a person who has attained 18 years of age ”,
 - (g) in subsection (5), “custody for life or” and “and to a sentence of custody for life” are omitted.

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- (2) Sub-paragraph (1)(e) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

II Sch.7 para.15 partly in force:Sch.7 para.15(1)(e) and (2) comes into force at RA.see s.80(3)(d)

PROSPECTIVE

- 16 In section 71AA (young service offenders: custodial orders)—
- (a) in subsection (1)—
 - (i) for “twenty-one” (in both places) there is substituted “ eighteen ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall be not less than the period of two months; and”,
 - (b) in subsection (1AA), “aged 17” is omitted,
 - (c) in paragraph (a) of subsection (6), for the words from “any institution” to the end of the paragraph there is substituted “ such secure accommodation (within the meaning of section 107 of the ^{M10}Powers of Criminal Courts (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose ”,
 - (d) in subsection (6A), for “detention in a young offender institution” there is substituted “ imprisonment ”.

Marginal Citations

M10 2000 c. 6.

PROSPECTIVE

- 17 In section 71AB(1) (reasons to be given where custodial sentence awarded to young offender), paragraph (b) and the “or” preceding it are omitted.
- 18 (1) Schedule 5A (powers of court on trial of civilian) is amended as follows.
- (2) In paragraph 10—
- (a) in sub-paragraph (1)—
 - (i) for “under 21” there is substituted “ under 18 ” and for “age of 21” there is substituted “ age of 18 ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall not be less than the period of two months;”,
 - (b) in sub-paragraph (1A), “under 18 years of age” is omitted,
 - (c) in sub-paragraph (1AA)(a), for “21” there is substituted “ 18 ”,
 - (d) in paragraph (a) of sub-paragraph (6), for the words from “any institution” to the end of the paragraph there is substituted “ such secure accommodation (within the meaning of section 107 of the ^{M11}Powers of Criminal Courts

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- (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose”,
- (e) in sub-paragraph (6A), for “detention in a young offender institution” there is substituted “ imprisonment ”.
- (3) In paragraph 15—
- (a) in sub-paragraph (3), in paragraphs (a) and (b), for “21” there is substituted “ 18 ”,
- (b) in the table—
- (i) in the heading to the first column, for “21” there is substituted “ 18 ”,
- (ii) for the heading to the second column there is substituted “ Offender aged 17 but under 18 ”,
- (iii) in the second column, “Custody for life” is omitted,
- (c) in the note following the table—
- (i) in sub-paragraph (a), after “murder” there is inserted “ or any other offence the sentence for which is fixed by law as life imprisonment ”,
- (ii) in sub-paragraph (i), for “custody for life” there is substituted “ a custodial order ”.
- (4) Sub-paragraph (3)(c)(i) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

I2 Sch.7 para.18 partly in force:Sch.7 para.18(3)(c)(i) and (4) comes into force at RA.see s.80(3)(d)

Marginal Citations

M11 2000 c. 6.

Air Force Act 1955 (c. 19)

19 The Air Force Act 1955 is amended as follows.

PROSPECTIVE

- 20 In section 57(2A) (offences in relation to courts-martial), for “twenty-one” there is substituted “ eighteen ”.
- 21 In section 71(1) (punishments which may be awarded by sentence of a court-martial), after paragraph (bb) there is inserted—
- “(bc) order that the convicted person be disqualified from working with children”.
- 22 (1) In section 71A (juveniles)—
- (a) in subsections (1), (1D) and (1E)(i), for “21” there is substituted “ 18 ”,
- (b) subsections (1A) to (1C) are omitted,
- (c) in subsection (1D), paragraph (b) and the “and” preceding it are omitted,
- (d) in subsection (1E), paragraph (b) and the “or” preceding it are omitted,
- (e) in subsection (3), after “murder” there is inserted “ or any other offence the sentence for which is fixed by law as life imprisonment ”,

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- (f) in subsection (4), for “an adult” (in both places) there is substituted “ a person who has attained 18 years of age ”,
- (g) in subsection (5), “custody for life or” and “and to a sentence of custody for life” are omitted.

(2) Sub-paragraph (1)(e) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

I3 Sch.7 para.22 partly in force:Sch.7 para.22(1)(e) and (2) comes into force at RA.see s.80(3)(d)

PROSPECTIVE

- 23 In section 71AA (young service offenders: custodial orders)—
- (a) in subsection (1)—
 - (i) for “twenty-one” (in both places) there is substituted “ eighteen ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall be not less than the period of two months; and”,
 - (b) in subsection (1AA), “aged 17” is omitted,
 - (c) in paragraph (a) of subsection (6), for the words from “any institution” to the end of the paragraph there is substituted “ such secure accommodation (within the meaning of section 107 of the ^{M12}Powers of Criminal Courts (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose ”,
 - (d) in subsection (6A), for “detention in a young offender institution” there is substituted “ imprisonment ”.

Marginal Citations

M12 2000 c. 6.

PROSPECTIVE

- 24 In section 71AB(1) (reasons to be given where custodial sentence awarded to young offender), paragraph (b) and the “or” preceding it are omitted.
- 25 (1) Schedule 5A (powers of court on trial of civilian) is amended as follows.
- (2) In paragraph 10—
- (a) in sub-paragraph (1)—
 - (i) for “under 21” there is substituted “ under 18 ” and for “age of 21” there is substituted “ age of 18 ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall not be less than the period of two months;”,
 - (b) in sub-paragraph (1A), “under 18 years of age” is omitted,
 - (c) in sub-paragraph (1AA)(a), for “21” there is substituted “ 18 ”,

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- (d) in paragraph (a) of sub-paragraph (6), for the words from “any institution” to the end of the paragraph there is substituted “such secure accommodation (within the meaning of section 107 of the Powers of Criminal Courts (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose”,
- (e) in sub-paragraph (6A), for “detention in a young offender institution” there is substituted “imprisonment”.

(3) In paragraph 15—

- (a) in sub-paragraph (3), in paragraphs (a) and (b), for “21” there is substituted “18”,
- (b) in the table—
 - (i) in the heading to the first column, for “21” there is substituted “18”,
 - (ii) for the heading to the second column there is substituted “Offender aged 17 but under 18”,
 - (iii) in the second column, “Custody for life” is omitted,
- (c) in the note following the table—
 - (i) in sub-paragraph (a), after “murder” there is inserted “or any other offence the sentence for which is fixed by law as life imprisonment”,
 - (ii) in sub-paragraph (i), for “custody for life” there is substituted “a custodial order”.

(4) Sub-paragraph (3)(c)(i) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

I4 Sch.7 para.25 partly in force:Sch.7 para.25(3)(c)(i) and (4) comes into force at RA.see s.80(3)(d)

Naval Discipline Act 1957 (c. 53)

26 The Naval Discipline Act 1957 is amended as follows.

PROSPECTIVE

27 In section 38(3A) (offences in relation to courts-martial), for “twenty-one” there is substituted “eighteen”.

28 In section 43(1) (punishments which may be awarded to persons convicted of offences under Part I of that Act), after paragraph (bb) there is inserted—
 “(bc) order that the convicted person be disqualified from working with children”.

29 (1) In section 43A (juveniles)—

- (a) in subsections (1), (1D) and (1E)(i), for “21” there is substituted “18”,
- (b) subsections (1A) to (1C) are omitted,
- (c) in subsection (1D), paragraph (b) and the “and” preceding it are omitted,
- (d) in subsection (1E), paragraph (b) and the “or” preceding it are omitted,
- (e) in subsection (3), after “murder” there is inserted “or any other offence the sentence for which is fixed by law as life imprisonment”,

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- (f) in subsection (4), for “an adult” (in both places) there is substituted “ a person who has attained 18 years of age ”,
- (g) in subsection (5), “custody for life or” and “and to a sentence of custody for life” are omitted.

