

SCHEDULES

SCHEDULE 7

MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

GENERAL

Naval Discipline Act 1957 (c. 53)

- 26 The Naval Discipline Act 1957 is amended as follows.
- 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”,
 - (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.
- 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 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”,

(d) in subsection (6A), for “detention in a young offender institution” there is substituted “imprisonment”.

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,

(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.