
Changes to legislation: *Criminal Justice and Immigration Act 2008, Cross Heading: Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) is up to date with all changes known to be in force on or before 16 March 2019. 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)*

SCHEDULES

SCHEDULE 4

YOUTH REHABILITATION ORDERS: CONSEQUENTIAL AND RELATED AMENDMENTS

PART 1

CONSEQUENTIAL AMENDMENTS

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

- 51 The Powers of Criminal Courts (Sentencing) Act 2000 has effect subject to the following amendments.

Annotations:

Commencement Information

- I1** Sch. 4 para. 51 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 52 In section 19(4)(a) (making of referral orders: effect on court's other sentencing powers), for “community sentence” substitute “ sentence which consists of or includes a youth rehabilitation order ”.

Annotations:

Commencement Information

- I2** Sch. 4 para. 52 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 53 In section 73 (reparation orders)—
- (a) for subsection (4)(b) substitute—
- “(b) to make in respect of him a youth rehabilitation order or a referral order.”
- (b) after subsection (4) insert—
- “(4A) The court shall not make a reparation order in respect of the offender at a time when a youth rehabilitation order is in force in respect of him unless when it makes the reparation order it revokes the youth rehabilitation order.
- (4B) Where a youth rehabilitation order is revoked under subsection (4A), paragraph 24 of Schedule 2 to the Criminal Justice and Immigration Act 2008 (breach, revocation or amendment of youth rehabilitation order) applies to the revocation.”

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Annotations:

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I3 Sch. 4 para. 53 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(v)

- 54 In section 74(3)(a) (requirements and provisions of reparation order, and obligations of person subject to it), omit “or with the requirements of any community order or any youth community order to which he may be subject”.

Annotations:

Commencement Information

I4 Sch. 4 para. 54 in force at 30.11.2009 for specified purposes by S.I. 2009/3074, art. 2(p)(vi)

- 55 In section 75 (breach, revocation and amendment of reparation orders) omit “action plan orders and” and “so far as relating to reparation orders”.

Annotations:

Commencement Information

I5 Sch. 4 para. 55 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(vii)

- 56 In section 91(3) (offenders under 18 convicted of certain serious offences: power to detain for specified period), for “a community sentence” substitute “ a youth rehabilitation order ”.

Annotations:

Commencement Information

I6 Sch. 4 para. 56 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(vii)

- 57 In section 137(2) (power to order parent or guardian to pay fine, costs, compensation or surcharge)—
- (a) after “under—” insert—
 - “(za) paragraph 6(2)(a) or 8(2)(a) of Schedule 2 to the Criminal Justice and Immigration Act 2008 (breach of youth rehabilitation order),”, and
 - (b) omit paragraphs (a) to (c), and
 - (c) in paragraph (d) omit “action plan order”.

Annotations:

Commencement Information

I7 Sch. 4 para. 57 in force at 30.11.2009 for specified purposes by S.I. 2009/3074, art. 2(p)(viii)

- 58 In section 150(2) (binding over of parent or guardian), for “a community sentence on the offender” substitute “ on the offender a sentence which consists of or includes a youth rehabilitation order ”.

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Annotations:

Commencement Information

I8 Sch. 4 para. 58 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(ix)

- 59 In section 159 (execution of process between England and Wales and Scotland)—
- (a) after “Schedule 1 to this Act,” insert “ or ”,
 - (b) omit “paragraph 3(1), 10(6) or 18(1) of Schedule 3 to this Act,”,
 - (c) omit “paragraph 1(1) of Schedule 5 to this Act”, and
 - (d) omit “paragraph 7(2) of Schedule 7 to this Act, or”.