(2) Sub-paragraph (1)(e) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

I5 Sch.7 para.29 partly in force:Sch.7 para.29(1)(e) and (2) comes into force at RA. see s.80(3)(d)

PROSPECTIVE

- 30 In section 43AA (young service offenders: custodial orders)—
- (a) in subsection (1)—
 - (i) for “twenty-one” (in both places) there is substituted “ eighteen ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall be not less than the period of two months; and”,
 - (b) in subsection (1AA), “aged 17” is omitted,
 - (c) in paragraph (a) of subsection (6), for the words from “any institution” to the end of the paragraph there is substituted “ such secure accommodation (within the meaning of section 107 of the ^{M13}Powers of Criminal Courts (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose ”,
 - (d) in subsection (6A), for “detention in a young offender institution” there is substituted “ imprisonment ”.

Marginal Citations

M13 2000 c. 6.

PROSPECTIVE

- 31 In section 43AB(1) (reasons to be given where custodial sentence awarded to young offender), paragraph (b) and the “or” preceding it are omitted.
- 32 (1) Schedule 4A (powers of court on trial of civilian) is amended as follows.
- (2) In paragraph 10—
- (a) in sub-paragraph (1)—
 - (i) for “under 21” there is substituted “ under 18 ” and for “age of 21” there is substituted “ age of 18 ”,
 - (ii) for paragraph (a) there is substituted—
 - “(a) shall not be less than the period of two months; and”,
 - (b) in sub-paragraph (1A), “under 18 years of age” is omitted,

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- (c) in sub-paragraph (1AA)(a), for “21” there is substituted “ 18 ”,
- (d) in paragraph (a) of sub-paragraph (6), for the words from “any institution” to the end of the paragraph there is substituted “ such secure accommodation (within the meaning of section 107 of the Powers of Criminal Courts (Sentencing) Act 2000) as may be determined by the Secretary of State or by such other person as may be authorised by him for that purpose ”,
- (e) in sub-paragraph (6A), for “detention in a young offender institution” there is substituted “ imprisonment ”.

(3) In paragraph 15—

- (a) in sub-paragraph (3), in paragraphs (a) and (b), for “21” there is substituted “ 18 ”,
- (b) in the table—
 - (i) in the heading to the first column, for “21” there is substituted “ 18 ”,
 - (ii) for the heading to the second column there is substituted “ Offender aged 17 but under 18 ”,
 - (iii) in the second column, “Custody for life” is omitted,
- (c) in the note following the table—
 - (i) in sub-paragraph (a), after “murder” there is inserted “ or any other offence the sentence for which is fixed by law as life imprisonment ”,
 - (ii) in sub-paragraph (i), for “custody for life” there is substituted “ a custodial order ”.

(4) Sub-paragraph (3)(c)(i) has effect in relation to sentences passed after the coming into force of section 60.

Commencement Information

I6 Sch.7 para.32 partly in force:Sch.7 para.32(3)(c)(i) and (4) comes into force at RA.see s.80(3)(d)

PROSPECTIVE

Criminal Justice Act 1961 (c. 39)

33 In section 23(4) of the Criminal Justice Act 1961 (prison rules), for “secure training centres and remand centres” there is substituted “ and secure training centres ”.

PROSPECTIVE

Criminal Justice Act 1967 (c. 80)

34 The Criminal Justice Act 1967 is amended as follows.

35 In section 34 (committal of persons under twenty-one accused of extradition crimes etc.), for “twenty-one” there is substituted “ eighteen ”.

36 In section 67(6) (computation of sentences of imprisonment passed in England and Wales), “to a remand centre or” is omitted.

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Social Work (Scotland) Act 1968 (c. 49)

- 37 In section 94(1) of the Social Work (Scotland) Act 1968 (interpretation)—
- (a) at the appropriate place there is inserted—
- “community rehabilitation order” has the meaning given by section 43 of the Criminal Justice and Court Services Act 2000”;
- (b) for the definition of “probation order” there is substituted—
- “probation order”—
- (a) in relation to an order imposed by a court in England or Wales, means a community rehabilitation order,
- (b) in relation to an order imposed by a court in Northern Ireland, has the same meaning as in the^{M14}Criminal Justice (Northern Ireland) Order 1996.”.

Marginal Citations

M14 S.I. 1996/3160 (N.I. 24).

Children and Young Persons Act 1969 (c. 54)

- 38 The Children and Young Persons Act 1969 is amended as follows.

PROSPECTIVE

F239

Textual Amendments

F2 Sch. 7 para. 39 omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 12 para. 46\(3\)](#); S.I. 2012/2906, art. 2(j) (with art. 7(2)(3))

- 40 In section 34(3) (transitional modifications of Part I), for “probation committee” there is substituted “local probation board”.
- 41 In section 46(1) (discontinuance of approved schools etc.), “within the meaning of the^{M15}Probation Service Act 1993” is omitted.

Marginal Citations

M15 1993 c. 47.

- 42 In section 70(1) (general interpretation), at the appropriate place there is inserted—
- “local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.
- 43 (1) Schedule 3 (approved schools and other institutions) is amended as follows.
- (2) In paragraph 6(1), after “^{M16}Probation Service Act 1993” there is inserted “or section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000”.

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(3) In paragraph 9—

(a) in sub-paragraph (2)—

- (i) for “either” there is substituted “ any ”,
- (ii) in paragraph (a), “or” is omitted,
- (iii) after paragraph (b) there is inserted—

“(c) section 3 of the Criminal Justice and Court Services Act 2000 (functions of the Secretary of State);

(d) section 5 of that Act (functions of local probation boards); or

(e) section 9 of that Act (approved premises),”

(b) for sub-paragraph (4)(b) there is substituted—

“(b) the amount which in his opinion represents the proportion of the contributions paid by local authorities under section 90 of the Act of 1933 or (as the case may be) the proportion of the sums paid by—

(i) probation committees under rules made under the Probation Service Act 1993,

(ii) the Secretary of State under section 3 or 9 of the Criminal Justice and Court Services Act 2000, and

(iii) local probation boards under section 5 of that Act, which (in either case) should be treated as having been paid on account of expenditure of a capital nature in connection with the former approved institution;”.

(4) In paragraph 10(4)(b), after “Probation Service Act 1993” there is inserted “ or under section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000 ”.

Marginal Citations

M16 1993 c. 47.

Local Authorities (Goods and Services) Act 1970 (c. 39)

44 (1) Subject to sub-paragraph (2), in section 1(4) of the Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities to public bodies) “public body” includes a local probation board established under section 4 of this Act.

(2) An order under section 1(5) of the Local Authorities (Goods and Services) Act 1970 (power to provide that a person or description of persons shall be a public body for the purposes of that Act) may repeal the provisions of sub-paragraph (1) above as they apply to a local probation board specified in the order.

Pensions (Increase) Act 1971 (c. 56)

45 In Schedule 2 to the ^{M17}Pensions (Increase) Act 1971 (official pensions), after paragraph 53 there is inserted—

“53A A pension payable in accordance with regulations under section 7 of the ^{M18}Superannuation Act 1972 in respect of service as chairman, chief

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officer, member or member of the staff of a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000.”

Marginal Citations

M17 1972 c. 11.

M18 1972 c. 11.

Local Government Act 1972 (c. 70)

46 In Part I of Schedule 12A to the Local Government Act 1972 (access to information: exempt information)—

- (a) in paragraph 2(a), “or” is omitted,
- (b) at the end of paragraph 2(b) there is inserted “or
 - (c) a local probation board within the meaning of the Criminal Justice and Court Services Act 2000.”,
- (c) after paragraph 2 there is inserted—

“2A Information relating to a particular chief officer, former chief officer or applicant to become a chief officer of a local probation board within the meaning of the Criminal Justice and Court Services Act 2000.”

Juries Act 1974 (c. 23)

F³47

Textual Amendments

F3 Sch. 7 para. 47 repealed (5.4.2004) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 10](#); [S.I. 2004/829](#), art. 2(1)(2)(l)(iv)

Rehabilitation of Offenders Act 1974 (c. 53)

48 The Rehabilitation of Offenders Act 1974 is amended as follows.

49 In section 5 (rehabilitation periods for particular sentences)—

- (a) in subsection (4A), for “a person was placed on probation” there is substituted “ a probation order was made ”,
- (b) in subsection (4A)(b), for “probation order” there is inserted “ order in question ”.

