



Powers of Criminal Courts (Sentencing) Act 2000

2000 CHAPTER 6

PART II

ABSOLUTE AND CONDITIONAL DISCHARGE

15 Discharge: supplementary

- (1) The Secretary of State may by order direct that subsection (1) of section 12 above shall be amended by substituting, for the maximum period specified in that subsection as originally enacted or as previously amended under this subsection, such period as may be specified in the order.
- (2) Where an order for conditional discharge has been made on appeal, for the purposes of section 13 above it shall be deemed—
 - (a) if it was made on an appeal brought from a magistrates' court, to have been made by that magistrates' court;
 - (b) if it was made on an appeal brought from the Crown Court or from the criminal division of the Court of Appeal, to have been made by the Crown Court.
- (3) In proceedings before the Crown Court under section 13 above, any question whether any person in whose case an order for conditional discharge has been made has been convicted of an offence committed during the period of conditional discharge shall be determined by the court and not by the verdict of a jury.