Annotations:

Commencement Information

I9 Sch. 4 para. 59(a)(b)(d) in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(x)

- 60 (1) Section 160 (rules and orders) is amended as follows.
- ^{F1}(2)
- (3) In subsection (3)(a)—
- (a) omit “40(2)(a),” and
 - (b) for “103(2) or paragraph 1(1A) of Schedule 3,” substitute “ or 103(2) ”.
- ^{F2}(4)

Annotations:

Amendments (Textual)

- F1** Sch. 4 para. 60(2) repealed (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(j)(ii), Sch. 23 Pt. 4 (with s. 180)
- F2** Sch. 4 para. 60(4) repealed (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(j)(ii), Sch. 23 Pt. 4 (with s. 180)

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- I10** Sch. 4 para. 60(1) (3) in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(xi)
- I11** Sch. 4 para. 60(2)(4) in force at 30.11.2009 for specified purposes by S.I. 2009/3074, art. 2(p)(xi) (Sch. 4 para. 60(2)(4) already repealed (12.11.2009) by Coroners and Justice Act 2009 (c. 25), s. 182(1)(j)(ii), Sch. 23 Pt. 4 (with s. 180))

- 61 In section 163 (general definitions)—
- (a) omit the definitions of “action plan order”, “affected person”, “attendance centre”, “attendance centre order”, “community sentence”, “curfew order”, “exclusion order”, “supervision order”, “supervisor” and “youth community order”,
 - (b) in the definition of “responsible officer”, omit paragraphs (a), (aa) and (f), and
 - (c) at the end add—

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““youth rehabilitation order” has the meaning given by section 1(1) of the Criminal Justice and Immigration Act 2008.”

Annotations:

Commencement Information

- I12** Sch. 4 para. 61(a) in force at 30.11.2009 for specified purposes by [S.I. 2009/3074](#), [art. 2\(p\)\(xii\)](#)
I13 Sch. 4 para. 61(b)(c) in force at 30.11.2009 by [S.I. 2009/3074](#), [art. 2\(p\)\(xii\)](#)

- 62 (1) Schedule 8 (breach, revocation and amendment of action plan orders and reparation orders) is amended as follows.
- (2) In the heading to the Schedule omit “action plan orders and”.
- (3) In the cross-heading before paragraph 2, omit “action plan order or”.
- (4) In paragraph 2—
- (a) in sub-paragraph (1), for “an action plan order or” substitute “ a ”,
 - (b) in sub-paragraph (2)—
 - (i) in paragraph (a), omit sub-paragraphs (ii) and (iii), and
 - (ii) in each of paragraphs (b) and (c), omit “action plan order or”,
 - (c) in each of sub-paragraphs (5) and (7), omit “action plan order or”, and
 - (d) in sub-paragraph (8), omit “or action plan order” in both places where it occurs.
- (5) Omit paragraphs 3 and 4.
- (6) In the cross-heading before paragraph 5, omit “action plan order or”.
- (7) In paragraph 5—
- (a) in sub-paragraph (1), for “an action plan order or” substitute “ a ” and, in paragraph (a), omit “action plan order or”, and
 - (b) in sub-paragraph (3), for “an action plan order or” substitute “ a ”.
- (8) In paragraph 6(9), in each of paragraphs (a), (b) and (c), omit “action plan order or”.
- (9) In paragraph 7(b), for “an action plan order or” substitute “ a ”.

Annotations:

Commencement Information

- I14** Sch. 4 para. 62 in force at 30.11.2009 by [S.I. 2009/3074](#), [art. 2\(p\)\(xiii\)](#)

- 63 In Schedule 10 (transitory modifications), omit paragraphs 4 to 6 and 12 to 15.

Annotations:

Commencement Information

- I15** Sch. 4 para. 63 in force at 30.11.2009 by [S.I. 2009/3074](#), [art. 2\(p\)\(xiii\)](#)

- 64 In Schedule 11 (transitional provisions)—
- (a) in paragraph 4, omit—

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- (i) paragraph (a) of sub-paragraph (1),
 - (ii) sub-paragraph (2), and
 - (iii) sub-paragraph (3), and
- (b) omit paragraph 5.

Annotations:

Commencement Information

I16 Sch. 4 para. 64 in force at 30.11.2009 by S.I. 2009/3074, art. 2(p)(xiii)

Changes to legislation:

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

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

- Sch. 7 para. 5A and cross-heading inserted by [2008 c. 25 Sch. 1 para. 90\(3\)](#)