50 In section 6(3) (the rehabilitation period applicable to a conviction)—

- (a) for “placed on probation” there is substituted “ a probation order was made ”,
- (b) for “or probation” there is substituted “ or a breach of the order ”.

Adoption Act 1976 (c. 36)

51 The Adoption Act 1976 is amended as follows.

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- 52 In section 65 (guardians ad litem and reporting officers)—
- (a) in subsection (1)—
 - (i) after “as are prescribed” there is inserted “ of an officer of the Service ”,
 - (ii) in paragraph (a), for the words from the beginning to “litem” there is substituted “ to act on behalf ”,
 - (iii) in paragraph (b), “of a person to act as reporting officer” is omitted,
 - (b) in subsection (2)—
 - (i) for “as guardian ad litem or reporting officer” there is substituted “ under subsection (1) ”,
 - (ii) for “be both guardian ad litem and reporting officer” there is substituted “ act under both paragraphs (a) and (b) of subsection (1) ”,
 - (c) after subsection (2) there is inserted—
 - “(3) Rules of court may make provision as to the assistance which an officer of the Service may be required by the court to give to it.
 - (4) In this section “officer of the Service” has the same meaning as in the Criminal Justice and Court Services Act 2000.”,
 - (d) for the sidenote there is substituted “ Duties of officers of the Service ”.
- 53 Section 65A (panels for selection of guardians ad litem and reporting officers) is omitted.

PROSPECTIVE

Criminal Law Act 1977 (c. 45)

- 54 The Criminal Law Act 1977 is amended as follows.
- 55 In section 38A(5) (execution in different parts of United Kingdom of warrants for imprisonment for non-payment of fine), in the definition of “prison”, for paragraph (ia) there is substituted—
- “(ia) in the case of a person under that age arrested in England and Wales, any prison, or any young offender institution in which one or more persons mentioned in section 61(3), (4) or (5) of the Criminal Justice and Court Services Act 2000 are detained, determined by the Secretary of State (in respect of that person or a description of persons including that person);”.
- 56 In section 38B(5) (further provision for execution of warrants of commitment), in the definition of “prison”, for paragraph (a) there is substituted—
- “(a) in the case of a person who is under the age of 21 years arrested in England and Wales, any prison, or any young offender institution in which one or more persons mentioned in section 61(3), (4) or (5) of the Criminal Justice and Court Services Act 2000 are detained, determined by the Secretary of State (in respect of that person or a description of persons including that person); and”.

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Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

- 57 In section 26(2) of the Domestic Proceedings and Magistrates' Courts Act 1978 (reconciliation)—
- (a) for “a probation officer” there is substituted “ an officer of the Service (within the meaning of the Criminal Justice and Court Services Act 2000) ”,
 - (b) for “the probation officer or that” there is substituted “ that officer or ”.

Magistrates' Courts Act 1980 (c. 43)

- 58 The Magistrates' Courts Act 1980 is amended as follows.

PROSPECTIVE

- 59 In section 11(3) (non-appearance of accused: general provisions), “or detention in a detention centre” is omitted.

PROSPECTIVE

- 60 In section 31 (general limit on power of magistrates' court to impose imprisonment), in subsections (1) and (2), “or youth custody” is omitted.

- 61 Section 72 (report by probation officer on means of parties) is omitted.

PROSPECTIVE

- 62 In section 77(2) (postponement of issue of warrant), “or detention under section 108 of the Powers of^{M19}Criminal Courts (Sentencing) Act 2000 (detention of persons aged 18 to 20 for default)” is omitted.

Marginal Citations

M19 2000 c. 6.

PROSPECTIVE

- 63 In section 82 (restriction on power to impose imprisonment for default)—
- (a) in subsection (1)(c), “youth custody or detention in a detention centre” is omitted,
 - (b) in subsections (1)(c), (3)(a) and (5)(b), for “section 9 of the^{M20}Criminal Justice Act 1982” there is substituted “ section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 ”,
 - (c) in subsection (4A)(e), for “section 17 of the^{M21}Criminal Justice Act 1982” there is substituted “ section 60 of the Powers of Criminal Courts (Sentencing) Act 2000 ”.

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Marginal Citations
M20 1982 c. 48.
M21 1982 c. 48.

PROSPECTIVE

64 In section 88 (supervision pending payment)—
(a) in subsection (4), for “detention under section 108 of the Powers of Criminal Courts (Sentencing) Act 2000” there is substituted “prison” and for “such detention” there is substituted “prison”,
(b) in subsection (5), for “such detention” there is substituted “prison”.

PROSPECTIVE

65 Section 96A (application of Part III to persons aged 18 to 20) is omitted.

PROSPECTIVE

66 In section 133 (consecutive terms of imprisonment)—
(a) in subsection (1), the first, second and fourth mentions of “or youth custody” are omitted,
(b) subsection (2A) is omitted.

PROSPECTIVE

67 In section 135 (detention of offender for one day in court house or police station), subsection (3) is omitted.

PROSPECTIVE

68 In section 136 (committal to custody overnight at police station), subsection (4) is omitted.

PROSPECTIVE

F469

Textual Amendments
F4 Sch. 7 para. 69 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), Sch. 28 Pt. 1 (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(u)(xxix)

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

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PROSPECTIVE

Imprisonment (Temporary Provisions) Act 1980 (c. 57)

- 70 In section 6 of the Imprisonment (Temporary Provisions) Act 1980 (detention in the custody of a constable), in subsections (1) and (2), “remand centre” is omitted.

Criminal Justice Act 1982 (c. 48)

- 71 In paragraph 7(3)(b) of Schedule 13 to the Criminal Justice Act 1982 (reciprocal arrangements), for “probation committee for that area to appoint or assign a probation officer” there is substituted “ local probation board for that area (established under section 4 of the Criminal Justice and Court Services Act 2000) to appoint or assign an officer of the board ”.

Mental Health Act 1983 (c. 20)

- 72 The Mental Health Act 1983 is amended as follows.

PROSPECTIVE

- 73 In section 48(2)(a) (removal to hospital of other prisoners), “or remand centre” is omitted.

- 74 In section 134(3)(e) (correspondence of patients), for “probation committee (within the meaning of the ^{M22}Probation Service Act 1993)” there is substituted “ local probation board established under section 4 of the Criminal Justice and Court Services Act 2000 ”.

Marginal Citations

M22 1993 c. 47.

Health and Social Services and Social Security Adjudications Act 1983 (c. 41)

- 75 In section 10(16) of the Health and Social Services and Social Security Adjudications Act 1983 (central council for education and training in social work), paragraph (b) and the “and” preceding it are omitted.

Police and Criminal Evidence Act 1984 (c. 60)

PROSPECTIVE

- 76 The Police and Criminal Evidence Act 1984 is amended as follows.

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PROSPECTIVE

F577

Textual Amendments

F5 Sch. 7 para. 77 repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15), s. 178(8)(8), Sch. 17 Pt. 2; S.I. 2005/3495, art. 2(1)(u)

78 In section 62 (intimate samples), at the beginning of subsection (1) there is inserted “ Subject to section 63B below ”.

Commencement Information

I7 Sch. 7 para. 78 wholly in force at 2.7.2001; Sch. 7 para. 78 not in force at Royal Assent see s. 80; Sch. 7 para. 78 in force for specified purposes at 20.6.2001 and insofar as not already in force at 2.7.2001 by S.I. 2001/2232, art. 2(m)(i)

Child Abduction and Custody Act 1985 (c. 60)

79 The Child Abduction and Custody Act 1985 is amended as follows.

80 In sections 6(a) and 21(a) (reports), for “a probation officer” there is substituted “ an officer of the Service ”.

81 In section 27 (interpretation), after subsection (4) there is inserted—

“(5) In this Act “officer of the Service” has the same meaning as in the Criminal Justice and Court Services Act 2000.”

Local Government Act 1988 (c. 9)

82 In the Local Government Act 1988, in Schedule 2 (public supply or works contracts: the public authorities), for “A probation committee (within the meaning of the ^{M23}Probation Service Act 1993)” there is substituted “ A local probation board established under section 4 of the Criminal Justice and Court Services Act 2000 ”.

Marginal Citations

M23 1993 c. 47.

Education Reform Act 1988 (c. 40)

F683

Textual Amendments

F6 Sch. 7 para. 83 repealed (31.3.2003 for W., 1.6.2003 for E.) by 2002 c. 32, ss. 215(2), 216, 217, Sch. 22 Pt. 3 (with ss. 210(8), 214(4)); S.I. 2002/3185, art. 5 Sch. Pt. II; S.I. 2003/1115, art. 3

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Local Government Finance Act 1988 (c. 41)

F784

Textual Amendments

F7 Sch. 7 paras. 84-86 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

F785

Textual Amendments

F7 Sch. 7 paras. 84-86 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

F786

Textual Amendments

F7 Sch. 7 paras. 84-86 repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

Children Act 1989 (c. 41)

87 The Children Act 1989 is amended as follows.

88 In section 7 (welfare reports)—

- (a) in subsection (1), for “a probation officer” (in both places) there is substituted “ an officer of the Service ”,
- (b) in subsection (5), for “probation officer” there is substituted “ officer of the Service ”.

89 In section 16 (family assistance orders)—

- (a) in subsection (1)(a), for “a probation officer” there is substituted “ an officer of the Service ”,
- (b) subsections (8) and (9) are omitted.

90 In section 31(1)(b) (care and supervision orders), “or of a probation officer” is omitted.

91 In section 41 (representation of child and of his interests in certain proceedings)—

- (a) in subsections (1) and (11), for “a guardian ad litem” there is substituted “ an officer of the Service ”,
- (b) in subsections (2), (4)(a) and (10)(a) and (b), for “guardian ad litem” there is substituted “ officer of the Service ”,
- (c) in subsection (10)(c), for “guardians ad litem” there is substituted “ officers of the Service ”,
- (d) subsections (7) to (9) and (12) are omitted,
- (e) for the cross-heading preceding section 41 there is substituted “ Representation of child ”.

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- 92 In section 42 (right of guardian ad litem to have access to local authority records)—
- (a) in subsection (1)—
 - (i) for “a person” there is substituted “ an officer of the Service ”,
 - (ii) for “as a guardian ad litem under this Act” there is substituted “ under section 41 ”,
 - (b) in subsection (2), for “a guardian ad litem” there is substituted “ an officer of the Service ”,
 - (c) for the sidenote there is substituted “ Right of officer of the Service to have access to local authority records ”.
- 93 In section 58(4) (financial provisions applicable on cessation of controlled or assisted community home or disposal etc of premises)—
- (a) in paragraph (a), “or” is omitted,
 - (b) in paragraph (b), after “hostels or homes” there is inserted “or
 - (c) of sums paid under section 3, 5 or 9 of the Criminal Justice and Court Services Act 2000 in relation to expenditure on approved premises (within the meaning of Part I of that Act).”
- 94 In section 68(2)(d), (persons disqualified from being private foster parents), for “has been placed on probation or” there is substituted “ a probation order has been made in respect of him or he has been ”.
- 95 In section 105(1) (interpretation), at the appropriate place there is inserted—
- ““officer of the Service” has the same meaning as in the Criminal Justice and Court Services Act 2000;”.
- 96 In Schedule 3 (supervision orders), in paragraph 9, sub-paragraphs (2) to (5) are omitted.
- 97 In Schedule 10 (amendments of adoption legislation), paragraph 29 is omitted.

PROSPECTIVE

Computer Misuse Act 1990 (c. 18)

- 98 In section 2(2)(b) of the Computer Misuse Act 1990 (unauthorised access with intent to commit or facilitate commission of further offences), for “of twenty-one years of age or over (not previously convicted)” there is substituted “ who has attained the age of twenty-one years (eighteen in relation to England and Wales) and has no previous convictions ”.

Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 (c. 25)

- 99 The Criminal Procedure (Insanity and Unfitness to Plead) Act 1991 is amended as follows.
- 100 In section 6(1) (general interpretation), at the appropriate place there is inserted—
- ““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.

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PROSPECTIVE

**No
commentary
item
could be
found
for this
reference
key-14fac534515f494ce91f45fc358089b1101**

102 In Schedule 2 (supervision and treatment orders), in paragraph 1(1)(a), for “probation officer” there is substituted “ an officer of a local probation board ”.

Criminal Justice Act 1991 (c. 53)

103 The Criminal Justice Act 1991 is amended as follows.

PROSPECTIVE

^{F8}104

Textual Amendments

F8 Sch. 7 paras. 104-107 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

^{F8}105

Textual Amendments

F8 Sch. 7 paras. 104-107 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

^{F8}106

Textual Amendments

F8 Sch. 7 paras. 104-107 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#),

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art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

PROSPECTIVE

F8 107

Textual Amendments

F8 Sch. 7 paras. 104-107 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

PROSPECTIVE

108 In section 68 (persons aged 17 to be treated as young persons for certain purposes), paragraph (b) is omitted.

PROSPECTIVE

109 In section 92(1) (interpretation of Part IV), in the definition of “prison”, “or remand centre” is omitted.

110 In section 99(1) (general interpretation), at the appropriate place there is inserted—
 ““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.

111 In Schedule 3 (reciprocal enforcement of certain orders)—
 (a) in paragraph 10—
 (i) in sub-paragraphs (2)(b) and (3)(c), for “probation committee” there is substituted “ local probation board ”,
 (ii) in sub-paragraph (3)(a), for “a probation officer assigned” there is substituted “ an officer of a local probation board assigned ”,
 (iii) in sub-paragraph (3)(d), for “probation centre” there is substituted “ community rehabilitation centre ”,

F9(b)

Textual Amendments

F9 Sch. 7 para. 111(b) repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t) (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

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Commencement Information

- 18** Sch. 7 para. 111 partly in force; Sch. para. 111 not in force at Royal Assent see s. 80; Sch. 7 para. 111(a) in force at 1.4.2001 by S.I. 2001/919, art. 2(f)(ii)

PROSPECTIVE

- 112 In Schedule 8 (amendments for treating persons aged 17 as young persons), paragraphs 2 and 6(3) are omitted.

PROSPECTIVE

- 113 In Schedule 12 (transitional provisions and savings), in paragraphs 15(4) and 16(3), “remand centre or” is omitted.

PROSPECTIVE

Water Industry Act 1991 (c. 56)

- 114 In Schedule 4A to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges), in paragraph 13(2)(a), for “young offender institution or remand centre” there is substituted “ or young offender institution ”.

PROSPECTIVE

Prison Security Act 1992 (c. 25)

- 115 In section 1(6) of the Prison Security Act 1992 (offence of prison mutiny), in the definition of “prison”, for “young offender institution or remand centre” there is substituted “ or young offender institution ”.

Prisoners and Criminal Proceedings (Scotland) Act 1993 (c. 9)

- 116 The Prisoners and Criminal Proceedings (Scotland) Act 1993 is amended as follows.
- 117 In section 15(5) (variation of supervised release order), for “probation officer” there is substituted “ officer of a local probation board ”.
- 118 In section 27(1) (interpretation of Part I), at the appropriate place there is inserted—
““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.

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Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

PROSPECTIVE

Intelligence Services Act 1994 (c. 13)

- 119 In section 5(3B)(b) of the Intelligence Services Act 1994 (warrants: general), after “twenty-one” there is inserted “ (eighteen in relation to England and Wales) ”.

Criminal Procedure (Scotland) Act 1995 (c. 46)

- 120 The Criminal Procedure (Scotland) Act 1995 is amended as follows.
- 121 In section 209(7) (supervised release orders), for “probation officer” there is substituted “ officer of a local probation board ”.
- 122 In section 228(2)(b) (probation orders), for “probation committee” there is substituted “ local probation board ”.
- 123 In section 234 (probation orders: persons residing in England and Wales)—
- ^{F10}(a)
- (b) in subsection (3)(c), for “probation committee” there is substituted “ local probation board ”,
- ^{F11}(c)
- (d) in subsection (5)(a), for “probation order” there is substituted “ community rehabilitation order ”,
- (e) in subsection (5)(b), for “combination order” there is substituted “ community punishment and rehabilitation order ”,
- ^{F11}(f)

Textual Amendments

F10 Sch. 7 para. 123(a) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1))

F11 Sch. 7 para. 123(c)(f) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(1))

- 124 In section 242 (community service orders: persons residing in England and Wales)
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- ^{F12}(a)
- ^{F12}(b)
- (c) in subsection (3)(b)—
- (i) for “probation committee” there is substituted “ local probation board ”,
- (ii) for “a probation officer” there is substituted “ an officer of the board ”.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

Textual Amendments

F12 Sch. 7 para. 124(a)(b) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

125 In section 244 (community service orders: general provisions relating to persons living in England and Wales or Northern Ireland)—

(a) for subsection (3) there is substituted—

“(3) Subject to the following provisions of this section—

(a) a community service order made or amended in the circumstances specified in section 242 shall be treated as if it were a community punishment order made in England and Wales and the legislation relating to community punishment orders which has effect in England and Wales shall apply accordingly; and

(b) a community service order made or amended in the circumstances specified in section 243 shall be treated as if it were a community service order made in Northern Ireland and the legislation relating to community service orders which has effect in Northern Ireland shall apply accordingly.”

(b) in subsections (4)(a) and (6), after “community service orders” there is inserted “ or, as the case may be, community punishment orders ”,

(c) in subsection (5), after “a community service order” there is inserted “ or, as the case may be, a community punishment order ”.

126 In section 307(1) (interpretation), at the appropriate place there is inserted—

““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000”.

Education Act 1996 (c. 56)

127 The Education Act 1996 is amended as follows.

128 In section 468 (school may be struck off for contravention of regulations about employment of teachers), at the end there is inserted—

“(2) Where the Secretary of State is satisfied that a person who is included (otherwise than provisionally) in the list kept under section 1 of the ^{M24}Protection of Children Act 1999 (individuals considered unsuitable to work with children) or is subject to an order under section 28 or 29 of the Criminal Justice and Court Services Act 2000 (disqualification from working with children)—

(a) is employed in a registered or provisionally registered school, or

(b) is the proprietor of such a school,

he may order that the school be struck off the register or (as the case may be) that the Registrar is not to register the school.”

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

Marginal Citations

M24 1999 c. 14.

129 After section 473 there is inserted—

“473A Removal of disqualification: persons no longer unsuitable to work with children.

- (1) Subject to section 473B, a person to whom this section applies may make an application under this section to the Tribunal.
- (2) This section applies to any person who is disqualified, by an order made under section 470 or 471 on the grounds that he is unsuitable to work with children—
 - (a) from being the proprietor of any independent school; or
 - (b) from being a teacher or other employee in any school.
- (3) On an application under this section the Tribunal shall determine whether or not the individual shall continue to be subject to the order.
- (4) If the Tribunal is satisfied that the individual is no longer unsuitable to work with children, it shall direct that the order shall cease to have effect; otherwise it shall dismiss the application.
- (5) In this section and section 473B, “the Tribunal” means the tribunal established by section 9 of the ^{M25}Protection of Children Act 1999.

473B Conditions for application under section 473A.

- (1) A person may only make an application under section 473A with the leave of the Tribunal.
- (2) An application for leave under this section may not be made unless the appropriate conditions are satisfied in the person’s case.
- (3) In the case of a person who was a child when the order was made, the appropriate conditions are satisfied if—
 - (a) at least five years have elapsed since the order was made; and
 - (b) in the period of five years ending with the time when he makes the application under this section, he has made no other such application.
- (4) In the case of any other person, the appropriate conditions are satisfied if—
 - (a) at least ten years have elapsed since the order was made; and
 - (b) in the period of ten years ending with the time when he makes the application under this section, he has made no other such application.
- (5) The Tribunal shall not grant an application under this section unless it considers—

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

- (a) that the person’s circumstances have changed since the order was made, or, as the case may be, since he last made an application under this section; and
- (b) that the change is such that leave should be granted.”

Marginal Citations

M25 1999 c. 14.

- 130 In section 474 (removal of disqualification)—
- (a) at the end of subsection (1) there is inserted—
“But this subsection does not apply in relation to the disqualification of a person to whom section 473A applies.”,
 - (b) for the sidenote there is substituted “Removal of disqualification: other cases.”

Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24))

- 131 The Criminal Justice (Northern Ireland) Order 1996 is amended as follows.
- 132 In Article 10(1A) (probation orders) as it has effect pursuant to paragraph 10(1) of Schedule 3 to the ^{M26}Criminal Justice Act 1991 (reciprocal enforcement of certain orders), for “probation committee” there is substituted “ local probation board ”.

Marginal Citations

M26 1991 c. 53.

^{F13}133

Textual Amendments

F13 Sch. 7 para. 133 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

Sexual Offences (Protected Material) Act 1997 (c. 39)

- 134 In section 2(1) of the Sexual Offences (Protected Material) Act 1997 (meaning of other expressions), in the definition of “prison”, for “young offender institution or remand centre” there is substituted “ or young offender institution ”.

Crime (Sentences) Act 1997 (c. 43)

- 135 The Crime (Sentences) Act 1997 is amended as follows.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

- 136 In section 28 (duty to release certain life prisoners)—
- (a) for the words from the beginning to the end of subsection (5)(a) there is substituted—
- “(1A) In this Chapter—
- (a) references to a life prisoner to whom this section applies are references to a life prisoner in respect of whom an order has been made under subsection (2) of section 82A of the ^{M27}Powers of Criminal Courts (Sentencing) Act 2000 or a direction under subsection (5) of that section has been given or will be required to be given at the appropriate stage; and
- (b) references to the relevant part of his sentence are references to the part of his sentence specified in the order or direction or, in the case of a life prisoner in respect of whom a direction under subsection (5) of that section has not been given but will be required to be given at the appropriate stage, the whole of his sentence,
- and in this section “appropriate stage”, in relation to such a direction, has the same meaning as in subsection (6) of that section.
- (1B) But if a life prisoner is serving two or more life sentences—
- (a) he is not to be treated for the purposes of this Chapter as a life prisoner to whom this section applies unless such an order or direction has been made or given in respect of each of those sentences or such a direction will be required to be given at the appropriate stage; and
- (b) the provisions of subsections (5) to (8) below do not apply in relation to him until he has served the relevant part of each of them.
- (5) As soon as—
- (a) a life prisoner to whom this section applies has served the relevant part of his sentence”,
- (b) subsection (9) is omitted.

Marginal Citations

M27 2000 c. 6.

- 137 In section 33 (life prisoners transferred to England and Wales)—
- (a) for “section 28” (in subsections (1) and (2)) there is substituted “ the provisions of section 28(5) to (8) ”,
- (b) in subsection (5), for “subsections (5) and (7) of section 28” there is substituted “ the provisions of section 28(5) to (8) ”.
- 138 In section 34(1) (interpretation), the words following the first mention of “sentences” are omitted.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

PROSPECTIVE

F14 139

Textual Amendments

F14 Sch. 7 para. 139 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

F15 140

Textual Amendments

F15 Sch. 7 para. 140 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

141 In section 54(1) (general interpretation), at the appropriate place there is inserted—
““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.

142 In section 57(8) (extent), at the end there is inserted—
“or the extent of Chapter II of Part II so far as it relates to sentences passed by a court-martial
,”
and Chapter II of Part II of that Act is to be treated as always having had effect as amended by this paragraph.

143 In Schedule 1 (transfer of prisoners within the British Islands), in each of paragraphs 8(5) and 11(6), in the table, for “Probation officer” there is substituted “ Officer of a local probation board ”.

144 In Schedule 5 (transitional provisions and savings), paragraph 5(1) is omitted.

145 Paragraphs 135 to 138 and 144 above have effect in relation to life sentences passed after commencement.

146 Paragraph 147 below applies where a person serving any life sentence passed after commencement—
(a) is also serving a life sentence passed before commencement, or

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- (b) by reason of any sentence passed before commencement, is a transferred life prisoner within the meaning of section 33,
and the sentences referred to in paragraphs (a) and (b) are referred to in paragraph 147 below as pre-commencement life sentences.
- 147 Section 28(1B) is to have effect as if—
- (a) any reference to a life sentence included a pre-commencement life sentence,
- (b) any reference to an order or direction in relation to such a life sentence were to—
- (i) an order under section 28(2)(b) or a direction under section 28(4) (as originally enacted), or
- (ii) a certificate under section 33,
- (c) any reference to the relevant part of such a life sentence were to the part specified in the order, direction or certificate (as the case may be) relating to that sentence.
- 148 In paragraphs 145 and 146 above, “commencement” means the coming into force of section 60 of this Act and “life sentence” has the same meaning as in Chapter II of Part II of that Act.

PROSPECTIVE

Police Act 1997 (c. 50)

- 149 In section 93(4)(b) of the Police Act 1997 (authorisations to interfere with property etc.), after “twenty-one” there is inserted “ (eighteen in relation to England and Wales) ”.

Crime and Disorder Act 1998 (c. 37)

- 150 The Crime and Disorder Act 1998 is amended as follows.
- 151 In sections ^{F16} . . . 38(2)(b), 39(3)(b), 41(10), 42(3) and 115(2)(e), for “probation committee” there is substituted “ local probation board ”.

Textual Amendments

F16 Words in Sch. 7 para. 151 repealed (1.10.2002) by 2002 c. 30, s. 107, **Sch. 8**; S.I. 2002/2306, **art. 2(g)(iii)(i)**

- 152 In section 117(1) (interpretation), after the definition of “guardian” there is inserted—
- ““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000;”.
- 153 In Schedule 8 (minor and consequential amendments), paragraph 110 is omitted.

Protection of Children Act 1999 (c. 14)

- 154 The Protection of Children Act 1999 is amended as follows.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

155 After section 4 there is inserted—

“4A Applications for removal from list.

- (1) Subject to section 4B below, an individual who is included in the list kept by the Secretary of State under section 1 above may make an application to the Tribunal under this section.
- (2) On an application under this section the Tribunal shall determine whether or not the individual should continue to be included in the list.
- (3) If the Tribunal is satisfied that the individual is no longer unsuitable to work with children it shall direct his removal from the list; otherwise it shall dismiss the application.

4B Conditions for application under section 4A.

- (1) An individual may only make an application under section 4A above with the leave of the Tribunal.
- (2) An application for leave under this section may not be made unless the appropriate conditions are satisfied in the individual’s case.
- (3) In the case of an individual who was a child when he was included (otherwise than provisionally) in the list, the appropriate conditions are satisfied if—
 - (a) he has been so included for a continuous period of at least five years; and
 - (b) in the period of five years ending with the time when he makes the application under this section, he has made no other such application.
- (4) In the case of any other individual, the appropriate conditions are satisfied if—
 - (a) he has been included (otherwise than provisionally) in the list for a continuous period of at least ten years; and
 - (b) in the period of ten years ending with the time when he makes the application under this section, he has made no other such application.
- (5) The Tribunal shall not grant an application under this section unless it considers—
 - (a) that the individual’s circumstances have changed since he was included (otherwise than provisionally) in the list, or, as the case may be, since he last made an application under this section; and
 - (b) that the change is such that leave should be granted.

4C Restoration to list.

- (1) If it appears to a chief officer of police or a director of social services of a local authority that the conditions set out in subsection (2) below are satisfied in the case of an individual, the chief officer or (as the case may be) the director may apply to the High Court for an order under this section to be made in respect of the individual.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

- (2) The conditions are that—
- (a) the individual is no longer included in the list kept by the Secretary of State under section 1 above, and
 - (b) the individual has acted in such a way (whether before or after he ceased to be included in the list) as to give reasonable cause to believe that an order under this section is necessary to protect children in general, or any children in particular, from serious harm from him.
- (3) An application under this section may be made at any time after the individual ceased to be included in the list.
- (4) If the High Court is satisfied that the conditions set out in subsection (2) above are satisfied, it must order the restoration of the individual’s inclusion in the list; otherwise it must dismiss the application.
- (5) Where an order is made under this section, section 4B above has effect with the following modifications—
- (a) in subsection (3), the reference to the individual being a child when he was included in the list is to be read as a reference to his being a child when the order under this section was made,
 - (b) subsections (3)(a) and (4)(a) are to have effect as if at the end there were inserted “beginning with the making of the order under section 4C below”,
 - (c) in subsection (5)(a), the reference to the individual’s circumstances changing since he was included in the list is to be read as a reference to his circumstances changing since the order under this section was made.
- (6) For the purposes of this section an individual is no longer included in the list if a direction under section 4A(3) above has been given in respect of him and his inclusion in the list is not restored by virtue of an order under this section.
- (7) In this section, “local authority” has the same meaning as in the ^{M28}Education Act 1996.”

Marginal Citations

M28 1996 c. 56.

- 156 Section 6 (appeals against prohibition or restriction of employment) is omitted.
- 157 In section 9(2) (the Tribunal)—
- (a) in paragraph (a), after “4” there is inserted “ , 4A or 4B ”,
 - (b) for paragraph (b) there is substituted—
 - “(b) on an appeal or determination under regulations made under section 218(6) of the 1988 Act;”,
 - (c) for the “or” before paragraph (d) there is substituted—
 - “(ca) on a determination under section 473A or 473B of the Education Act 1996;”,
 - (d) after paragraph (d) there is inserted “or

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

(e) on a determination under section 32 or 33 of the Criminal Justice and Court Services Act 2000.”

158 In section 12 (interpretation)—

(a) in the definition of “child care position”, for paragraphs (a) to (c) there is substituted—

“(a) is a regulated position for the purposes of Part II of the Criminal Justice and Court Services Act 2000; but

(b) is not a position within subsection (3) below;”

(b) in subsection (3)(b), for the words from “an independent” to the end there is substituted “ a school which is a children’s home for the purposes of the ^{M29}Care Standards Act 2000 ”.

Marginal Citations

M29 2000 c. 14.

159 In section 14 (extent etc.)—

(a) in subsection (3), for “This Act, except section 8 and this section,” there is substituted “ Subject to subsections (4) and (5) below, this Act ”,

(b) after subsection (4) there is inserted—

“(5) Section 9 above and the Schedule to this Act extend to the whole of the United Kingdom.”

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

160 The Powers of Criminal Courts (Sentencing) Act 2000 is amended as follows.

^{F17}161

Textual Amendments

F17 Sch. 7 para. 161 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

^{F18}162

Textual Amendments

F18 Sch. 7 para. 162 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

163 Section 38 (electronic monitoring of curfew orders) is omitted.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.
Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

Commencement Information

I9 Sch. 7 para. 163 wholly in force at 2.7.2001; Sch. 7 para. 163 not in force at Royal Assent see s. 80; Sch. 7 para. 163 in force for specified purposes at 20.6.2001 and insofar as not already in force at 2.7.2001 by S.I. 2001/2232, **art. 2(m)(iv)**

164 In section 40 (curfew orders: supplementary)—
(a) in subsection (1)(a), the words from “(including” to “available)” are omitted,
(b) after subsection (2) there is inserted—
“(3) An order under subsection (2)(a) above may make in paragraphs 2A(4) and (5) and 19(3) of Schedule 3 to this Act any amendment which the Secretary of State thinks necessary in consequence of any substitution made by the order.”

Commencement Information

I10 Sch. 7 para. 164 partly in force; Sch. 7 para. 164 not in force at Royal Assent see s. 80; Sch. 7 para. 164 in force for specified purposes at 20.6.2001 and for other specified purposes at 2.7.2001 by S.I. 2001/2232, **art. 2(m)(v)**

PROSPECTIVE

F19 165

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t)** (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

F19 166

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by Criminal Justice Act 2003 (c. 44), s. 336(3)(4), **Sch. 37 Pt. 7; S.I. 2005/950, art. 2(1), Sch. 1 para. 44(4)(t)** (with Sch. 2) (as explained (29.7.2005) by S.I. 2005/2122, art. 2; and as amended: (14.7.2008) by 2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2; S.I. 2008/1586, Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by S.I. 2009/3111, art. 2; (3.12.2012) by S.I. 2012/2905, art. 4; (3.12.2012) by 2012 c. 10, Sch. 14 para. 17; S.I. 2012/2906, art. 2(l))

PROSPECTIVE

F19 167

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F19168

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F19169

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F19170

PROSPECTIVE

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F19171

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch.

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.
Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

F19 172

Textual Amendments

F19 Sch. 7 paras. 165-172 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

- 173 In section 60(1)(b) (attendance centre orders), after “court” there is inserted “ has power or ”.
- 174 In section 64(2) (selection and duty of supervisor), the words from “and selected under arrangements” to the end of the subsection are omitted.
- 175 In section 66 (facilities for implementing supervision orders), in subsections (2), (9) and (12) (in both places), for “probation committee” there is substituted “ local probation board ”.

PROSPECTIVE

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e2693836086e5922ed2910b803149889176**

PROSPECTIVE

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Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

key-
e2693836086e5922ed2910b803149889^{F20}177

Textual Amendments

F20 Sch. 7 para. 177 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

No
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e2693836086e5922ed2910b803149889178

PROSPECTIVE

^{F21}179

Textual Amendments

F21 Sch. 7 para. 179 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

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key-171b7b7f3c2d34610d483129ca603285180

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.
Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

PROSPECTIVE

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key-171b7b7f3c2d34610d483129ca603285182

PROSPECTIVE

183 In section 99 (conversion of sentence of detention or custody to sentence of imprisonment), subsection (2) is omitted.

PROSPECTIVE

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key-2d71776d853e9743a974f51998a8e9a9184

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key-2d71776d853e9743a974f51998a8e9a9185

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

PROSPECTIVE

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PROSPECTIVE

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key-2d71776d853e9743a974f51998a8e9a9187

PROSPECTIVE

188 Section 108 (detention of persons aged at least 18 but under 21 for default or contempt) is omitted.

PROSPECTIVE

F22 189

Textual Amendments

F22 Sch. 7 para. 189 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1](#) para. 44(4)(t) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

PROSPECTIVE

F23 190

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

Textual Amendments

F23 Sch. 7 para. 190 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PROSPECTIVE

F24 191

Textual Amendments

F24 Sch. 7 para. 191 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PROSPECTIVE

F25 192

Textual Amendments

F25 Sch. 7 para. 192 repealed (30.11.2009) by Criminal Justice and Immigration Act 2008 (c. 4), s. 153(7), **Sch. 28 Pt. 1** (with Sch. 27 paras. 1, 5); S.I. 2009/3074, art. 2(u)(xxix)

PROSPECTIVE

193 In section 139 (powers and duties of Crown Court in relation to fines and forfeited recognizances)—

- (a) in subsection (2), “or of detention under section 108 above (detention of persons aged 18 to 20 for default)” is omitted,
- (b) in subsection (3), “or detained” is omitted,
- (c) in subsection (3)(c), “custody for life or detention in a young offender institution” is omitted,
- (d) in subsection (4), “or detention” is omitted,
- (e) in subsection (5), the second “or detention” is omitted.

PROSPECTIVE

194 In section 140(3) (enforcement of fines imposed and recognizances forfeited by Crown Court), “or detention under section 108 above” is omitted.

195 For the sidenote to section 157 (other reports of probation officers and members of youth offending teams), there is substituted “ Other reports of officers of local probation boards and members of youth offending teams ”.

196 In section 160 (rules and orders)—

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- (a) in subsection (2)(a), for the words from “40(1)” to “Schedule 2” there is substituted “ 36B(6), 40(1), 40C(1), 42(2E), 58A(8) or 162 or paragraph 3, 7, or 8 of Schedule 2 ”,
- (b) in subsection (2)(b), for the words from “40(2)” to the end there is substituted “ 40(2)(b), 40C(2), 68, 122(7) or 156(4) or paragraph 7(9) or 8(8) of Schedule 2 ”,
- (c) in subsection (3)(a)—
 - (i) after “15(1)” there is inserted “ 40(2)(a) ”,
 - ^{F26}(ii)
 - ^{F26}(iii)
- (d) for subsection (5) there is substituted—
 - “(5) The following may make different provision for different cases or classes of case—
 - (a) any order under section 36B(5), 37(6), 40(2), 40A(6) or 40C(2) or paragraph 7 or 8 of Schedule 2;
 - (b) any rules under section 36B, 40(1), 40C(1), 42(2E), 47(3C), 58A(8) or 162 or paragraph 7 or 8 of Schedule 2.”

Textual Amendments

F26 Sch. 7 para. 196(c)(ii)(iii) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\), s. 336\(3\)\(4\), Sch. 37 Pt. 7](#); [S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122, art. 2](#); and as amended: (14.7.2008) by [2008 c. 4, Sch. 26 para. 78, Sch. 28 Pt. 2](#); [S.I. 2008/1586, Sch. 1 paras. 48\(s\), 50\(2\)\(d\)](#); (30.11.2009) by [S.I. 2009/3111, art. 2](#); (3.12.2012) by [S.I. 2012/2905, art. 4](#); (3.12.2012) by [2012 c. 10, Sch. 14 para. 17](#); [S.I. 2012/2906, art. 2\(l\)](#))

Commencement Information

- I11** Sch. 7 para. 196 partly in force; Sch. 7 para. 196 not in force at Royal Assent see s. 80; Sch. 7 para. 196 in force for specified purposes at 20.6.2001 and in force for other specified purposes at 2.7.2001 by [S.I. 2001/2232, art. 2\(m\)\(vi\)](#)
- I12** Sch. 7 para. 196(a)(b)(d) in force at 2.9.2004 for specified purposes by [S.I. 2004/2171, art. 2](#)
- I13** Sch. 7 para. 196(c)(i)(ii) in force at 2.9.2004 in so far as not already in force by [S.I. 2004/2171, art. 2](#)

- 197 In section 163 (general definitions)—
- (a) in the definition of “attendance centre order”, for “4(1)(c) or 5(1)(c)” there is substituted “ 4(1C)(c) or 5(1C)(c) ”,
 - (b) the definitions of “combination order”, “probation order” and “probation period” are omitted,
 - ^{F27}(c)
 - (d) in the definition of “curfew order”, after “59 above” there is inserted “ or paragraph 6A of Schedule 3 to this Act ” and after “section 59” (in the second place) there is inserted “ or paragraph 4(1C)(a) of Schedule 3 ”,
 - (e) at the end of the definition of “custodial sentence” there is inserted “ and, in relation to sentences passed before the coming into force of section 61 of the Criminal Justice and Court Services Act 2000, includes a sentence of custody for life and a sentence of detention in a young offender institution ”,
 - (f) at the appropriate places there are inserted—
 - ““affected person”—

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.
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- (a) in relation to an exclusion order, has the meaning given by section 40A(13) above;
- (b) in relation to a community rehabilitation order, has the meaning given by section 41(12) above; and
- (c) in relation to a community punishment and rehabilitation order, has (by virtue of section 51(4) above), the meaning given by section 41(12) above”,

““community rehabilitation period” means the period for which a person subject to a community rehabilitation or community punishment and rehabilitation order is placed under supervision by the order”,

““drug abstinence order” means an order under section 58A(1) above”,

““exclusion order” means an order under section 40A(1) above”,

““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000”,

- (g) in the definition of “responsible officer”—
 - (i) after paragraph (a) there is inserted—
 - “(aa) in relation to an exclusion order, has the meaning given by section 40A(14) above”,
 - ^{F28}(ii)

Textual Amendments

F27 Sch. 7 para. 197(c) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7; S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F28 Sch. 7 para. 197(g)(ii) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7; S.I. 2005/950, art. 2\(1\), Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Commencement Information

I14 Sch. 7 para. 197 partly in force; Sch. 7 para. 197 not in force at Royal Assent see s. 80; Sch. 7 para. 197(b) in force and Sch. 7 para. 197(f) in force for specified purposes at 1.4.2001 by [S.I. 2001/919, art. 2\(f\)\(iii\)](#); Sch. 7 para. 197(f) in force for specified purposes at 20.6.2001 and 2.7.2001 and Sch. 7 para. 197(g)(ii) in force for specified purposes at 20.6.2001 and in force insofar as not already in force at 2.7.2001 by [S.I. 2001/2232, art. 2\(m\)\(vii\)](#)

I15 Sch. 7 para. 197(f) in force at 2.9.2004 for specified purposes by [S.I. 2004/2171, art. 2](#)

I16 Sch. 7 para. 197(g)(i) in force at 2.9.2004 by [S.I. 2004/2171, art. 2](#)

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Textual Amendments

F29 Sch. 7 paras. 198-200 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F29199

Textual Amendments

F29 Sch. 7 paras. 198-200 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

F29200

Textual Amendments

F29 Sch. 7 paras. 198-200 repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

201 (1) Schedule 7 (breach, revocation and amendment of supervision orders) is amended as follows.

(2) In paragraph 3—

(a) in sub-paragraph (2)(b), for “sections 38” there is substituted “ sections 36B ”,

(b) in sub-paragraph (5)(a), for “4(1)(d)” there is substituted “ 4(1C)(d) ”.

(3) In paragraph 7(7)—

(a) paragraph (a) is omitted,

(b) in paragraph (b), “if the justice or youth court has not been so notified” is omitted.

Commencement Information

I17 Sch. 7 para. 201 partly in force; Sch. 7 para. 201 not in force at Royal Assent see s. 80; Sch. 7 para. 201(1)(2)(a) in force for specified purposes at 20.6.2001 and insofar as not already in force at 2.7.2001 by [S.I. 2001/2232](#), [art. 2\(m\)\(ix\)](#)

202 (1) Schedule 8 (breach, revocation and amendment of action plan orders and reparation orders) is amended as follows.

(2) In paragraph 3—

Status: Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.
Changes to legislation: *Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)*

- (a) in sub-paragraph (2)(b), for “sections 38” there is substituted “ sections 36B ”,
 - (b) in sub-paragraph (5)(a), for “4(1)(d)” there is substituted “ 4(1C)(d) ”.
- (3) In paragraph 6(7)—
- (a) paragraph (a) is omitted,
 - (b) in paragraph (b), “if it has not been so notified” is omitted.

Commencement Information

I18 Sch. 7 para. 202 partly in force; Sch. 7 para. 202 not in force at Royal Assent see s. 80; Sch. 7 para. 202(1)(2)(a) in force for specified purposes at 20.6.2001 and insofar as not already in force at 2.7.2001 by [S.I. 2001/2232](#), [art. 2\(m\)\(x\)](#)

- 203 (1) Schedule 9 (consequential amendments) is amended as follows.
- (2) Paragraphs 5(3), 9, 10, 12, 14, 15, 17, 19, 20, 22, 34(a), 56, 57, 66, 68, 70, 77, 78, 111(4), 143(b), 152 to 156 and 166(3) are omitted.
 - (3) Paragraphs 182 and 188 are omitted.
 - (4) Sub-paragraph (3) has effect in relation to sentences passed after the coming into force of section 60.
 - (5) In paragraph 183, sub-paragraph (2)(b) and the preceding “and”, and sub-paragraphs (3)(b) and (3)(c), are omitted.

Commencement Information

I19 Sch. 7 para. 203 partly in force; Sch. 7 para. 203(3)(4) in force at Royal Assent see s. 80(3)(d); Sch. 7 para. 203(1) in force and Sch. 7 para. 203(2) in force for specified purposes at 1.4.2001 by [S.I. 2001/919](#), [art. 2\(f\)\(v\)\(vi\)](#)

PROSPECTIVE

^{F30}204

Textual Amendments

F30 Sch. 7 para. 204 repealed (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), [Sch. 28 Pt. 1](#) (with [Sch. 27 paras. 1, 5](#)); [S.I. 2009/3074](#), [art. 2\(u\)\(xxix\)](#)

Child Support, Pensions and Social Security Act 2000 (c. 19)

- 205 The Child Support, Pensions and Social Security Act 2000 is amended as follows.
- 206 In section 62 (loss of benefit for breach of community order)—
- ^{F31}(a)
 - (b) for subsection (11)(c)(ii) there is substituted—

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- “(ii) in the definition of “relevant community order”,
for paragraphs (a) to (e) substitute—
- “(“ a community service order;
 - (b) a probation order;
 - (c) such other description of order made under the ^{M30}Criminal Procedure (Scotland) Act 1995 as may be prescribed for the purposes of this section; or
 - (d) any order falling in Scotland to be treated as an order specified in paragraphs (a) to (c) ”.””

Textual Amendments

F31 Sch. 7 para. 206(a) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), s. 336(3)(4), [Sch. 37 Pt. 7](#); [S.I. 2005/950](#), art. 2(1), [Sch. 1 para. 44\(4\)\(t\)](#) (with [Sch. 2](#)) (as explained (29.7.2005) by [S.I. 2005/2122](#), art. 2; and as amended: (14.7.2008) by [2008 c. 4](#), Sch. 26 para. 78, Sch. 28 Pt. 2; [S.I. 2008/1586](#), Sch. 1 paras. 48(s), 50(2)(d); (30.11.2009) by [S.I. 2009/3111](#), art. 2; (3.12.2012) by [S.I. 2012/2905](#), art. 4; (3.12.2012) by [2012 c. 10](#), Sch. 14 para. 17; [S.I. 2012/2906](#), art. 2(l))

Marginal Citations

M30 [1995 c. 46](#).

- 207 In section 64 (information provision)—
- (a) in subsection (2), for “Chief Probation Officer for any area in England and Wales” there is substituted “ chief officer of a local probation board ”,
 - (b) in subsections (2)(a) and (7)(c), for “a person employed or appointed by a probation committee” there is substituted “ an officer of a local probation board ”,
 - (c) at the end of subsection (10) there is inserted “ and “local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000 ”.

Learning and Skills Act 2000 (c. 21)

- 208 The Learning and Skills Act 2000 is amended as follows.
- 209 In sections 115(1)(e) (consultation and coordination) and 120(2)(e) (information: supply by public bodies), for “probation committee” there is substituted “ local probation board ”.
- 210 In section 121(1) (supplementary), after the definition of “local authority” there is inserted—
- ““local probation board” means a local probation board established under section 4 of the Criminal Justice and Court Services Act 2000,”
- and the definition of “probation committee” is omitted.

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Changes to legislation: Criminal Justice and Court Services Act 2000, SCHEDULE 7 is up to date with all changes known to be in force on or before 06 September 2023. 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)

PROSPECTIVE

Regulation of Investigatory Powers Act 2000 (c. 23)

211

In section 81(3)(a) of the Regulation of Investigatory Powers Act 2000 (general interpretation), after “twenty-one” there is inserted “ (eighteen in relation to England and Wales) ”.

Status:

Point in time view as at 04/04/2005. This version of this schedule contains provisions that are prospective.

Changes to legislation:

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